



Judicial Greffe & Viscount's Department

2013

Jersey Court Service Annual Report



*Supporting the Delivery of Justice
through Professional
Excellence*



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FOREWORD

This is the eleventh Annual Report for the Judicial Greffe and the Viscount's Department to be produced in combination and is for the year 2013. 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 Finance 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 43.2 FTE in the Judicial Greffe and 24.3 FTE in the Viscount's Department), as at 31 December 2013, is as shown in the organisation charts at Appendix A.

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
Mrs C Coleman	Assistant Judicial Greffier
Mr D Le Heuzé	Magistrate's Court Greffier
Mrs C Le Sueur	Finance Manager

Judicial Greffe

As at 31 December 2013, the Judicial Greffe's Management Team comprised the following:

Mr M Wilkins	Judicial Greffier
Advocate P Matthews	Deputy Judicial Greffier
Mrs J O'Sullivan	Registrar, Family Division
Mrs C Canavan	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 2013, the Viscount's Department Corporate Board and Management Team comprised the following:

Mr M Wilkins	Viscount
Advocate M Harris	Deputy Viscount
Mr J Lambert	Director of Services
Mrs L Allo	Principal Administrator, Désastre Section
Mr P Stephens	Senior Enforcement Officer
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 *Dégrévements* (Discumberments 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
- Providing for the operation of a small claims mediation service

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
- 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

- 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 Minister 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)
- Applications for *Remise de Biens* (provision of administrative support to Jurats of the Royal Court)

OPERATIONAL & ADMINISTRATIVE ACTIVITY, 2013

(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 2,148 Acts in 2013 (1,953 in 2012) of which 136 related to the registration of medical and associated professionals, 80 related to deeds poll, 66 to company reinstatements, 97 to swearings-in, 51 to inquests, 81 to managers of licenced premises, 334 to criminal or evidence matters and 1,303 to other civil matters.

Of the 1,666 Acts which were issued pursuant to an order of a judge of the Royal Court, 99.2% were within service pledge and of the 482 Acts which were dealt with by a Greffier Substitute, 98.3% were within service pledge. There were 483 new actions brought before the Court and 38 Orders in Council were registered.

The Licensing Assembly sat 6 times (for licensing applications), and heard 71 applications. 10 ex-parte applications were made, 55 licences were granted, 10 were withdrawn, 4 were refused and 4 were adjourned. The Assembly sat a further 2 times in respect of particular premises when 2 licences were revoked.

There were 16 Assize trials initiated in 2013 by Order of the Royal Court, although only 4 trials were completed, of which 2 were initiated in 2012 (7 of those initiated in 2013 are to take place in 2014 and 7 have subsequently either been abandoned or vacated due to a change of plea).

Finally, 35 public elections were ordered in respect of Senators, Deputies, Constables, Centeniers and Procureurs du Bien Public.

Taxation of Costs

In 2013, 60 bills of costs were submitted for taxation by the Judicial Greffe (44 civil and 16 criminal). All of these bills, save one, were dealt with by the Assistant Judicial Greffier (Royal Court) as Taxing Officer.

Legal Aid Vote

In 2013, there were 183 new applications for the payment of disbursements from the Legal Aid Vote (131 civil and 52 criminal).

Dégrévement Hearings

In 2013, there were 10 dégrévement hearings, all of which took place before the Assistant Judicial Greffier (Royal Court).

Applications for Remise de Biens

A Remise de Biens is a suspensory procedure under Loi (1839) sur les Remises de Biens whereby a debtor owning immovable property places his, her or its estate "*entre le mains de la justice*" (surrenders property to the Royal Court) to afford protection to the debtor and to secure the orderly sale of properties, so as to discharge the debts.

In 2013, there were 4 applications for *Remise de Biens*. 3 applications failed and the other application did not conclude as the debtor succeeded in selling the property.

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

	2010 (£)	2011 (£)	2012 (£)	2013 (£)
Contracts & Wills	13,538,000	15,250,000	12,816,000	11,456,000
Judicial Hypothecs	2,346,000	2,664,000	2,132,000	2,265,000
Total	15,884,000	17,914,000	14,948,000	13,721,000

Value of property transactions registered

The value of property transactions registered in the Public Registry during 2013 amounted to £595 million, compared to £598 million in 2012 and £657 million in 2011. 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 in the Public Registry

In 2013, there were 4,287 (compared with 4,177 in 2012) documents registered in relation to Contracts, Wills and Judicial Hypothecs.

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% (99.97% in 2012).

In December 2013, the new internet input database (Pride Phase 4) was implemented and involved upgrading the platform on which the system operates, re-engineering the back-office processes, eliminating legacy software and standardising software packages.

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), dissolution of civil partnership, 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 2013, there were 62 free standing private children applications filed.

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

Summonses heard and orders made in 2013	
Preliminary directions hearing	249
Case review hearing	236
Summonses heard (half day or more)	69
Family/children Acts issued	301
Adoptions (2 Orders per child)	6
Nisi Acts issued	181
Matrimonial Acts issued	606
Reciprocal Orders	7
Parental Responsibility Agreements	54

168 decrees absolute of divorce (40% 1 year Separation by consent) were granted in 2013, compared with 194 in 2012.

Interlocutory Services

Dates were fixed for 104 summonses to be heard in 2013. 111 were heard including 11 adjourned from 2012. The remainder were vacated, adjourned or settled.

The number of Acts (including consent orders) produced in 2013 was 349, with 5 relating to service out of the jurisdiction or substituted service, 30 of which relate to Planning Appeals (whether dealt with under the ordinary or modified procedures), and 2 were appeals adjudicated 'on the papers'. 3 Appeals were withdrawn.

Written reasons issued on 16 occasions of which 9 resulted in judgments being issued and subsequently published. The remaining 7 were unpublished as at the end of 2013. 49 case reports were produced in 2013.

Types of Summons heard in 2013	
Additional Parties	1
Adjournment/Date Change	1
Amendment of Pleadings	6
Costs	6
Directions (including stays for mediation)	59
Disclosure	3
Dismissed	3
Extension of Time	1
Further & Better Particulars	4
Interlocutory	2
Representation	1
Security for Costs	2
Specific Discovery	3
Strike Out Applications	5
Summary Judgments	7
Taxation	1
Unless Orders	5
Vue de Vicomte	1
Total	111

The breakdown of types of summonses in relation to which hearings took place is shown in the table.

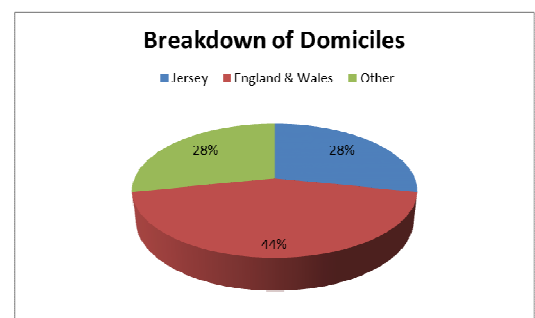
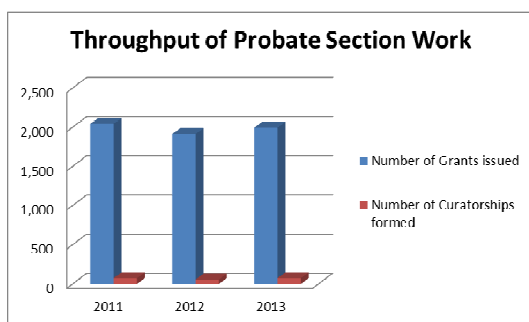
Probate Section

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 2013, applications for Grants of Probate and Letters of Administration involved persons who died domiciled both in Jersey and in 67 other jurisdictions worldwide.

1,991 Grants were made in the year (1,912 in 2012), representing a total estates value of £909,156,832.

The Section is also responsible for overseeing the administration of Curatorships, 72 new Curatorships being formed in 2013 (55 in 2012).



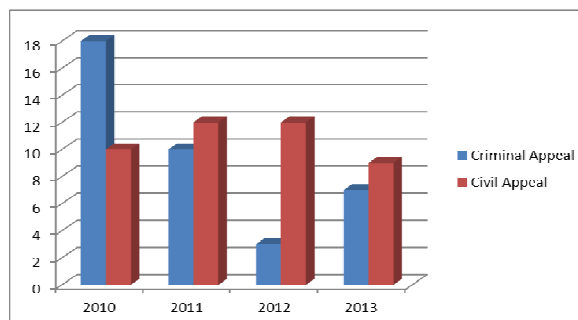
Appellate Section

The Appellate Section is responsible for all the administrative arrangements for the Court of Appeal and the Court of Appeal Judges; this includes arranging the annual sitting rota, the listing of all appeals received and the preparation of documentation for each sitting.

The Assistant Judicial Greffier for the Court of Appeal acts as Clerk to the judges, attends all sittings as Greffier, drafts the Acts of Court and provides procedural advice to the Judges of Appeal, members of the legal profession and litigants in person.

During 2013 Christopher Nugee, Q.C. was appointed to the High Court, Chancery Division in the UK and as a consequence resigned as a Judge of Appeal in Jersey. Robert Martin, Q.C., a member of the Scottish and English Bar and one of Scotland's leading silks was appointed and sworn in in 2013. Mr Martin practices primarily in the areas of land and administrative law and is a specialist in planning and property matters.

The Court of Appeal has 6 scheduled sittings each year; the Appellate Section will arrange any additional special sittings that are necessary and is responsible for any appeals to the Superior Number of the Royal Court against sentences passed by the Inferior Number. In 2013 the Court of Appeal sat 7 times, heard 9 civil appeals and 7 criminal appeals. The Superior Number sat on one occasion to hear an appeal and a single judge of the Court of Appeal sat to decide interlocutory or administrative matters on 9 occasions.



In addition to the administration of the Court of Appeal the Appellate Section is responsible for the publishing and maintenance of the Unreported Series of judgments on the Jersey Law website and for the verbatim transcription of Court proceedings when required.

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 10 ordinary meetings of the Board at the Prison in 2013 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 2013, 57 new trade marks were registered and 341 certificates were produced for updating registered marks. 49 patents were registered or updated and there were 5 registered or updated applications for designs.

Appeals and Tribunals' Registry

The Tribunal Service within the Judicial Greffe is responsible for the administration of the Jersey Employment Tribunal, the Social Security Income Support Tribunal, the Social Security Medical Tribunal, the Long Term Incapacity Benefit Tribunal and, added in 2013, the Mental Health Review Tribunal.

In 2013, the Employment Tribunal received 204 applications, 164 of which went on to hearings. Of those hearings 45 were full hearings, 30 were interim and 89 were case management meetings.

There were a total of 37 Social Security Tribunal applications resulting in 19 hearings. 9 hearings were Long Term Incapacity Benefit hearings, 6 were Income Support, medical, and the remaining 4 were Social Security, Income Support.

Magistrate's, Youth and Petty Debts Courts

During 2013, Advocate Falle stepped down from his appointment as Acting Magistrate on the formal swearing-in of Mrs Bridget Shaw as Magistrate on 15 March 2013. Advocate Peter Harris was also appointed Assistant Magistrate and was formally sworn-in on 17 May, completing the re-establishment of the Island's permanent, full-time Magistracy.

The DAISy Court Management system has continued to be developed and plans are underway to develop the Court Module for all the Courts. This will ensure a seamless transfer of information from the Charges' Office to, if needs be, the Royal Court. DAISy is now recognised as an essential IT element of the Criminal Justice System, linking numerous departments together electronically.

The number of cases completed within the Magistrate's Court decreased in 2013 by 17% over 2012, with only 2011 showing a lower number cases over the last 10 years.

The Magistrate's Court dealt with a total of 1,208 non-parking cases, which represents a decrease of approximately 26% over 2012. This is the lowest number of non-parking cases brought before the Magistrate over the last 10 year period.

There has been an increase in the number of cases committed to the Royal Court, with 163 cases committed compared to 138 last year, an increase of 18%. An additional 25 defendants were committed, representing an increase of 20% over 2012.

The total number of Arrest Orders issued has decreased to 1,174, a decrease of 15% compared to 2012. This decrease is across the board, with the number of non-parking arrest orders decreasing by 31% and parking Arrest Orders decreasing by 15%. Parking Arrest Orders are determined by the number of summonses sent out by the Parish of St Helier.

Throughput within the Magistrate's Court decreased in 2013, with 5,436 cases, committals, remands and Arrest Orders being handled this year compared with 6,188 in 2012, a decrease of 12%.

Youth Court

The Youth Court continues to benefit from a drop in youth offending which is being experienced in Jersey and the UK. As a consequence of the reduction in cases being referred to the Youth Court, a number of Youth Court sessions were cancelled.

Overall, the workload of the Youth Court has continued to decrease, with 62 cases being dealt with compared to 71 cases in 2012, a decrease of 13%. Since 2004, which saw a peak of 488 cases, the number of cases has decreased by 426, or 87%, in a 10 year period.

Accordingly, there was also a slight decrease in defendants of 7%, with 51 youths before the Youth Court compared to 55 last year. Two cases were committed to the Royal Court in 2013.

The number of cases which are remanded for various reasons increased to 84, representing a 50% increase over 2012. However, this still represents a decrease of 57% over remanded cases compared to 2011, which itself was the lowest number in the last 10 years.

Petty Debts Court

The Petty Debts Court is subdivided into 3 divisions:

- Civil Claims Division,
- Tenancy Division,
- Family Division.

Actions tabled decreased by 3% compared with 2012. This was reflected in the value, as this decreased by 7% with a total value of £8,274,733 compared to £8,934,330 in 2012. However, both of these figures are below the 2010 value of claims which was over £10 million. The number of adjournments in 2013 totalled 1,935, an increase of 14% compared with 2012.

The value of Stamp Duty decreased from £158,099 to £137,896, reflecting the decrease in the number of actions, the decrease in the number of trials and the decrease in the value of the actions.

The change in the Stamp Duties and Fees (Jersey) Law 1998 in 2013 brought the Petty Debts Court in line with the situation prior to the jurisdiction increase. The amendment allows for Stamp Duty of £300 per day, or part of a day, to be charged for trials in the Petty Debts Court where the claim is £3,000 or more.

The number of trials heard by the Petty Debts Court reduced from 26 in 2012 to 12 in 2013 (a decrease of 54%).

Taxation of Costs

In 2013 the Magistrate's Court Greffe taxed 40 criminal Bills of Costs and 10 civil Bills of Costs.

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 2013, a total of 76 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 2013 on a number of occasions, dealing with both criminal and civil matters.

Receiving Evidence in Chambers

The volume of work in 2013 (23 hours) was lower than in 2012 (68 hours). All of the hearings took place before the Deputy Judicial Greffier.

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 96% 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 1,081 fines were imposed by the courts and a total of £437,519 was collected (2012: 1,486 fines and £565,380 collected).

Receipt of Bail Moneys

There were 158 active bails as at 31 December 2013, the sum held totalling £87,954 (2012: 121 active bails and sum held £14,273).

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

There were 5,277 arrest orders for people who have failed to appear in Court, active and under enforcement with the Department at the end of 2013, 3,191 for parking related matters and 2,086 for other offences (2012: 5,099 arrest orders).

Service of Legal Process

In 2013, 1,624 items of legal process were served (2012: 1,542 served), equating to £44,610.

Collect (and Pay) Costs and Compensation

The Courts awarded costs following prosecution in 10 cases during 2013 (2012: 30 cases).

There were 108 orders for compensation imposed by the courts during the year involving the sum of £244,761 (2012: 192 orders and £133,303).

Execute and Enforce Civil Judgments

The Department received 1,421 judgments for enforcement during 2013, collecting £3,612,872 on behalf of creditors (2012: 1,514 judgements and £831,842 collected).

Carry out Evictions

In 2013, 4 eviction orders were dealt with. As in previous years, this difficult and sensitive area of work was completed without incident or publicity (2012: 7 evictions).

Enforce Criminal Seizure and Confiscation Orders

During 2013 there were 2 new Drug Trafficking *saisies judiciaires* (freezing orders), value collected £41,625.

There were 19 Drug Trafficking Confiscation Orders in 2013, involving £155,605 (2012: 14 cases and £21,581).

In 2013, new Proceeds of Crime *saisies judiciaires* (freezing orders) involved £7,904,224 in 8 cases; including foreign currencies and assets held by external trustees (2012: 4 cases involving £4,781,775).

4 Proceeds of Crime Confiscation Orders were carried out in 2013, amounting to £1,993,618, which was transferred to the Criminal Offences Confiscation Fund during the year (2012: 6 cases and £6,217,462).

Enforce Maintenance Orders, collecting and paying 'Alimony'

14 maintenance orders were under enforcement at the year end. Of these, 13 involved reciprocal enforcements for other jurisdictions (2012: 18 maintenance orders, of which 17 involved reciprocal enforcement).

Assize Jury Functions

The computerised jury selection system was called upon 12 times in 2013, although only 4 trials were completed, taking up 13.5 days. This entailed the warning of 642 jurors and 86 witnesses.

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.

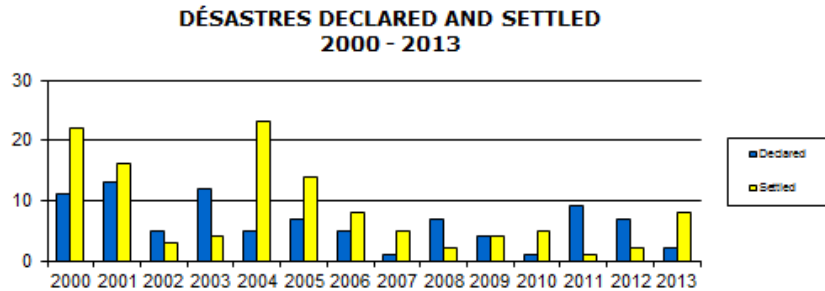
Deputy Viscount's Input

At the beginning of February 2013 a new Deputy Viscount was appointed and commenced induction, in-house training and attendance at study days organised by the Coroners' Society of England and Wales. The coronial duties continued to be predominantly borne by the Deputy Viscount, who acts as *de facto* Coroner, assisted by the Relief Coroner, Dr Margaret Bayes. 20% of deaths in Jersey during 2013 were reported to the Deputy Viscount. There were 50 inquests concluded in the year; the Deputy Viscount conducted 18, Dr Bayes conducted 13, and, as the Deputy Viscount was new in post, the Viscount assisted by dealing with several historic cases and conducted 19 inquests during 2013. 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 2 *désastres* declared in 2013, and 8 cases were brought to closure during the year. A caseload of 11 *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 2013 remains in the region of 20. Additionally, at the end of 2013, 10 personal cases were under review awaiting discharge applications.

Assets Realised

£2,968,773 (against liabilities of £8,198,445) was realised for creditors in the year. An average of 36 pence in the pound was recovered for the benefit of creditors in settled cases.

Discharges

During 2013, 3 discharges from personal bankruptcy were granted.

Désastre Checks

A total of 10,011 *désastre* checks (confirming whether declarations *en désastre* have in fact been made) were carried out during the year, compared with 10,136 in 2012. A charge continues to be levied for this service (income generated in 2013: £50,545 compared to £46,560 in 2012), other than where users access such information via the Department's website.

General Enquiries

During 2013, a total of 83 enquiries (compared to 59 in 2012) were received as to the management of cash-flow, liquidity and related issues. A total of 48 hours was recorded in dealing with these enquiries (compared to 50 hours in 2012).

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.

Désastre Management Information System (DMIS)

The Désastre Section has implemented Microsoft CRM¹ as the Désastre Management System known as DMIS. The new system will guide the user through the steps of administering Désastre cases and supporting the management of Désastre case information.

¹ Customer Relationship Management

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);
- Contributed to the work of INSOL Europe (formerly the European Insolvency Practitioners Association).

The text book "Jersey Insolvency and Asset Tracking", the 4th Edition of which issued during 2012 and which is 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.

International Association of Insolvency Regulators



The International Association of Insolvency Regulators (IAIR) was formed by six countries in Hong Kong in 1995, Jersey being one of the six founder-members. The purpose of IAIR is for the Viscount's counterparts around the world to exchange information and learning across jurisdictions. IAIR now has a membership of about 30 countries including the USA, Australia, Canada, Russia and the UK.

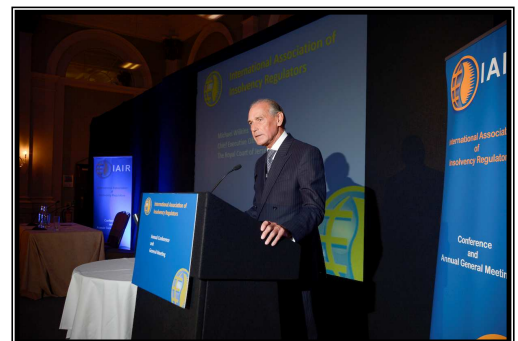
The 2013 conference was held in Edinburgh, where 22 countries were represented.

The Viscount made a presentation to the conference on low income bankruptcy models around the world; we were also responsible for drafting a modern and robust constitution for IAIR to ensure fair representation and democracy based on good governance principles: additionally, we had drafted a Memorandum of Understanding which was accepted, entered into and signed-off by the British and Irish regional members of IAIR, known as the 5 Nations being:

- The Insolvency Service of England and Wales
- Account in Bankruptcy (Scotland)
- The Insolvency Service (Northern Ireland)
- Office of the Director of Corporate Enforcement (Ireland)
- The Insolvency Service of Ireland
- Viscount's Department.

The Chief Minister's approval was obtained for the forming of the British and Irish regional sub-group of IAIR in Edinburgh.

It is intended that representatives from the 5 Nations will therefore continue meet on an annual basis and the 2014 meeting is due to be hosted by Jersey.



At the Edinburgh conference, Russia asked for a copy of the Viscount's presentation as they want to introduce a low income model there: since returning, Russia has been duly supplied with a full report to assist its own deliberations and the World Bank has been provided with a copy of this since it is addressing related personal insolvency issues

Disclaimers

One disclaimer was issued under the provisions of Article 15 of the Désastre Law in respect of onerous movable property.

Other Functions

Attend Sittings of the Court

Officers from the Department, principally the two Court Officers, serviced 336 of the Magistrate's Court Sittings, 111 Royal Court and Court of Appeal sittings, and 34 of the Youth Court sittings during 2013.

Attend Sittings of the States

The Viscount attended 6 sittings of the States during 2013 and the Deputy Viscount attended 24 sittings.

Bear the Royal Mace of the Bailiff of Jersey

During 2013, in addition to the ordinary sittings of the States, the Bailiff's Mace was borne on various occasions, principally by the Deputy Viscount on Liberation Day, Remembrance Sunday and for the Royal visit of HRH Prince Edward on 17 September to celebrate the 350th Anniversary of the gift of the Mace to the Island by King Charles II.

Convene Sittings of the Royal Court and other Bodies

Convening Notices were issued on 15 occasions in 2013. Most notices are now sent electronically.

Act as Curator for Impecunious Interdicts

There were 21 cases under administration at the year end, a net decrease of 1 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

180 Exemptions from the payment of judicial fees were granted in 2013.

Act as Trustee for Criminal Injuries Compensation Awards to Minors

There were no new cases during 2013

Conduct Vues de Vicomte

The Vue de Vicomte is a historic procedure in which the Viscount sits with a panel of experts to determine boundary disputes.

There was one *Vue de Vicomte* in 2013.

The photograph shows the site of a disputed boundary being reviewed from an elevated position



Remise de Biens

The *Désastre* Section assisted Jurats of the Royal Court in performing functions relating to applications in 4 cases during 2013, compared to 3 in 2012.

Corporate Services

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

The Section is particularly responsible for:

- supporting the Viscount, Deputy Viscount and Relief Coroner in their duties;
- organising assize juries;
- overseeing human resources matters which included overseeing the retirement of two members of staff, and consequently two recruitment campaigns, one for a permanent member of staff and the other offering the vacancy as an opportunity for a secondment. The successful candidates started in September and December 2013; and
- providing other specialist secretarial, administrative and IT 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 particular, work on or review of the following items of legislation was undertaken.

- Service of Process on Ministers – provide input to Legislation Advisory Panel for amendment of States of Jersey Law 2005
- Social Security (Jersey) Law 1974 – participate in amendment
- Family Division Practice Directions (various)
- Royal Court (Amendment No. 16) Rules 2013
- Court of Appeal (Fees) (Amendment No. 4) Rules 2013
- Practice Direction RC13/01 – Production and Content of Bundles
- Practice Direction RC13/02 – Factor A Rates Application on Taxation of Costs

STRATEGIC ISSUES

Investors in People

Accreditation against the Investors in People standard was reviewed in 2013 (the third of such reviews) and the Court Service was successful in achieving the Gold Award, the highest level achievable under the standard. The Court Service also continued to be recognised as an Investors in People Champion, acknowledging the commitment of the organisation to promoting and supporting Investors in People through best practice activities. During 2013, Court Service representatives attended a number of local events to promote awareness of and engagement with the standard. The Court Service also made the commitment in 2013 to achieve the Customer Service Excellence standard in 2014 or 2015.

Risk Register

In 2012, the Court Service underwent an intensive risk analysis programme, and the 2013 Business Plan contained a schedule of identified risks which continued to be actively managed by risk owners in 2013. The Risk Register is comprised of 18 key risks (classified high, medium or low) and associated mitigation.

Public Sector Reform

The States of Jersey continued to undertake a programme of public sector reform in 2013. The Court Service participated in various associated initiatives, including meetings with the Chief Minister's Department, attending employee workshops and Lean training.

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 eleventh time in 2014, 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 2013 is therefore the eleventh 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 Court Service Corporate Board also sit on JLIB and the Appellate Section is also responsible for the publishing of all unreported judgments on the JLIB website. In addition, the Court Systems Manager is also the JLIB Webmaster.

In September 2013, JLIB hosted the 'Law via the Internet' conference (www.jerseylvi2013.org) in Jersey, on behalf of the Free Access to Law Movement (www.worldlii.org), a worldwide organisation dedicated to ensuring that legal materials are publicly available and accessible to all. Almost 150 delegates attended from every continent and enjoyed first-rate speakers, useful sessions and social events designed to show off Jersey's hospitality, local produce and scenery. The feedback was very positive; most delegates spent a few extra days on the island and enjoyed their visits both professionally and as tourists.



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.

Family Mediation Jersey

In 2013, the Court Service entered an arrangement with the newly re-vitalised Family Mediation Jersey to fund training of mediators, and also developed a business case to provide ongoing funding of the service from the Court and Case Costs vote (with the approval of the Treasurer of the States).

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 business-like 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 2013, 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 Criminal Justice System Board and the work-streams emanating therefrom.

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, while also ensuring competency for all aspects of each job.

During 2013, a review of our performance review and appraisal procedures was undertaken and the associated documentation updated. 98% of staff underwent a formal performance review and appraisal between June and October.

Training and Development

During 2013, staff attended 139 training days, averaging 2 per member of staff. These courses were largely sponsored by the States and were as follows:

- States Corporate Induction
- Crucial Conversations
- Dealing with Challenging Customer Behaviour
- First Aid at Work, Refreshers and Defibrillator training
- Developing Personal Effectiveness for Administrative Assistants & Secretaries
- Developing your Personal Impact & Building Productive Relationships
- Excel 2010
- Outlook 2010
- The Effective Supervisor
- Managing Difficult Behaviours
- Leading and Managing Change
- Workplace Fire & Safety Training
- Freedom of Information
- Managing Finance Refresher
- Managing Problems in the Workplace
- Workload Planning
- Minute Taking
- Handling Difficult Conversations
- Developing Personal Impact
- PRINCE 2 Residential Foundation & Practitioner
- Team Building Skills
- Influencing Skills
- Leadership and Coaching Skills
- Success with Change
- JACS Seminars & Training – Bullying & Harassment, Difficult Conversations, Discrimination Issues, Managing Absence and Unfair Dismissal, Disciplinary & Grievance
- Modern Manager Programme – level 7

Lunch Time Training Sessions

- Managing Personalities
- Conflict Management
- Performance Indicators Working with KPIs

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 and Senior Managers are now given the opportunity to attend the Modern Manager Programmes, which take 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.

French

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

- Jersey, EU & UK Sovereignty
- Attachment & Development Trauma – Supporting Pupils
- Financial Remedies in Complex & Offshore Divorces
- Family Property & Finance Conference
- Freedom of Information – Preparation for New Law
- ALC & HR Modern Families Conference
- Chartered Management Institute
- Commonwealth Magistrates' and Judges' Association (Host Nation: Jersey)
- International Association of Insolvency Regulators
- Law via the Internet 2013 (Host Nation: Jersey)
- Family Mediation Jersey
- Immovable Property: The Issues Across Sectors, Across Jurisdictions
- MIND Jersey – New Mental Health Jersey Law

Sick Leave, Flexi-time and Overtime Monitoring

Sick leave, flexi-time and overtime continued to be monitored and analysed in the Court Service throughout 2013. 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 2013 produced a combined absence figure of 1.60% (average percentage of working time lost per full-time employee), compared with 3.94% in 2012. The average number of days of absence per staff member was 4.03.

Jersey Employers' Network on Disability (JEND)

During 2013, 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 2013.

INFORMATION SYSTEMS

In relation to Information Systems, in 2013 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.
- Continued to use video-conferencing facilities.
- Continued to use a digital audio dictation system.
- Continued the electronic archiving of Samedi records.
- Implemented and developed use of E Court system for Court of Appeal.
- Implemented Microsoft CRM as the Désastre Management System known as DMIS.
- Commenced implementation of Microsoft Windows 7.

Information Systems Groups

During 2013, 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 2013, 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.

Presentations

The Viscount

On 21 March 2013, the Viscount made a presentation on the functions fulfilled by the Jersey Court Service at the Centeniers Quarterly Dinner.

The Director of Services

In January 2013, Jersey Water was presented with the Investors in People Silver Award.

In May 2013, presentations on Investors in People and staff engagement were made at a meeting of Jersey HR practitioners and at an event to promote the Lexcel accreditation scheme.

The Principal Administrator, Désastre Section

On 5 December 2013, a presentation was made to Baker & Partners on the functions of the Désastre Section.

Monthly Team Meetings

Departmental team meetings continued to be open to all staff in both Departments during 2013. Quarterly joint meetings are also held to improve integration. In addition, minutes of all meetings, including the minutes of Corporate Board meetings, are circulated electronically and made available to all staff.

Public Relations

A number of initiatives were maintained in 2013 to foster an increasingly professional and 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.

FINANCE & RESOURCES

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 2013 totalled £16,235,000 of which £13,721,000 was attributable to Public Registry activity and £2,514,000 was attributable to Probate levies. Total fees levied for the year compare with figures of £19.0 million in 2012 and £20.7 million in 2011.

Departmental Expenditure

Departmental expenditure for 2013 (as financed through the annual budget of the States and exclusive of Court and Case costs) was as below.

Judicial Greffe

	2012 (£)	2013 (£)
Manpower costs	2,430,897	2,511,390
Supplies & services	81,125	103,798
Administrative costs	308,432	292,185
Premises & Maintenance	485,439	505,685
Grants and Subsidies	150,000	130,000
Depreciation	19,404	19,404
Total	3,475,297	3,562,462
Less attributable income	939,020	981,582
Net expenditure	2,536,277	2,580,880

Viscount's Department

	2012 (£)	2013 (£)
Manpower costs	1,164,707	1,130,436
Supplies & services	64,403	86,608
Administrative costs	31,598	125,879
Premises & Maintenance	252,270	277,271
Grants and Subsidies	2,000	0
Depreciation	19,481	21,251
Total	1,534,459	1,641,445
Less attributable income	681,066	498,393
Net expenditure	853,393	1,143,052

MISCELLANEOUS

Royal Visit

His Royal Highnesses the Earl of Wessex visited Jersey on 17 September 2013 to celebrate the 350th anniversary of the gifting of the Royal Mace. A meeting of the States took place in the Royal Square on that day, when the Viscount bore the Island's Seal and the Deputy Viscount the Bailiff's Royal Mace.

Distinguished Visitors



Mr D C F Jones and the Viscount

In November 2013, Mr D C F Jones, the High Sheriff of Greater London paid a visit to the Royal Court where he was received by the Bailiff, the Viscount, the Master of the Royal Court and the Deputy Judicial Greffier.

Corporate Social Responsibility

In 2013, a formal Corporate Social Responsibility policy was put in place and approved by both Corporate Boards.

The Court Service contributed to a number of charities throughout 2013 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, Headway, Comic Relief, Variety and Cancer Relief.

During 2013, the Court Service worked with the Jersey Employment Trust to provide work opportunities for two people with disabilities.

During 2013, the Court Service continued to provide a work placement for a foundation degree student on the FdA Business & Management degree course at Highlands College.

The Court Service continued to support the Eco-Active States environmental accreditation scheme in 2013.

The Court Service provided work placements for the States of Jersey Advance Plus scheme to help unemployed people back into employment, for which public recognition was received at a presentation event in December 2013.

Magistrate's Court Appointments

Mrs Bridget Shaw was appointed Magistrate.
Advocate Peter Harris was appointed Assistant Magistrate.

Retirements

Judicial Greffe

Jill Keogh – Clerical Assistant.
Advocate Vincent Obbard – Registrar, Family Division.
Advocate John Wheeler – Master of the Royal Court.

Viscount's Department

Iris Le Riche – Senior Court Officer.
Vas Anderson – Court Officer.

The Court Service very much appreciates the long distinguished service supporting the delivery of justice in Jersey by its retirees.

New Staff

Judicial Greffe

Sue Cubbon – Receptionist.
Angela Murphy – Receptionist.
Advocate Matthew Thompson – Master of the Royal Court.

Viscount's Department

Clare Buchanan – Relief Cashier.
Advocate Mark Harris – Deputy Viscount.
David Andrade – Senior Court Officer.

The annual employee turnover rate for the Court Service as a whole was 3.25%.

Academic Achievements

Judicial Greffe

Jason Troy – Institute of Law – Civil & Criminal Procedure Module.
Alana Brunton – Institute of Law – Jersey Legal System and Constitutional Law; Contract, Security Interests and Bankruptcy Law.

Sport and Social

States Members v Chief Officers

On 9 August 2013, States Members v Chief Officers cricket match took place at the Farmers' Cricket Ground at St Martin. Mark Harris and Alan Le Bihan supplemented the Chief Officers' team and helped them to victory.

Jersey Ladies' Cricket

Katie Ridley played a prominent part in the successes of the Jersey Ladies' Cricket team in the summer of 2013.



Athletics

James Lambert participated in both the Brighton and Amsterdam Marathons, achieving times of 4 hours 3 minutes, and 4 hours 1 minute respectively.

Belinda Cave participated in the Amsterdam Half Marathon finishing in a time of 1 hour 53 minutes.

The *Judicial Joggers*, a team comprising Mike Wilkins, James Lambert, Mark Harris, Alan Le Bihan, Jason Troy and reserve runner Lynda Allo, took part in the Standard Chartered Jersey Marathon on 6 October 2013.

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 2013 is the Court Service's eleventh 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

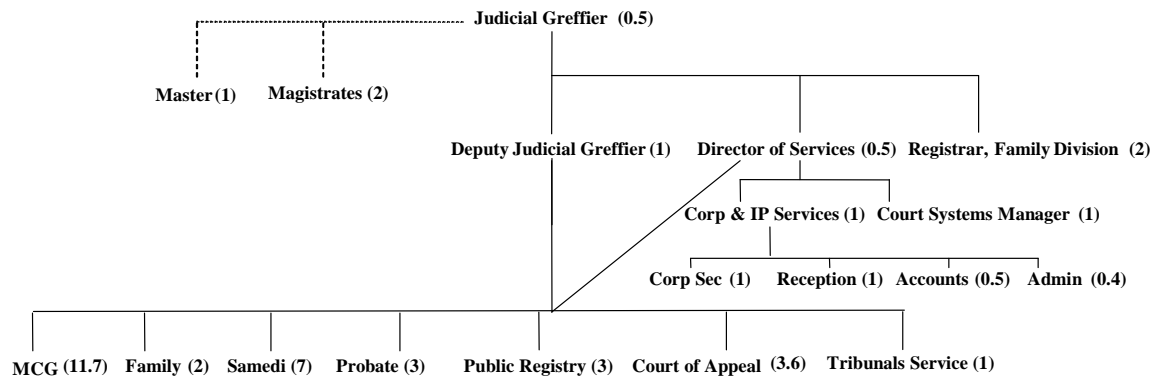
James Lambert, Director of Services
7 March 2014

APPENDIX A

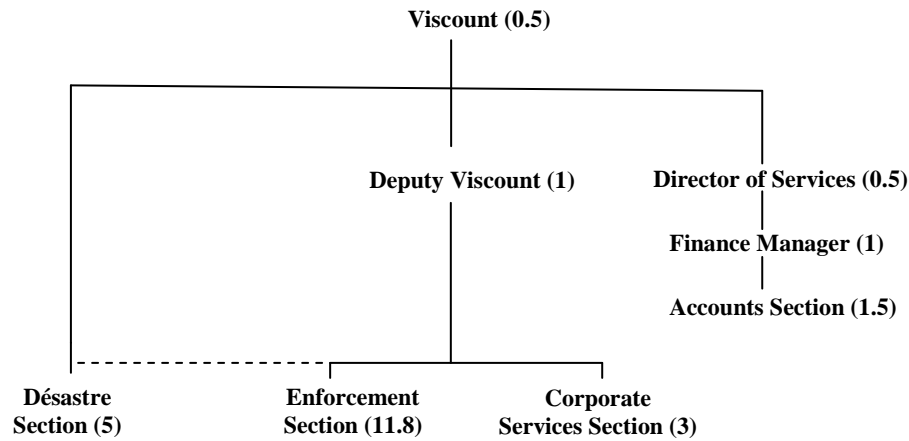
ORGANISATION CHARTS

The Court Service employs a total of 67.5 full time equivalent staff organised to deliver services as follows:

Judicial Greffe – Functional Organisation (43.2)



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:

Function	Service Pledge	Target	Result
• Samedi & General:			
Act ordering Public Election	Next working day	95%	100%
Convening Acts	Next working day	95%	99%
Company Acts	5 working days	95%	100%
Acts of the Royal Court	5 working days	95%	99%
Minutes of Prison Board of Visitors	10 working days	95%	100%
• 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	15 working days	95%	100%
Decrees nisi	10 working days	98%	100%
Decrees absolute	10 working days	98%	100%
• Interlocutory Matters:	3 working days	95%	91%
• 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%	100%
Curatorship (Acts of Appointment)	5 working days	95%	100%
Curatorship (Acts of Jurats' Appointment)	5 working days	95%	100%
Issue of Grants of Probate & Letters of Administration	5 working days	98%	100%
• Public Registry:			
Judicial Hypothecs	5 working days	95%	100%
Wills of Immovables	7 working days	98%	100%
Public Service & Water Notices	7 working days	98%	100%
Powers of Attorney	7 working days	98%	100%

Function	Service Pledge	Target	Result
• Intellectual Property Registry:			
Intellectual Property Certificates	3 working days	93%	96%
Certificates of Eligibility	3 working days	93%	100%

Court Enforcement

Function	Service Pledge	Target	Result
• 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		
Order of Justice	Personal service allowing 4 clear working days to court date	90%	100%
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%	98%

Assize Jury

Function	Service Pledge	Target	Result
• 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

Function	Service Pledge	Target	Result
• 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%
• Enter debtors' details in DMIS & 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	95%	100%
• Filing of claims:	Logged & acknowledged within 3 working days, production of substantive response within 10 working days	95%	100%
• Désastre search enquiries (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%
• Completion of first & second level Désastre (social & non-complex cases)	First level: within 18 months of declaration Second level: within 24 months of declaration	90%	100%

Curatorship

Function	Service Pledge	Target	Result
• 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 By post: Response within 3 working days By e-mail: Response within 1 working day	90%	100%

Coroner

Function	Service Pledge	Target	Result
<ul style="list-style-type: none"> Review Police reports of sudden death, giving instructions for any necessary further enquiries: 	Working days: Same day	100%	100%
	Other days: Within 12 hours	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: Within 12 hours	100%	100%
	Cases requiring forensic, histological, toxicological or other additional examination - consider results of such examination: Working days: Same day Other days: Within 12 hours	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 same day	100%	100%
<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 same 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 3 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 Meet local (Bailiff's Chambers) cases: & national (MoJ) target for release of body within 1 month	100%	100%

Coroner (continued...)

Function	Service Pledge	Target	Result
<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	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

Function	Service Pledge	Target	Result
<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

Function	Service Pledge	Target	Result
<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

Function	Service Pledge	Target	Result
<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%

Administrative Services (continued....)

Function	Service Pledge	Target	Result
<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 (all sections): 	Within 7 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	2011	2012	2013	Percentage Change 2012 to 2013
Samedi Section				
Actions before the Royal Court				
New Actions	488	437	483	11%
Placed on the Pending List	85	75	71	-5%
Acts of Court issued	1,990	1,953	2,148	10%
Number of Court Sitings	910	945	1,017	8%
Orders in Council registered	39	51	38	-25%
Magistrate's Court Appeals				
Lodged	10	17	9	-47%
Heard	10	12	8	-33%
Legal Aid Disbursements				
Occasions granted (invoices paid)	762	802	750	-6%
Legally aided litigants	138	158	183	16%
Public Expenditure	£2,752,018	£3,809,762	£2,689,236	-29%
Liquor Licences				
Licenses Granted	58	72	55	-24%
Managers Registered	75	96	81	-16%
Public Registry				
Documents Registered/Cancelled				
Contracts	1,933	1,882	1,952	4%
Procurations	1,446	1,247	1,390	11%
Obligations	2,512	2,295	2,335	2%
Cancellations	2,511	2,364	2,396	1%
Stamp Duty received	£17,914,000	£14,948,000	£13,721,000	-8%
Probate Section				
Number of Grants issued	2,041	1,912	1,991	4%
Number of Curatorships formed	72	55	72	31%
Stamp Duty received	£2,769,075	£4,068,500	£3,385,350	-17%
Family Section				
Decrees Absolute filed	216	194	168	-13%
Petitions filed	227	199	191	-4%

Judicial Greffe	2011	2012	2013	Percentage Change 2012 to 2013
Interlocutory Services				
Summonses fixed	88	116	104	-10%
Summonses heard (half days)	55	82	111	35%
Acts issued	254	300	349	16%
Case reports produced	29	13	49	277%
Appellate Section				
Appeals lodged with Court of Appeal	29	11	17	55%
Superior Number Appeals	1	1	1	0%
Court of Appeal sittings (days)	11	18	27	50%
Number of Unreported Judgments	280	278	305	10%
Pages transcribed for transcripts of hearings	5,282	9,283	6,075	-35%
Transcripts of evidence - transcripts produced	67	111	104	-6%
CD's of hearings produced	50	95	97	2%
Trade Marks, Patents and Design Registries				
Intellectual Property Registrations				
Trade Marks Registrations	62	78	57	-27%
Patents (Registrations & Updates)	29	15	49	227%
Designs (Registrations & Updates)		1	5	400%
Trade Marks Updates	432	283	341	20%
Magistrate's, Youth and Petty Debts Courts				
Magistrate's Court				
Non parking cases completed	1,471	1,630	1,208	-26%
Cases committed to Royal Court	157	138	163	18%
Parking cases completed	525	870	809	-7%
Total completed cases	2,153	2,638	2,180	-17%
Non parking persons	1,278	1,358	993	-27%
Persons committed to Royal Court	144	123	148	20%
Parking persons	257	457	362	-21%
Total persons	1,679	1,938	1,503	-22%
Non parking arrest	163	194	134	-31%
Parking arrest	565	1,189	1,040	-13%
Total arrests	728	1,383	1,174	-15%
Total remands	2,043	2,167	2,082	-4%
Total volume of case work	4,924	6,188	5,436	-12%

Judicial Greffe	2011	2012	2013	Percentage Change 2012 to 2013
Youth Court				
Total cases	179	71	62	-13%
Total Youths	130	55	51	-7%
Royal Court committals	4	1	2	100%
Remands	145	56	84	50%
Arrests	4	0	1	100%
Petty Debts Court				
Actions	5,822	5,487	5,324	-3%
Adjournments	2,114	1,703	1,935	14%
New actions	3,676	3,749	3,366	-10%
Judgments	2,680	2,725	2,552	-6%
Contested cases				
Direct to mediation	172	131	148	13%
Direct to pleadings	12	12	11	-8%
Mediation				
Settled	63	63	70	11%
Pending	54	35	39	11%
Withdrawn/transferred	25	16	13	-19%
Judgment/struck out	30	17	21	24%
Trials				
Tenancy	16	26	12	-54%
Family	24	28	20	-29%
Total Value	8	7	3	-57%
Total Value	£8,815,396	£8,934,330	£8,274,733	-7%
Stamp Duty	£92,108	£158,099	£137,896	-13%

APPENDIX D

VISCOUNT'S DEPARTMENT STATISTICAL DIGEST

Viscount's Department	2011	2012	2013	Percentage Change 2012 to 2013
Fines imposed and amounts collected				
Number imposed	1,307	1,486	1,081	-27%
Amount collected	£333,385	£565,380	£437,519	-23%
Success rate - by number	99%	99%	99%	0%
Success rate - by value	98%	94%	96%	2%
Receipt of bail moneys				
Persons bailed	126	121	158	31%
Money received	£24,793	£14,273	£87,954	516%
Arrest Orders	4,686	5,099	5,277	3%
Service of Process	2,014	1,542	1,624	5%
Costs				
Number imposed	58	30	10	-67%
Value imposed	£81,150	£32,596	£217,800	568%
Success rate - by number	99%	94%	66%	-30%
Success rate - by value	100%	61%	99%	62%
Compensation Orders				
Number imposed	189	192	108	-44%
Value imposed	59,091.00	£133,303	£244,761	84%
Rolling 3-year success rate - by number	100%	100%	99%	-1%
Rolling 3-year success rate - by value	100%	100%	99%	-1%
Judgments received and processed				
Number received	1,595	1,514	1,421	-6%
Number processed	1,628	1,507	1,421	-6%
Amount collected	£1,745,972	£831,842	£3,612,872	334%
Evictions carried out	5	7	4	-43%
Maintenance Orders under enforcement	27	7	14	100%
Drug Trafficking - Saisies judiciaires and confiscations				
New cases:-				
Local	16	15	15	0%
External	0	0	3	
Total	16	15	18	20%

Viscount's Department	2011	2012	2013	Percentage Change 2012 to 2013
Approximate value of assets arrested	£127,514	£147,764	£1,542,285	944%
Confiscations (concluded cases):-				
Number	16	14	19	36%
Value (net)	£118,588	£21,581	£155,605	621%
Cases discharged	0	0	1	
Cases carried forward into following year:-				
Local	5	7	1	-86%
External	3	2	1	-50%
Total	8	9	2	-78%
Approximate asset value	£2,384,222	£2,500,240	£1,386,697	-45%
Proceeds of Crime – Saisies judiciaires				
New cases:-				
Local	1	1	1	0%
External	4	3	7	133%
Total	5	4	8	100%
Approximate value of assets arrested	£1,622,570	£4,781,775	£7,904,224	65%
Confiscations (concluded cases):-				
Number	4	6	4	-33%
Value (net)	£20,251,599	£6,217,462	£1,993,618	-68%
Cases discharged	0	2	1	-50%
Cases carried forward into following year:-				
Local	1	2	1	-50%
External	21	16	19	19%
Total	22	18	20	11%
Approximate asset value	£27,766,345	£38,194,538	45,594,842	19%
Assizes				
Trial process started	18	13	12	-8%
Trials abandoned		1	16	1,500%
Trials completed	10	7	4	-43%
Days	32	24.5	13.5	-45%
Juror exemptions	336	262	200	-24%
Jury summonses	945	686	642	-6%
Witnesses	121	78	86	10%
Jurors given financial assistance	1	0	1	

Viscount's Department

2011

2012

2013

Percentage
Change
2012 to
2013

Coroner

Deaths reported:-

Inquest cases	35	30	46	53%
Cleared after autopsy	51	49	45	-8%
Cleared by doctor's cert etc	66	59	50	-15%
	152	138	141	2%

Deaths reported as % of all debts	21%	18%	20%	11%
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Approvals for doctor to issue cert (unreported)	67	95	68	-28%
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Permits for import/export of bodies	48	28	42	50%
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Inquests concluded:-

Suicide	11	9	7	-22%
Accident	13	11	19	73%
Open	5	3	2	-33%
Natural causes	6	6	16	167%
Industrial disease	0	1	0	-100%
Unlawful killing	0	0	6	600%
Total number of inquests held	35	30	50	67%

Inquest cases c/f to following year	16	24	23	-4%
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Désastres

Declared	9	7	2	-71%
Settled	1	2	8	300%
Total liabilities	£164,111	£471,281	£8,198,445	1,640%
Assets realised	£60,730	£34,446	£2,968,773	8,519%
Average dividend paid (pence in the £)	37p/£	7p/£	36p/£	
Discharges of personal bankrupts:-				
Granted	2	2	3	50%
Deferred	0	0	0	
Disclaimers of onerous property	2	0	1	100%
Sales of realty:-				
Number	1	2	3	50%
Value	£1,137,500	£1,560,000	£1,375,000	-12%
Letters produced by the Section	1,077	1,253	765	-39%
Checks made:-				
Number	7,923	10,136	10,011	-1%
Charges invoiced	44,870	£46,560	£50,545	9%

Court sittings attended

Royal Court and Court of Appeal	161	117	111	-5%
Magistrate's Court	373	375	336	-10%
Youth Court	54	40	34	-15%
Total	588	532	481	-10%


































Viscount's Department	2011	2012	2013	Percentage Change 2012 to 2013
States' sittings attended				
Viscount	9	9	6	-33%
Deputy Viscount	45	68	24	-65%
Principal Enforcement Officer	10	0	0	
Total	64	77	30	-61%
Convening notices issued				
	19	18	15	-17%
Exemptions from the payment of judicial fees				
	189	191	180	-6%
Curatorships				
Appointments	0	1	0	-100%
Under administration at year end	24	22	21	-5%
Corporate Services Section workload				
Summonses	215	151	163	8%
Sundry	2,470	2,421	1,342	-45%
Letters	498	386	457	18%
	<i>(Note1)</i>			
Notices	3,229	3,194	1,559	-51%
	6,412	6,152	3,521	-43%

Note 1 – this now does not include e mails

APPENDIX E

COURT SERVICE BALANCED SCORECARD FOR PERIOD 1 JAN 13 TO 31 DEC 13

Previous reporting period figures shown in brackets

CUSTOMER	STRATEGY
<p> Number of complaints received: 1 (0)</p> <p> Number of compliments received: 29 (12)</p> <p> Number of page views (per quarter) on JLIB website: 326,738 (340,439)</p> <p> 100% user group, other meetings, & public consultations, held as scheduled (100%)</p> <p> 100% suppliers' accounts paid within service pledge (100%)</p> <p> 100% Legal Aid disbursements paid within service pledge (100%)</p>	<p> Investor in People standard maintained (Gold Award)</p> <p> Maintenance of interface with the executive arm of government</p> <p> Maintenance of strategic and business plans, and annual report</p> <p> 72% progress against Law Reform action plan (80%)</p> <p> Progress against JLIB projects</p> <p> Procedures manuals in place</p>
PERFORMANCE	
<p> 99% Acts of Court issued within service pledge (99%)</p> <p> 100% Decrees issued within service pledge (100%)</p> <p> 100% Judicial Hypothecs and Contracts registered within service pledge (100%)</p> <p> 100% arrest orders issued within service pledge (100%)</p> <p> 100% Petty Debts Court Acts issued within service pledge (100%)</p> <p> 100% Grants of Probate issued within service pledge (100%)</p>	<p> 100% Royal and Petty Debts Court judgments for debt processed within service pledge (100%)</p> <p> 98% fines paid in full or imprisonment imposed in lieu within service pledge (98%)</p> <p> 100% inventories of valuables/disposal of perishables completed within service pledge (100%)</p> <p> 100% Désastre circulars sent to banks and identified UK creditors within service pledge (100%)</p> <p> 100% police reports of sudden death reviewed within service pledge (100%)</p> <p> 100% registers of death signed within service pledge (100%)</p>
STAFF	MONEY
<p> 3% employee turnover rate (3%)</p> <p> Average days sickness lost per member of staff: 4.0 (9.9)</p> <p> 98% of employees who received an appraisal (98%)</p> <p> 0.69 (0.50) FTEs of overtime costing £22,636 (£17,745)</p> <p> Average training days per member of staff: 2.0 (1.7)</p>	<p> £423,700 (£380,396), 10.2% (9.9%) underspent on profile</p> <p> £486,400 (£166,935), 11.1% (3.8%) underspent on projected year end position (Court & Case costs)</p> <p> -£6,743,000 (-£5,213,410), -29% (-22%) Stamp Duty under achieved on projected year end position</p> <p> 100% (100%) of Internal Audits assessed at 3 or above</p>