



Judicial Greffe & Viscount's Department

2012

Jersey Court Service Annual Report



*Supporting the Delivery of Justice
through Professional
Excellence*



INVESTOR IN PEOPLE

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FOREWORD

This is the tenth Annual Report for the Judicial Greffe and the Viscount's Department to be produced in combination and is for the year 2012. 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 2012, 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 2012, 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 2012, the Viscount's Department Corporate Board and Management Team comprised the following:

Mr M Wilkins	Viscount
Mr J Lambert	Director of Services
Mrs L Allo	Principal Administrator, Désastre Section
Mrs C Le Sueur	Finance Manager
Mrs S Pierce	Corporate Services Officer

SERVICES PROVIDED

The 83 functions fulfilled by the Court Service

Judicial Greffe (49 services)

Samedi Section

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

Public Registry

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

Probate Section

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

Family Section

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

Interlocutory Services

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

Appellate Section

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

Magistrate's, Youth and Petty Debts Courts

- Providing for the operation of the Magistrate's, Youth and Petty Debts Courts
- 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 (34 services)

Court Enforcement Functions

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

Assize Jury Functions

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

Coroner's Functions

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

Insolvency Functions

- Administer *en Désastre* proceedings

Other Services

- 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)

OPERATIONAL & ADMINISTRATIVE ACTIVITY, 2012

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

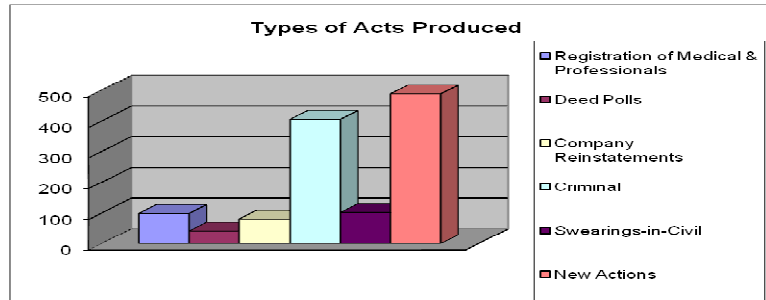
Judicial Greffe

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 1,953 Acts in 2012 (1,990 in 2011) of which 99 related to the registration of medical and associated professionals, 42 related to deeds poll, 81 to company reinstatements, 98 to swearings-in, 30 to inquests, 96 to managers of liquor licences, 274 to criminal matters and 1233 to other civil matters.



Of the 1,564 Acts which were issued pursuant to an order of a judge of the Royal Court, 99.6% 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 437 new actions brought before the Court and 51 Orders in Council were registered.

The Licensing Assembly sat 6 times, and heard 80 applications. 72 licences were granted, 5 were withdrawn, 0 was adjourned and 3 were revoked.

There were 8 Assize trials during 2012. 20 Assize trials were initiated in 2012, of those 8 changed their pleas at a later date, 3 had the prosecution against them abandoned prior to trial and 1¹ abandoned at trial, and 5 Assize trials are to be conducted in early 2013 (4 of the Assize trials that took place in 2012 were initiated in 2011).

Finally, 13 public elections were ordered in respect of Centeniers and Procureurs du Bien Public.

Taxation of Costs

In 2012, 48 bills of costs were submitted for taxation by the Judicial Greffe (29 civil and 19 criminal). All of these bills were dealt with by the Assistant Judicial Greffier (Royal Court) as Taxing Officer.

Legal Aid Vote

In 2012, there were 158 new applications for the payment of disbursements from the Legal Aid Vote (101 civil and 57 criminal).

¹ This prosecution commenced in 2011

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

	2009 (£)	2010 (£)	2011 (£)	2012 (£)
Contracts & Wills	15,800,000	13,538,000	15,250,000	12,816,000
Judicial Hypothecs	2,487,000	2,346,000	2,664,000	2,132,000
Total	18,287,000	15,884,000	17,914,000	14,948,000

Value of property transactions registered

The value of property transactions registered in the Public Registry during 2012 amounted to £598 million, compared £657 million in 2011 and £649 million in 2010. 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 2012, there were 4,177 (compared with 4,446 in 2011) documents registered in relation to Contracts, Wills and Judicial Hypothecs. Using the Public Registry computerised database (*Public Registry Online*), 152,572 searches were conducted (143,617 in 2011), and 1,530,437 images were downloaded (compared with 1,469,545 in 2011).

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 2 hours, or an availability rate 99.97% (99.96% in 2011).

Stamp Duty Concession Policy

Following the annual audit of the States' accounts for 2011, the Registrar of Deeds formulated a policy for handling concessions to stamp duty made under Article 6 of the Stamp Duties and Fees (Jersey) Law 1998. All concessions are now approved and recorded on a spreadsheet; an amendment to the *Public Registry Online* system will be made in due course to record concessions in the database.

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 2012, there were 66 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.

Summonses heard and orders made in 2012	
Preliminary directions hearing	257
Case review hearing	237
Summonses heard (half day or more)	87
Family/children Acts issued	317
Adoptions (2 Orders per child)	3
Nisi Acts issued	221
Matrimonial Acts issued	670
Reciprocal Orders	7
Parental Responsibility Agreements	48

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 came into force on 2 April 2012.

194 decrees absolute of divorce (37% 1 year Separation by consent) were granted in 2012, compared with 216 in 2011.

During 2012, 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 116 summonses to be heard in 2012. 82 were heard including 9 adjourned from 2011. The remainder were vacated, adjourned or settled. 1 written judgment was delivered and written reasons were given for 9 decisions. The number of Acts (including consent orders) produced in 2012 was 300, with 30 relating to service out of the jurisdiction or substituted service. The number of case reports which were produced in 2012 was 13.

In relation to Planning Appeals the Master decided in 35 cases whether appeals would be dealt with under the ordinary or modified procedure and adjudicated on 3 appeals 'on the papers'. 4 Appeals were withdrawn.

<i>Types of Summons heard in 2012</i>	
Striking out applications	4
Taxation	1
Amendment of Pleadings	3
Directions (including stays for mediation)	41
Further & Better Particulars	2
Summary Judgment	5
Specific Discovery	1
Security for Costs	2
Extension of time	6
Adjournment or Change Date	7
Additional parties	2
Vue de Vicomte	1
Dismissed	6
Unless Orders	2
Total	82

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

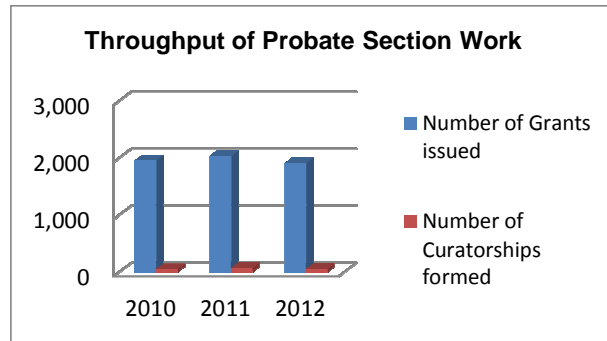
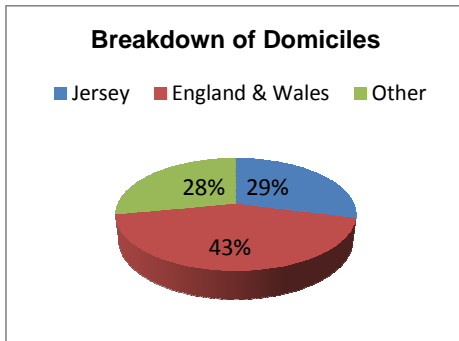
Probate Section

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 2012, applications for Grants of Probate and Letters of Administration involved persons who died domiciled both in Jersey and in 76 other jurisdictions worldwide.

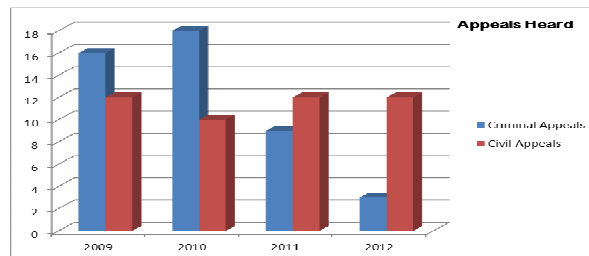
1,912 Grants were made in the year (2,041 in 2011), representing a total estates value of £602,431,702.

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



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.

During 2012 one new judge was appointed, Sir David Calvert-Smith, a criminal law specialist, who will be sworn in during 2013.

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 2012, the full Court sat a total of 7 times and heard 12 civil appeals and 3 criminal appeals; a single judge sat on 12 occasions.

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 2012 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 2012, 78 new trade marks were registered and 283 certificates were produced for updating registered marks. 15 patents were registered or updated and there was 1 updated application for a design.

Appeals and Tribunals' Registry

The Tribunal Service continues to be busy with 175 complaint forms received from employees during 2012 resulting in 50 full hearings and numerous interim and case management hearings.

Mrs Nicola Santos-Costa was appointed as Chairman of the Employment Tribunal following the retirement of Advocate David Le Quesne, and Advocate Claire Davies was appointed as Deputy Chairman.

Work continues on the streamlining of processes and procedures and a new web presence is planned for 2013.

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 input new cases onto the court diary direct, and the Greffe retaining ultimate responsibility for the court load. The Judicial Greffe has been using the system on a trial basis and DAISy is being upgraded to allow for their particular needs. The Bailiff's Chambers, Viscount's Department, Law Officers' Department, Criminal Justice Unit, HM Prison and Customs and Immigration all have viewing rights to DAISy. Eventually, it is envisaged that the Viscount's Department will be able to populate the court diary direct with any Viscount's arrests.

The large majority of the main agencies within the Criminal Justice System now have various links to DAISy, always subject to necessary security restrictions.

In 2012, the number of cases completed within the Magistrate's Court increased by 10% over last year but was still considerably down on the high levels of 2009. This, coupled with an increase in Arrest Orders being issued, has meant that the overall workload within the Magistrate's Court has increased considerably over 2011.

On the civil side the court has seen a continuing decrease in actions tabled of 5.75% but with a slight increase of just over 1% in the value of cases. However, the number of trials has continued to increase significantly, rising by 62% over last year, with one case taking a number of court sessions to bring to completion. This increase has meant a greater usage of Relief Magistrates presiding over civil trials with the resultant increased expenditure.

The Magistrate's Court dealt with a total of 1,630 non parking cases, which represents an increase of approximately 11% over 2011, with a corresponding increase of 6.25% in the number of individuals being presented before the Magistrates.

There has also been a continuing decrease in the number of cases committed to the Royal Court with 138 cases committed compared to 157 last year, a decrease of just over 12%. There was a decrease of just under 15% in the numbers of individuals being committed.

The total number of Arrest Orders issued has increased significantly to 1,383, an increase of 90% over 2011. This increase is across the board, with the number of non-parking arrest orders increasing by just 19% and parking Arrest Orders increasing by just over 110%. 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 increased significantly over 2012 with 6,188 cases, committals, remands and Arrest Orders being handled this year compared with 4,924 in 2011, an increase of 25.6%.

Youth Court

The Youth Court has undoubtedly benefited from a huge 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, the Youth Remand Court sat on 35 out of a scheduled 49 days, representing an unprecedented cancellation of 14 scheduled court sittings. This very welcome drop in numbers is also being experienced at the Youth Parish Hall Enquiries.

The area that the court can influence significantly is the number of cases which are remanded off for various reasons. This continues to reduce with the number of remanded cases decreasing by 61% over last year. In part, this reflects the decreased numbers of youths appearing, but the change of court policy in trying to deal with cases on first presentation also has a significant impact.

Overall, the workload within the Youth Court has decreased dramatically with 71 cases being dealt with in 2012 compared to 179 in 2011. This represents a massive decrease of 60% compared to 2011 which itself was the lowest since the 1990s.

As to be expected there was also a 55% decrease in defendants. This trend continues in the number of committals to the Royal Court which also decreased significantly compared with last year, with only 1 case being committed to the Royal Court.

Petty Debts Court

The Petty Debts Court is subdivided into 3 divisions:

- Civil Claims Division
- Tenancy Division
- Family Division

This year saw a decrease of just under 6% in the number of actions tabled over 2011. This was not reflected in the value as this increased by just over 1% with a total value of £8,934,330 compared to £8,815,3976 in 2011. However, both these are below 2010 when the total value of claims was over £10 million. The number of adjournments in 2012 totalled 1,703, a decrease of over 19% compared to 2011, reflecting the more stringent approach within the Petty Debts Court with a strict line being taken after a case has been adjourned for the third time.

The change in the Stamp Duties and Fees (Jersey) Law 1998 has been reflected with an increase of just under 72% in the value of stamp duties being paid into the court, with £158,099 being received compared to £92,108 in 2011. This increase in fees starts to bring the Petty Debts Court more in line with the majority of other jurisdictions in regards to civil claims. January 2013 will also see a change in the Stamp Duty Law which brings the Petty Debts Court in line with the situation prior to the jurisdiction increase. This amendment allows for Stamp Duty of £300 per day or part of a day for trials within the Petty Debts Court where the claim is £3,000 or more.

There were also increases in the number of trials, from 16 to 26, with greater use of Relief Magistrates to counter this increase. This trend will continue into 2013 with a significant number of Petty Debt trials already being booked.

Taxation of Costs

In 2012 the Magistrate's Court Greffe taxed 63 criminal Bills of Costs and 11 civil Bills of Costs reflecting the increased number of trials within the courts.

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 2012, 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 2012 on a number of occasions, dealing with both criminal and civil matters.

Receiving Evidence in Chambers

The volume of work in 2012 (68 hours) was higher than in 2011 (36 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 94% 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 1,486 fines were imposed by the courts and a total of £565,380 was collected (2011 – 1,307 fines and £333,385 collected).

Receipt of Bail Moneys

There were 121 active bails as at 31 December 2012, the sum held totalling £14,273.50 (2011 – 126 active bails and sum held £24,793.50).

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

There were 5,099 Arrest orders for people who have failed to appear in Court, active and under enforcement with the Department at the end of 2012, 3,191 for Parking related matters and 1,908 for other offences (2011 – 4,686 arrest orders).

Service of Legal Process

In 2012, 1,542 items of legal process were served (2011 – 2,014 served).

Collect (and Pay) Costs and Compensation

The Courts awarded costs following prosecution in 30 cases during 2012 (2011 – 58 cases).

There were 192 orders for compensation imposed by the courts during the year involving the sum of £133,303 (2011 – 189 orders and £59,091).

Execute and Enforce Civil Judgments

The Department received 1,514 judgments for enforcement during 2012, collecting £831,841.64 on behalf of creditors (2011 – 1,595 judgements and £1,745,971.74 collected).

Carry out Evictions

In 2012, 7 eviction orders were dealt with. As in previous years, this difficult and sensitive area of work was completed without incident or publicity (2011 – 5 evictions).

Enforce Criminal Seizure and Confiscation Orders

During 2012 there was 1 Drug Trafficking *saisie judiciaire* (freezing order), value yet to be ascertained, (2011 – 4 cases totalling £11,159,569.16).

There were 14 Drug Trafficking Confiscation Orders in 2012, involving £21,581 (2011 – 15 cases and £112,506.57).

Proceeds of Crime *saisies judiciaires* (freezing orders) involved £38,194,538 in 5 cases; including foreign currencies and assets held by external trustees (2011 – 17 cases involving £27,766,345).

3 Proceeds of Crime Confiscation Orders were carried out in 2012, amounting to £204,174.44, which was transferred to the Criminal Offences Confiscation Fund during the year (2011 – 4 cases and £26,616,715)

Enforce Maintenance Orders, collecting and paying 'Alimony'

18 maintenance orders were under enforcement at the year end. Of these, 17 involved reciprocal enforcements for other jurisdictions (2011 – 27 maintenance orders, of which 18 involved reciprocal enforcement).

Assize Jury Functions

The computerised jury selection system was called upon 13 times in 2012.

As said (see Judicial Greffe, Samedi Section) there were 8 Assize trials in 2012, although only 7 trials were completed (1 was abandoned at trial), taking up 24.5 days. This entailed the warning of 686 jurors and 78 witnesses, one such trial being of a very exceptional nature.

Coroner's Functions

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

Deputy Viscount's Input

These duties continued to be predominantly borne by the Deputy Viscount, who acts as *de facto* Coroner, assisted by Relief Coroner Dr Margaret Bayes. 18% of deaths were reported to the Deputy Viscount. There were 30 inquests in the year; the Deputy Viscount conducted 24, Dr Bayes conducted 4, and the Viscount 2. 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 7 *désastres* declared in 2012, and 2 cases were brought to closure during the year. A caseload of 19 *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 2012 remains in the region of 20. Additionally, at the end of 2012, 11 personal cases were under review awaiting discharge applications.

Assets Realised

£34,446 (against liabilities of £471,281) was realised for creditors in the year. An average of 7 pence in the pound was recovered for the benefit of unsecured creditors in settled cases.

Discharges

During 2012, 2 discharges from personal bankruptcy were granted.

Désastre Checks

A total of 10,136 *désastre* checks (confirming whether declarations *en désastre* have in fact been made) were carried out during the year, compared with 7,923 in 2011. A charge continues to be levied for this service (income generated in 2012: £46,560 compared to £44,870 in 2011), other than where users access such information via the Department's website.

General Enquiries

During 2012, a total of 59 enquiries (compared to 47 in 2011) were received as to the management of cash-flow, liquidity and related issues. A total of 50 hours was recorded in dealing with these enquiries (compared to 38 hours in 2011).

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);
- 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.

Disclaimers

No disclaimers were 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 375 of the Magistrate's Court sittings (2011: 373), 117 Royal Court and Court of Appeal sittings (2011: 161), and 40 of the Youth Court sittings during 2012 (2011: 54).

Attend Sittings of the States

The Viscount attended 9 sittings of the States during 2012, while the Deputy Viscount attended the remaining 68 sittings.

Bear the Royal Mace of the Bailiff of Jersey

During 2012, in addition to the sittings of the States, the Bailiff's Mace was borne on various occasions, principally by the Deputy Viscount (after his retirement in November 2012 the Viscount carried out this duty).

Convene Sittings of the Royal Court and other Bodies

Convening Notices were issued on 18 occasions in 2012.

Act as Curator for Impecunious Interdicts

There were 22 cases under administration at the year end, a net decrease of 2 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

191 exemptions from the payment of judicial fees were granted in 2012.

Act as Trustee for Criminal Injuries Compensation Awards to Minors

There were no new cases in 2012.

Conduct Vues de Vicomte (Boundary Demarcations)

One *Vue de Vicomte* was held during 2012.

Remise de Biens

The *Désastre Section* assisted Jurats of the Royal Court in performing functions relating to applications in three cases during 2012.

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 which included overseeing the retirement of three members of staff on 31 December 2012, and two recruitment campaigns where the successful candidates are to start in January 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.

- Proposals for the creation of an alternative to Social Désastre (in association with the Citizens Advice Bureau and the Law Officers' Department)
- Civil Partners Causes Rules 2012
- Family Division Practice Directions (various)
- Royal Court (Amendment No. 13) Rules 2012
- Royal Court (Amendment No. 14) Rules 2012
- Royal Court (Amendment No. 15) Rules 2012
- Court of Appeal (Transcripts) Rules 2012
- Practice Direction RC12/01 – Declaration for Representation of Bodies Corporate
- Practice Direction RC12/02 – Costs Recoverable by Litigants in Person
- Practice Direction RC12/03 – Taxation of Costs – Factor A Rates per Hour

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. The Court Service is also 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 2012, Court Service representatives attended a number of local events to promote awareness of and engagement with the standard.

Risk Register

In 2012, the Court Service underwent an intensive risk analysis programme and, for the first time, the 2013 Business Plan contains a schedule of identified risks which will be actively managed by risk owners in 2013 and beyond. Following a risk workshop conducted by an external consultant, a Risk Register was developed, comprising 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 2012. The Court Service participated in various associated initiatives, including meetings with the Chief Minister's Department and attending employee workshops.

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 tenth time in 2013, 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 2012 is therefore the tenth 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 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 2012, 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

Staff Engagement Survey

During 2012 the Court Service undertook an in depth staff engagement survey which was carried out by an independent employment expert. This survey provided useful insights into many staff issues and provided helpful information in preparation for the organisation's next Investors in People assessment (due October 2013). Amongst other deliverables, the survey led to the creation of a number of action plans for improving the development and wellbeing of staff.

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 2012, 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 2012, staff attended 118 training days, averaging 1.7 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
- Developing an Eye for Accuracy
- First Aid at Work, Refreshers and Defibrillator training
- Developing Personal Effectiveness for Administrative Assistants & Secretaries
- Developing your Personal Impact & Building Productive Relationships
- Excel 2010
- Getting the Best out of your Team
- Maintaining Wellbeing in a Stressful Environment
- Managing Performance Review & Appraisal
- Stress Management
- The Manager as Coach & Developer
- Time Management
- Why Do I Say Yes When I Mean No
- JACS Seminars & Training – Bullying & Harassment, Difficult Conversations, Discrimination Issues, Managing Absence and Unfair Dismissal, Disciplinary & Grievance

Lunch Time Training Sessions

- An Easy Guide for Creating a Personal Development Plan
- Carrying out PRA
- Tips & Tricks for Windows & Office
- Wellbeing – acupuncture

Team Development Day

For the fourth 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 eighth 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. Following the international Law Via the Internet 2012 conference at Cornell University in September 2012, Jersey agreed to host the 2013 conference.

Attendances included:

- Coroners' Society Annual Conference
- International Association of Insolvency Regulators (IAIR) Conference
- Jersey Family Law Association
- Dispute Resolution in Family Cases
- Visit to Family Court in London
- Children: Counting the Cost
- Jersey Child Protection Committee
- Jersey Breakfast Seminars 2012/2013
- Association of Lawyers for Children Annual Conference
- Law Via the Internet 2012
- Wellbeing at Work Seminar – Less Stress
- CMI Sessions - Three Imperatives for New Leaders: The Harvard Experience;
Leading Change: Adventures of a Jersey Manager;
Memory Skills for Networking & Studying;
Motivational Leadership: The Charity Story.

Sick Leave, Flexi-time and Overtime Monitoring

Sick leave, flexi-time and overtime continued to be monitored and analysed in the Court Service throughout 2012. 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 2012 produced a combined absence figure of 3.94% (average percentage of working time lost per full-time employee), compared with 3.78% in 2011. The average number of days of absence per staff member was 9.93, though this figure was skewed by long-term sick leave.

Jersey Employers' Network on Disability (JEND)

During 2012, 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 2012.

INFORMATION SYSTEMS

In relation to Information Systems, in 2012 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 Office 2010.

Information Systems Groups

During 2012, 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 2012, 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

In May 2012, the Director of Services made a presentation on Investors in People at the Channel Islands launch of the Lexcel accreditation scheme.

In October 2012, the JLIB Programme Director and the Director of Services presented a paper (entitled “Implications of Publishing Legal Information in a Small Island State: Privacy v Open Justice”) to the Law Via the Internet conference at Cornell University.

In November 2012, the Director of Services made a presentation on Investors in People at a meeting of the Jersey branch of the Chartered Institute of Personnel and Development.

Monthly Team Meetings

Departmental team meetings continued to be open to all staff in both Departments during 2012. 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 2012 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

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 2012 totalled £19,018,000 of which £14,948,000 was attributable to Public Registry activity and £4,070,000 was attributable to Probate levies. Total fees levied for the year compare with figures of £20.7 million in 2011 and £18.2 million in 2010.

Income from sale of Treasury Stamps amounted to £20,588,000 in 2012. The difference between this amount and the figure reported above for fees levied (£1,570,000) 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 2012 (as financed through the annual budget of the States and exclusive of Court and Case costs) was as below.

Judicial Greffe

	2011 (£)	2012 (£)
Manpower costs	2,350,289	2,430,897
Supplies & services	108,354	81,125
Administrative costs	341,533	308,432
Premises & Maintenance	451,884	485,439
Grants and Subsidies	90,000	150,000
Depreciation	19,404	19,404
Total	3,361,464	3,475,297
Less attributable income	639,171	939,020
Net expenditure	2,722,293	2,536,277

Viscount's Department

	2011 (£)	2012 (£)
Manpower costs	1,195,626	1,164,707
Supplies & services	81,191	64,403
Administrative costs	48,431	31,598
Premises & Maintenance	254,649	252,270
Grants and Subsidies	40,000	2,000
Depreciation	19,481	19,481
Total	1,639,378	1,534,459
Less attributable income	507,279	681,066
Net expenditure	1,132,099	853,393

MISCELLANEOUS

Royal Visit

Their Royal Highnesses the Prince of Wales and Duchess of Cornwall visited Jersey on 18 July 2012 as part of Her Majesty the Queen's Diamond Jubilee celebrations. 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.

Corporate Social Responsibility

The Court Service has contributed to a number of charities throughout 2012 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 July 2012, the Director of Services participated in the Institute of Directors work shadowing scheme with a student from De La Salle College.

During 2012, the Court Service worked with the Jersey Employment Trust to provide work opportunities for two people with disabilities.

In November 2012, the Court Service agreed to provide a work placement for a foundation degree student on the FdA Business & Management degree course at Highlands College.

In December 2012, the Judicial Greffe became a member of the Eco-Active States environmental accreditation scheme, joining the Viscount's Department which became accredited in 2011.

New Year's Honours List

Nigel Truscott (*Principal Enforcement Officer, Viscount Department*) was made an MBE in the New Year's Honours List for his services to St John Ambulance and was presented with his MBE medal at Buckingham Palace. Mr Truscott has been a volunteer for the medical first aid charity for 42 years. Mr Truscott is Jersey's St John Ambulance Commander.



Promotions

There were no promotions in the Judicial Greffe during 2012.

Paul Stephens was promoted to Senior Enforcement Officer, Viscount's Department.
Michael Davis was promoted to Enforcement Officer Infield, Viscount's Department.

Leavers

Diana du Feu – Transcriber, Judicial Greffe

Retirements

Peter de Gruchy – Deputy Viscount

Nigel Truscott – Principal Enforcement Officer, Viscount's Department
Sheelagh Le Cocq – Receptionist/Relief Cashier, Viscount's Department

The Court Service wishes its retirees fulfilling and happy retirements. It especially appreciates and values the distinguished service over 16 years by Mr Peter de Gruchy as Deputy Viscount.

New Staff

Steph de la Cour – Transcriber, Judicial Greffe

The annual employee turnover rate for the Court Service as a whole was 2.72%.

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 2012 is the Court Service's tenth 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,

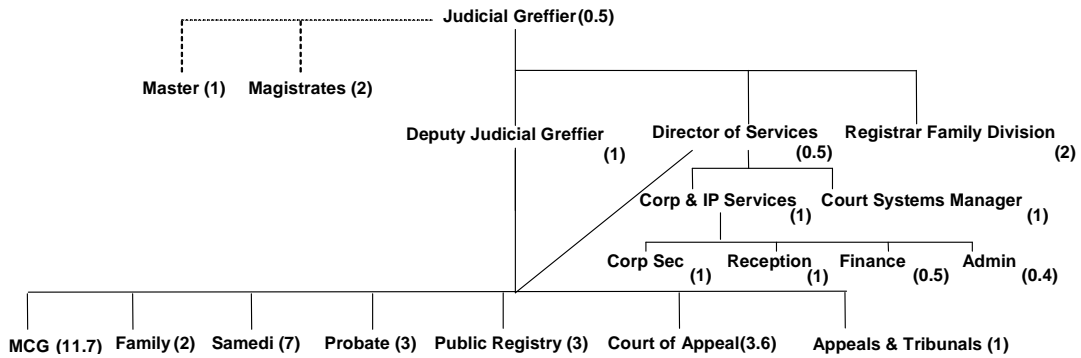
James Lambert, Director of Services
26 February 2013

APPENDIX A

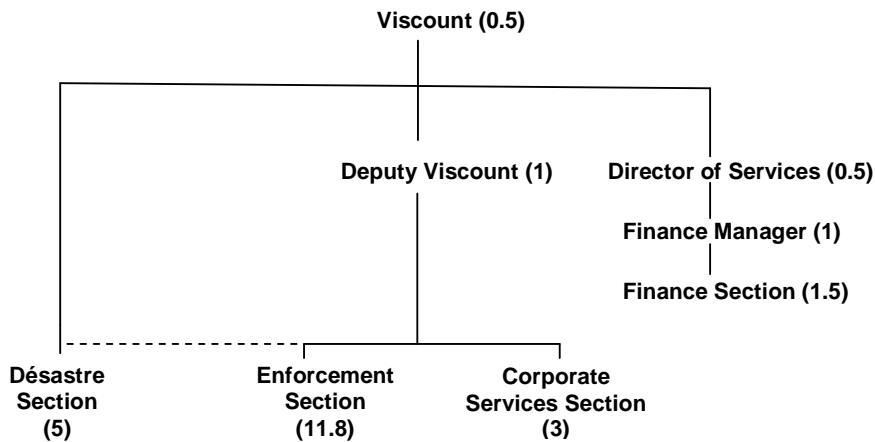
The Court Service employs a total of 67.5 full time equivalent staff organised to deliver services as follows:

Organisation

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:

<i>Function</i>	<i>Service Pledge</i>	<i>Target</i>	<i>Result</i>
• Samedi & General:			
Act ordering Public Election	Next working day	95%	100%
Convening Acts	Next working day	95%	100%
Company Acts	5 working days	95%	100%
Acts of the Royal Court	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%	97%
• Magistrate's Court:			
Arrest Orders	2 working days	98%	100%
Acts of Committal	2 working days	98%	100%
Acts of Court completed	1 working day	98%	100%
• Orders in Council:	Next working day	98%	100%
• Petty Debts Court:	3 working days	98%	100%
• Probate:			
Acts of Probate Division	5 working days	95%	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%	98%

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%
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

<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%

<i>Function</i>	<i>Service Pledge</i>	<i>Target</i>	<i>Result</i>
• 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%
• Completion of first level Désastre (social & non-complex cases)	Within 18 months of declaration	90%	100%

Curatorship

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

<i>Function</i>	<i>Service Pledge</i>	<i>Target</i>	<i>Result</i>
<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%
<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 Meet local (Bailiff's Chambers) cases: & 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: 			
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: 			
General	Open access	100%	100%
Cancellation of Acts	Within 4 working days of request	98%	100%

Administrative Services

<i>Function</i>	<i>Service Pledge</i>	<i>Target</i>	<i>Result</i>
<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	2010	2011	2012	Percentage Change 2011 to 2012
Samedi Section				
Actions before the Royal Court				
New Actions	448	488	437	-10%
Placed on the Pending List	75	85	75	-12%
Acts of Court issued	2,184	1,990	1,953	-2%
Number of Court Sittings	1,039	910	945	4%
Orders in Council registered	31	39	51	31%
Magistrate's Court Appeals				
Lodged	8	10	17	70%
Heard	8	10	12	20%
Legal Aid Disbursements				
Occasions granted (invoices paid)	736	762	802	5%
Legally aided litigants	163	138	158	14%
Public Expenditure	£1,820,921	£2,752,018	£3,809,762	38%
Liquor Licences				
Licenses Granted	72	58	72	24%
Managers Registered	126	75	96	28%
Public Registry				
Documents Registered/Cancelled				
Contracts	1,943	1,933	1,882	-3%
Procurations	1,516	1,446	1,247	-14%
Obligations	2,371	2,512	2,295	-9%
Cancellations	2,403	2,511	2,364	-6%
Stamp Duty received	£15,884,000	£17,914,000	£14,948,000	-17%
Probate Section				
Number of Grants issued	1,961	2,041	1,912	-6%
Number of Curatorships formed	53	72	55	-24%
Stamp Duty received	£2,312,700	£2,769,075	£4,068,500	47%
Family Section				
Decrees Absolute filed	239	216	194	-10%
Petitions filed	246	227	199	-12%
Interlocutory Services				
Summonses fixed	113	88	116	32%
Summonses heard (half days)	53	55	82	49%
Acts issued	232	254	300	18%
Case reports produced	14	29	13	-55%

Judicial Greffe	2010	2011	2012	Percentage Change 2011 to 2012
Appellate Section				
Appeals lodged with Court of Appeal	31	29	11	-62%
Superior Number Appeals	0	1	1	
Court of Appeal sittings (days)	8	11	18	64%
Number of Unreported Judgments	270	280	278	-1%
Pages transcribed in Unreported Judgments	7,992	5,282	9,283	76%
Transcripts of evidence - transcripts produced	84	67	111	66%
CD's of hearings produced	26	50	95	90%

Trade Marks, Patents and Design Registries

Intellectual Property Registrations				
Trade Marks Registrations	49	62	78	26%
Patents (Registrations & Updates)	32	29	15	-48%
Designs (Registrations & Updates)			1	
Trade Marks Updates	460	432	283	-34%

Magistrate's, Youth and Petty Debts Courts

Magistrate's Court				
Non parking cases completed	1,564	1,471	1,630	11%
Cases committed to Royal Court	174	157	138	-12%
Parking cases completed	497	525	870	66%
Total completed cases	<u>2,235</u>	<u>2,153</u>	<u>2,638</u>	23%
Non parking persons	1,310	1,278	1,358	6%
Persons committed to Royal Court	148	144	123	-15%
Parking persons	266	257	457	78%
Total persons	<u>1,724</u>	<u>1,679</u>	<u>1,938</u>	15%
Non parking arrest	231	163	194	19%
Parking arrest	504	565	1189	110%
Total arrests	<u>735</u>	<u>728</u>	<u>1,383</u>	90%
Total remands	<u>2,117</u>	<u>2,043</u>	<u>2,167</u>	6%
Total volume of case work	<u>5,087</u>	<u>4,924</u>	<u>6,188</u>	26%
Youth Court				
Total cases	253	179	71	-60%
Total Youths	171	130	55	-58%
Royal Court committals	9	4	1	-75%
Remands	183	145	56	-61%
Arrests	3	4	0	-100%

	2010	2011	2012	Percentage Change 2011 to 2012
Magistrate's, Youth and Petty Debts Courts				
Petty Debts Court				
Actions	7,225	5,822	5,487	-6%
Adjournments	2,681	2,114	1,703	-19%
New actions	4,544	3,676	3,749	2%
Judgments	3,295	2,680	2,725	2%
Contested cases				
Direct to mediation	135	172	131	-24%
Direct to pleadings	5	12	12	0%
Mediation				
Settled	79	63	63	0%
Pending	24	54	35	-35%
Withdrawn/transferred	14	25	16	-36%
Judgment/struck out	18	30	17	-43%
Trials	14	16	26	63%
Tenancy	23	24	28	17%
Family	3	8	7	-13%
Total Value	£10,108,535	£8,815,396	£8,934,330	1%
Stamp Duty	£92,960	£92,108	£158,099	72%

APPENDIX D

VISCOUNT'S DEPARTMENT STATISTICAL DIGEST

Viscount's Department	2010	2011	2012	Percentage Change 2011 to 2012
Fines imposed and amounts collected				
Number imposed	1,335	1,307	1,486	14%
Amount collected	£611,101	£333,385	£565,380	70%
Success rate - by number	99%	99%	99%	0%
Success rate - by value	98%	98%	94%	-4%
Receipt of bail moneys				
Persons bailed	101	126	121	-4%
Money received	£108,199	£24,793	£14,273	-42%
Arrest Orders	1,902	4,686	5,099	9%
Service of Process	2,287	2,014	1,542	-23%
Costs				
Number imposed	161	58	30	-48%
Value imposed	£86,870	£81,150	£32,596	-60%
Success rate - by number	99%	99%	94%	-5%
Success rate - by value	100%	100%	61%	-39%
Compensation Orders				
Number imposed	138	189	192	2%
Value imposed	£53,169	59,091.00	£133,303	126%
Rolling 3-year success rate - by number	100%	100%	100%	0%
Rolling 3-year success rate - by value	99%	100%	100%	0%
Judgments received and processed				
Number received	2,380	1,595	1,514	-5%
Number processed	2,413	1,628	1,507	-7%
Amount collected	£3,050,198	£1,745,972	£831,842	-52%
Evictions carried out	7	5	7	40%
Maintenance Orders under enforcement	23	27	18	-74%
Drug Trafficking - Saisies judiciaires and confiscations				
New cases:-				
Local	11	16	15	-6%
External	0	0	0	
Total	11	16	15	-6%
Approximate value of assets arrested				
	£17,478	£127,514	£147,764	16%
Confiscations (concluded cases):-				
Number	10	16	14	-13%
Value (net)	£12,477	£118,588	£21,581	-82%

Viscount's Department	2010	2011	2012	Percentage Change 2011 to 2012
Cases discharged	1	0	0	
Cases carried forward into following year:-				
Local	5	5	7	40%
External	3	3	2	-33%
Total	8	8	9	13%
Approximate asset value	£2,392,076	£2,384,222	£2,500,240	5%

Proceeds of Crime - *Saisies judiciaires*

New cases:-				
Local	2	1	1	1400%
External	4	4	3	-100%
Total	6	5	4	200%
Approximate value of assets arrested	£51,155,197 (Note 1)	£1,622,570	£4,781,775	-91%
Confiscations (concluded cases):-				
Number	2	4	6	250%
Value (net)	-£180,181 (Note 2)	£20,251,599	£6,217,462	-100%
Cases discharged	0	0	2	
Cases carried forward into following year:-				
Local	1	1	2	100%
External	20	21	16	-57%
Total	21	22	18	
Approximate asset value	£76,789,611 (Note 1)	£27,766,345	£38,194,538	-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	17	18	13	-28%
Trials abandoned			1	
Trials completed	13	10	7	-30%
Days	46.5	32	24.5	-23%
Juror exemptions	414	336	262	-22%
Jury summonses	984	945	686	-27%
Witnesses	116	121	78	-36%
Jurors given financial assistance	1	1	0	-100%

Coroner

Deaths reported:-				
Inquest cases	37	35	30	-14%
Cleared after autopsy	63	51	49	-4%
Cleared by doctor's cert etc	54	66	59	-11%
	154	152	138	-9%

Viscount's Department	2010	2011	2012	Percentage Change 2011 to 2012
Deaths reported as % of all deaths	19%	21%	18%	
Approvals for doctor to issue cert (unreported)	72	67	95	42%
Permits for import/export of bodies	45	48	28	-42%
Inquests concluded:-				
Suicide	13	11	9	-18%
Accident	20	13	11	-15%
Open	3	5	3	-40%
Natural causes	6	6	6	
Industrial disease	1	0	1	
Unlawful killing	1	0	0	
Total number of inquests held	44	35	30	-14%
Inquest cases c/f to following year	16	16	24	-100%

Désastres

Declared	1	9	7	-22%
Settled	6	1	2	100%
Total liabilities	£534,581	£164,111	£471,281	187%
Assets realised	£18,691	£60,730	£34,446	-43%
Average dividend paid (pence in the £)	3p/£	37p/£	7p/£	
Discharges of personal bankrupts:-				
Granted	4	2	2	0%
Deferred	0	0	0	
Disclaimers of onerous property	0	2	0	-100%
Sales of realty:-				
Number	0	1	2	100%
Value	£0	£1,137,500	£1,560,000	37%
Letters produced by the Section	1,248	1,077	1,253	16%
Checks made:-				
Number	7,431	7,923	10,136	28%
Charges invoiced	£42,385	44,870	£46,560	4%

Court sittings attended

Royal Court and Court of Appeal	132	161	117	-27%
Magistrate's Court	354	373	375	1%
Youth Court	55	54	40	-26%
Total	541	588	532	

States' sittings attended

Viscount	9	9	9	0%
Deputy Viscount	14	45	68	51%
Principal Enforcement Officer	27	10	0	-100%
Total	50	64	77	20%

Convening notices issued

	15	19	18	-5%
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Exemptions from the payment of judicial fees

	174	189	191	1%
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Viscount's Department	2010	2011	2012	Percentage Change 2011 to 2012
Curatorships				
Appointments	1	0	1	
Under administration at year end	32	24	22	-8%

































Corporate Services Section workload

Summonses	762	215	151	-30%
Sundry	1,525	2,470	2,421	-2%
Letters	649	498	386	-22%
	(Note 1)			
Notices	2,468	3,229	3,194	-1%
	<u>5,404</u>	<u>6,412</u>	<u>6,152</u>	-4%

Note 1 - this now does not include e mails

APPENDIX E

COURT SERVICE BALANCED SCORECARD FOR PERIOD 1 JAN 12 TO 31 DEC 12 Previous reporting period figures shown in brackets

CUSTOMER	STRATEGY
<p> Number of complaints received: 0 (1)</p> <p> Number of compliments received: 12 (13)</p> <p> Number of page views (per quarter) on JLIB website: 340,439 (374,530)</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</p> <p> Maintenance of interface with the executive arm of government</p> <p> Maintenance of strategic and business plans, and annual report</p> <p> 80% progress against Law Reform action plan (76%)</p> <p> Progress against JLIB projects</p> <p> Procedures manuals in place</p>
PERFORMANCE	
<p> 99% Acts of Court issued within service pledge (98%)</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 (99%)</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 (10%)</p> <p> Average days sickness lost per member of staff: 9.9 (9.5) <i>(figure skewed by long-term sickness)</i></p> <p> 98% of employees who received an appraisal (98%)</p> <p> 0.50 (0.50) FTEs of overtime costing £17,745 (£17,364)</p>	<p> £380,396 (£8,662), 9.9% (0.2%) underspent on profile</p> <p> £166,935 (£39,256), 3.8% (1.0%) underspent on projected year end position (<i>Court & Case costs</i>)</p> <p> -£5,213,410 (-£2,318,000), -22% (-10%) Stamp Duty under achieved on projected year end position (<i>economic conditions</i>)</p> <p> 100% (100%) of Internal Audits assessed at 3 or above</p>