

General Registry
Isle of Man Courts and Tribunals Service



Annual Report

2019

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FOREWORD

Welcome to the first Annual Report of its kind from the General Registry. The modest aim of this document is to provide our customers, partners and the wider public with an introduction about who we are and what we do.

The Report contains statistical data about some of our main activities. It also outlines how we are structured and how some of our work fits into the wider public sector environment.

The General Registry is committed to modernising our processes and systems in a proportionate and phased manner. The next 2-3 years will be an exciting time for us and, amongst other things, improvements that we make should allow us to produce more meaningful management information for future reports. It should also make us better able to serve our customers more efficiently and to work more effectively with our justice partners.

We hope to build upon the content of this Report in the coming years and would warmly welcome any feedback that you have.

For further information about the courts in the Isle of Man, please visit www.courts.im.

Dr Stuart Quayle
Chief Registrar

His Honour A T K Corlett
First Deemster and Clerk of the Rolls

WHO WE ARE

Established by statute in 1965, the **General Registry** amalgamated the functions of the Rolls Office, the Deeds Registry and the office of the Registrar General and became the repository for deeds and other documents of a public nature. In recent years, as its main registry functions have been transferred elsewhere within Government, the General Registry has become increasingly focussed on the administration of courts and tribunals and supporting the judiciary.

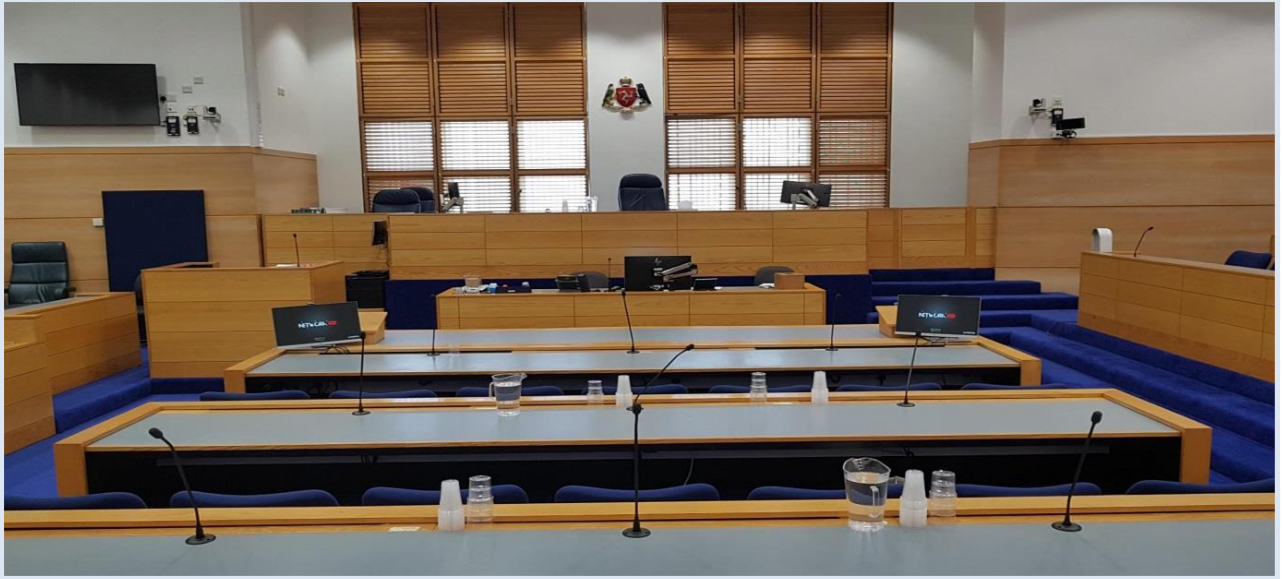
The **Chief Registrar** is the Accountable Officer. Statutorily under the Direction of the First Deemster, the Chief Registrar is in overall administrative charge of the organisation and has a key role in liaising with judicial and legal officers in line with the responsibilities of the role and a number of statutory provisions.

The organisation's two **Legal Officers** are primarily responsible, in turn, for internal legal research and procedural and legal advice to the lay magistracy. These officers report to the Chief Registrar.

The **Director of Performance** is a new post which combines responsibility for the operation and day-to-day administration of the organisation with spearheading the modernisation of the General Registry over the coming years. The post-holder is the Deputy Accountable Officer, reporting to the Chief Registrar.

The day to day running of the organisation is managed by 5 Section Managers who report to the Director. These roles are supported by 12 **Senior Court** and **Tribunal Clerks** and their teams.

The General Registry is predominantly a front line service delivery organisation and our people take great pride in their work. We are an organisation which promotes flexible working; a quarter of our people are employed part-time for a range of hours.



Court 3 – Isle of Man Courts of Justice

WHAT WE STAND FOR

Our **vision** is to improve access to justice through a courts and tribunal administration which works better for everyone.

Our **mission** is to provide seamless and effective support to the administration of justice and the rule of law in the Isle of Man, for the benefit of the Island's residents, economy and international reputation.

We are proud to play our part in ensuring that there is an effective, independent (both in practice and in perception) courts and tribunals service.



Court 1 – Isle of Man Courts of Justice

WHAT WE DO

The General Registry is responsible for the administration of criminal, civil and family courts and tribunals. We provide support to a wide range of permanent and temporary judicial officers, including the Deemsters, the Judge of Appeal, the High Bailiff and the Deputy High Bailiff as well as magistrates and tribunal chairs and members. This support is provided across the following five teams:-

Civil and Family Team – Supports:

- All civil proceedings (including Small Claims, Summary, Chancery and Ordinary)
- A wide range of Family proceedings (including Children, Divorce and Adoption)
- Appeal proceedings and the work of the Judge of Appeal
- Judicial secretarial support

Criminal and Summary Courts Team – Supports:

- All criminal proceedings (including Juvenile proceedings) in the summary courts and Courts of General Gaol Delivery

- Public Law care proceedings
- Licensing courts
- Inquest courts and support for the Coroner of Inquests
- Certain Family proceedings
- Judicial secretarial support

Legal Costs, Customer Service and Corporate Team – Supports:

- The assessment of legal costs across a range of circumstances, including the assessment of costs payable in relation to legal aid work
- The provision of public counter facilities at the Courts of Justice
- The provision of corporate support services within the General Registry
- The administration of the bi-annual Manx Bar Examinations
- The processing and distribution of the Electoral Roll
- The processing of Apostilles and applications from other jurisdictions under the Hague Service Convention

Finance and Compliance Team – Supports:

- The provision of finance, compliance and court support services relevant to court and tribunal proceedings (including Fines and Maintenance payments and their enforcement and Mental Health Receiverships)
- Information Management, including Data Protection and Freedom of Information
- The statutory Judgments Officer in respect of Coroners

The Probate and Tribunals Team – Supports:

- High Court Non-Contentious Probate proceedings
- A wide range of tribunal proceedings, their chairs and members, including in relation to Employment and Equality, Advocates' Disciplinary, Social Security and Mental Health. For a full list of tribunals see <https://www.courts.im/court-procedures/tribunals-service/tribunals/>
- Secretarial functions for the Appointments Commission (a statutorily independent body which is not part of the General Registry)

CHANGE AND MODERNISATION

The organisation is currently undergoing a period of change that has witnessed significant recruitment within the judiciary and changes in senior management during the past 15 months which are yet to fully run their course.

Against this backdrop, there are a number of change projects we are currently working on as part of our change and modernisation programme:

- Development and roll-out of court and tribunal audio/video provision
- Development of a Probate case management system with intelligent online capabilities
- A review of court and tribunal fees
- A phased review of debt recovery provisions and structures
- A review of the structure and functioning of tribunals

In addition to these change initiatives, the role of Director of Performance has been created with specific additional capacity to lead and coordinate modernisation. The new role has been timed to coincide with the first steps in the specification and future procurement of a courts and tribunals case management system.

As we are nearing the end of life of the case management system in the summary courts, the initial focus of system renewal will be in this area to maximise both internal efficiencies and the benefits of digital investment by our justice partners.

There is a strong appetite for modernisation within the General Registry with an appreciation that change will have to be proportionate to our business need, be cost effective and bring real benefits to our customers, stakeholders and people.

THE WIDER ENVIRONMENT

As the organisation responsible for courts and tribunals administration, it is important that the General Registry has no responsibility for the creation of Government policy or legislation as either may be subject to challenge before a court. This situation does not, however, preclude the existence of any role in such matters or mean that there is no impact when changes are being proposed by those with such responsibilities.

There are a range of matters currently being progressed which are likely to have implications for the functions which we provide and/or support. We are committed to being fully engaged with these initiatives to the extent that our position allows. The General Registry takes an active role in contributing to relevant Government consultations on draft Bills and other initiatives. Although this contribution has primarily focussed upon criminal justice matters in the recent past, General Registry is playing a full role in Treasury's phased review of civil debt recovery and stands ready to contribute where relevant in any upcoming review of mental capacity legislation or changes to the adoption law.

In addition to these matters, our people, both judicial and administrative, participate in and support a wide range of user forums, including:

- Summary Courts User Group
- Civil Court Users Group
- Family and Children's Proceedings
- Public Law Care Proceedings
- Criminal Justice, including digital transition
- Equality Act 2017 Implementation Group

BUSINESS RISKS

The General Registry faces a number of business risks which are mitigated as far as possible. The main risks our business faces include:

- Increases in size and complexity of matters before the courts and tribunals which are significantly stretching judicial, administration and accommodation resources
- Proposed legislative amendment, including changes to the sentencing thresholds for the summary courts
- The increased responsibilities of the Employment and Equality Tribunal following the phased introduction of the Equality Act 2017
- Any major case(s) impact over which we have no control
- Accommodation requirements and ageing technical infrastructure
- Data security and information management requirements
- Recruitment and retention both judicially and administratively
- Potential threats to the independence of the functions which we perform
- Limited judicial and support resources

RECENT BUSINESS OVERVIEW

Within the period of the statistical data provided by this Report, a number of major cases have taken place which have had a significant impact on resources and 'business as usual' activities, including:

- The largest civil case in Isle of Man history (trial duration 12 weeks)
- The largest single Inquest in Isle of Man history dealing with a death in custody (hearing duration 4 weeks)
- The largest public law care case in Isle of Man history (hearing duration 12 weeks)
- An electoral fraud trial
- A large number of Tribunal claims raised by a group of Public Sector employees

The nature of some of these matters serves to strongly demonstrate the need for the courts and tribunals processes and administration to be independent from Government, both in reality and in perception. This independence is particularly important in such a small jurisdiction where a perception of bias and undue influence could have significant detrimental implications for the Island's international reputation.

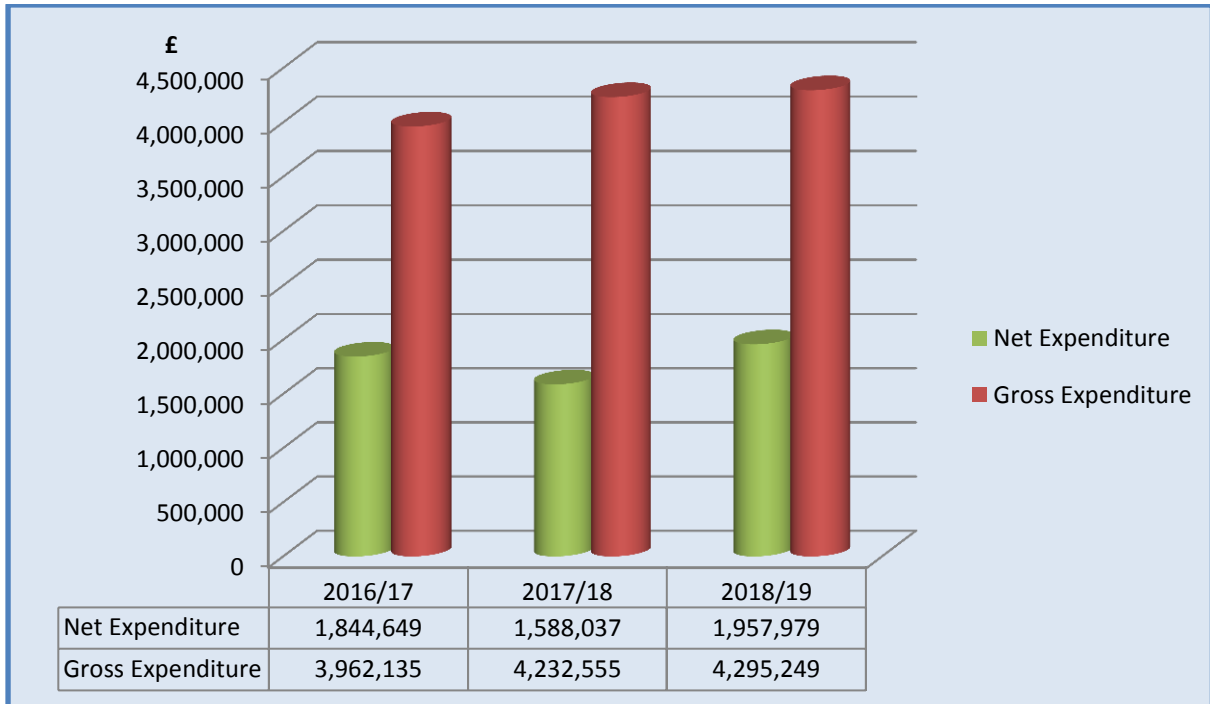
Also in recent times the following developments have occurred:

- The transfer of significant functions out of the organisation
- The development of a fines register
- Provision of Wi-Fi capabilities to all courts and associated facilities
- The publication of court listings
- The publication of courts and tribunals judgments
- The development of a digital transition strategy
- The procurement of upgraded and extended audio/visual technology
- The introduction of online applications and responses to the Employment and Equality Tribunal

FINANCIAL AND BUSINESS INFORMATION

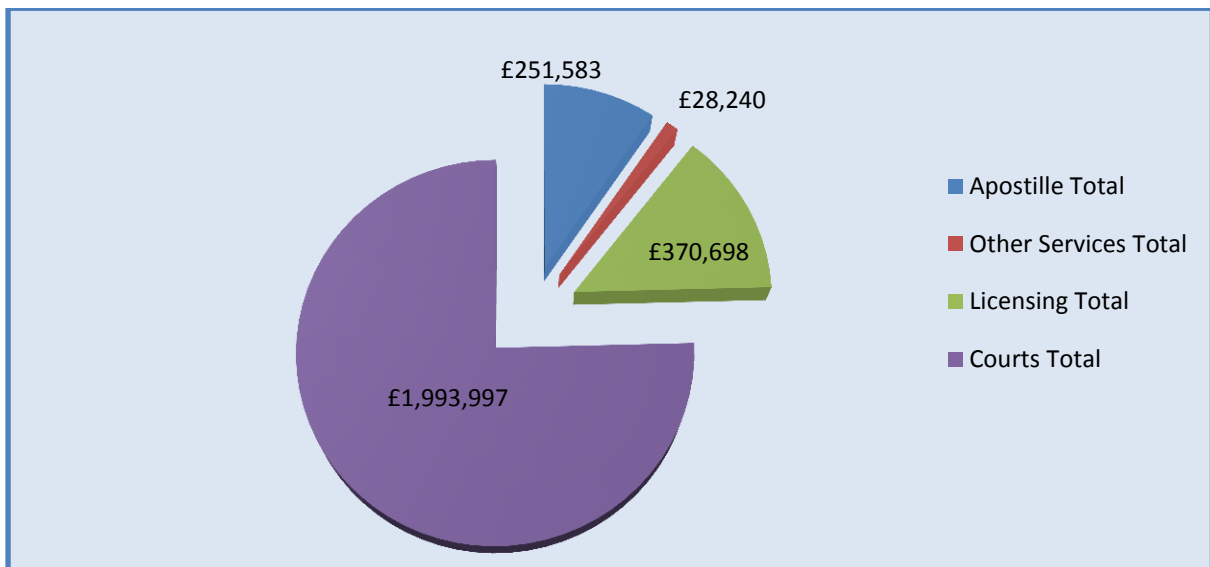
The General Registry financial position as published or forecast is set out in Figures 1 and 2 below. Further financial information is provided in Figures 3 and 4.

Figure 1: Financial position of the General Registry 2016/17-2018/19



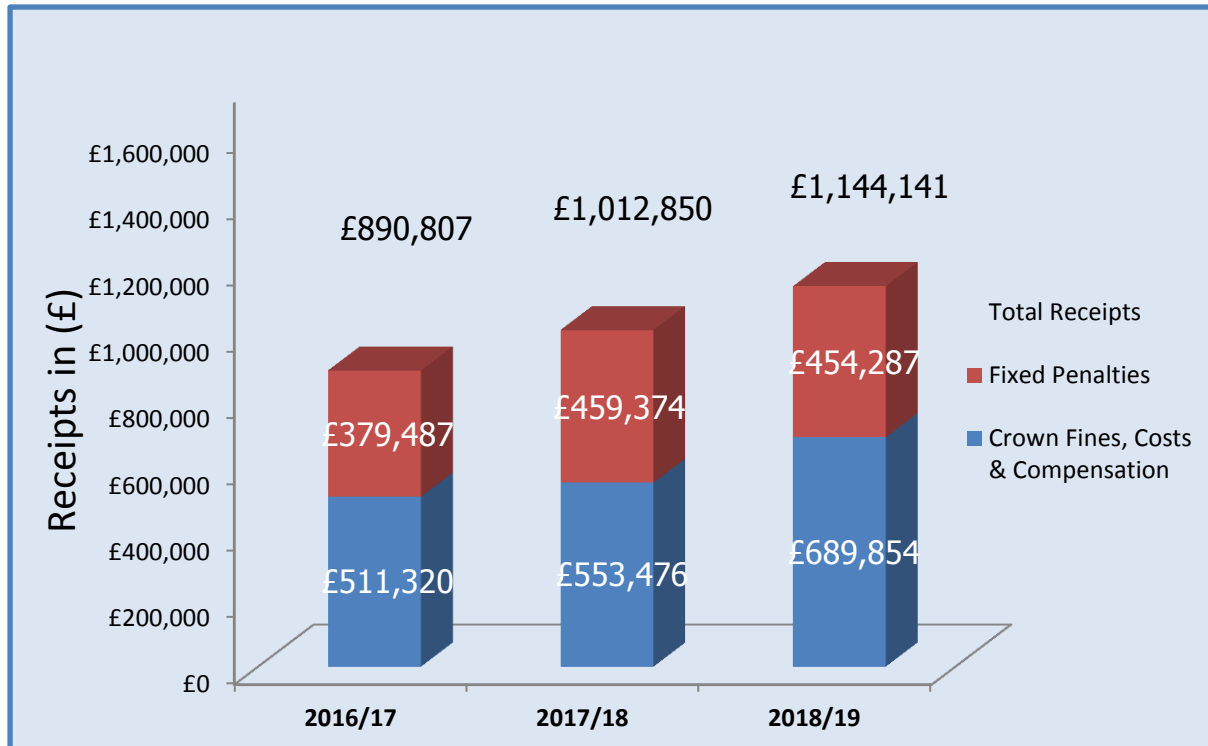
Note: The above figures do not correspond with those published in the Isle of Man Government Pink Book due to the method of accounting used in relation to, for example, failed prosecution costs.

Figure 2: General Registry Income 2017/2018



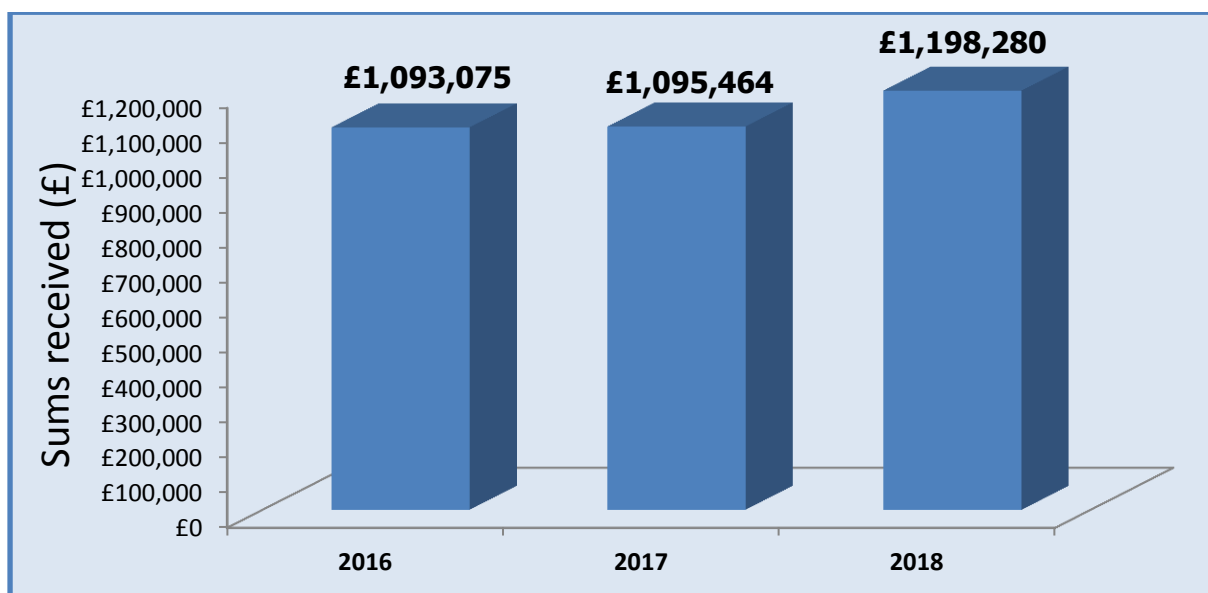
Note: 2017/18 was a triennial licensing year so the total income from licensing was significantly higher than it would be in non-triennial years.

Figure 3: Income collected from Fines, Fixed Penalties etc. 2016/17-2018/9



Note: The income above is collected, but not retained, by the General Registry and does not feature in its accounts.

Figure 4: Maintenance sums received and then paid to the relevant party 2016-2018



Note: Child maintenance is regular, reliable financial support that contributes towards a child's everyday living costs. The parent without the main day-to-day care of the child pays child maintenance to the other parent. These payments are generally made via the Chief Registrar.

The remaining figures, [Figures 5 to 19](#) provide statistical information and an explanatory note for many of our areas of business from 2016 onwards, where possible. In many cases, although the information presented provides overall numbers, it does not take account of the length, size or the complexity of the matter.

Please note, where 2019 data are shown in the figures which follow they are based on projections from the actual information to the end of June 2019. The actual data for the full calendar year 2019 will be corrected in future Reports.

Figure 5: Initiating High Court Civil and Appeal proceedings applications 2016-2019

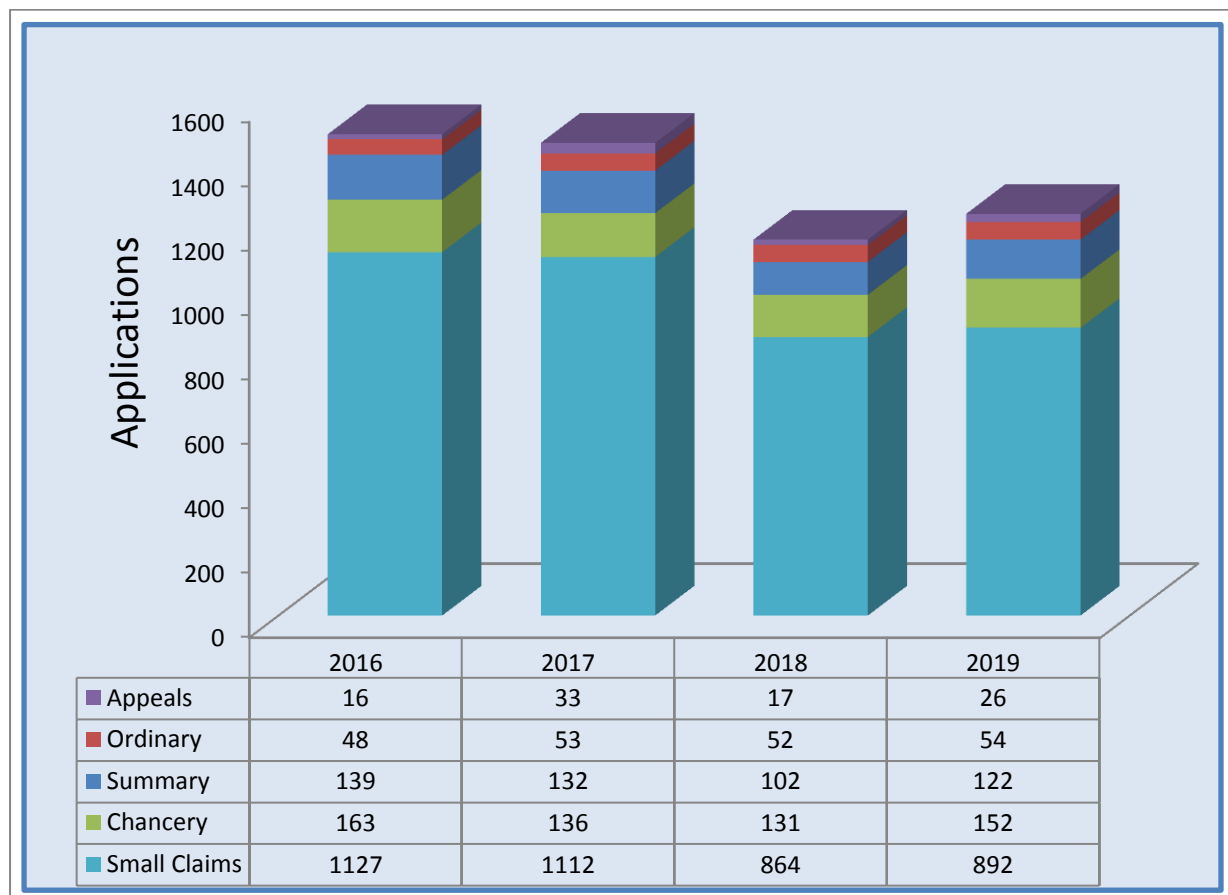
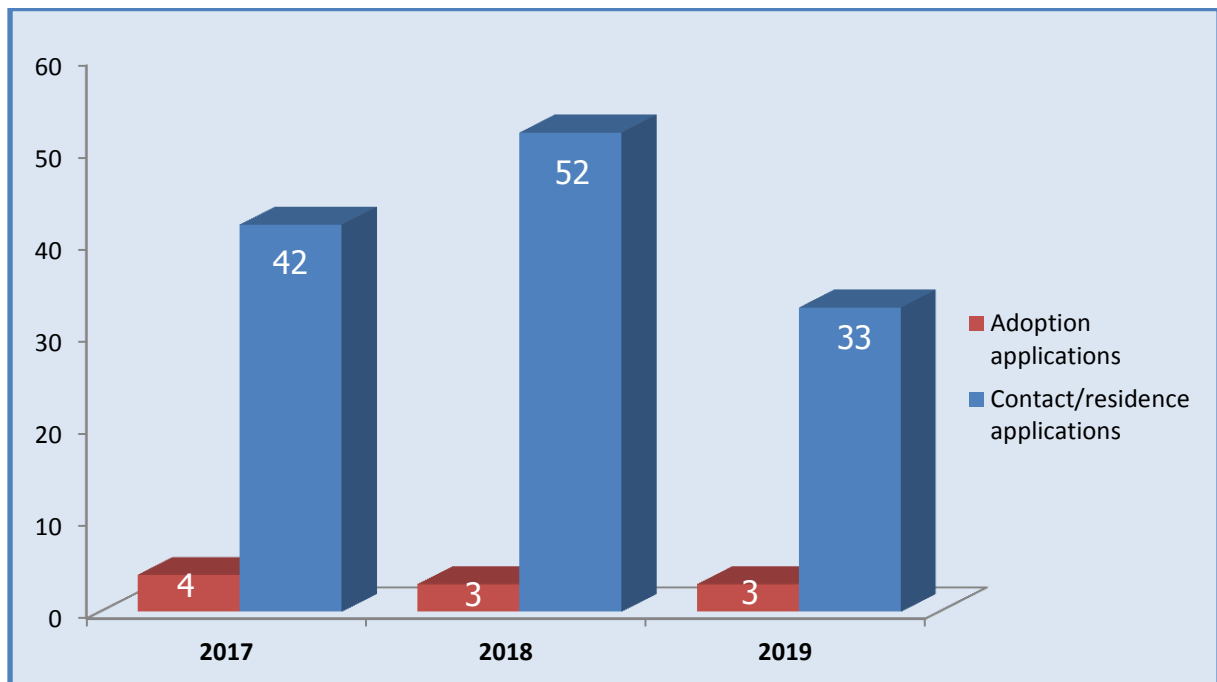
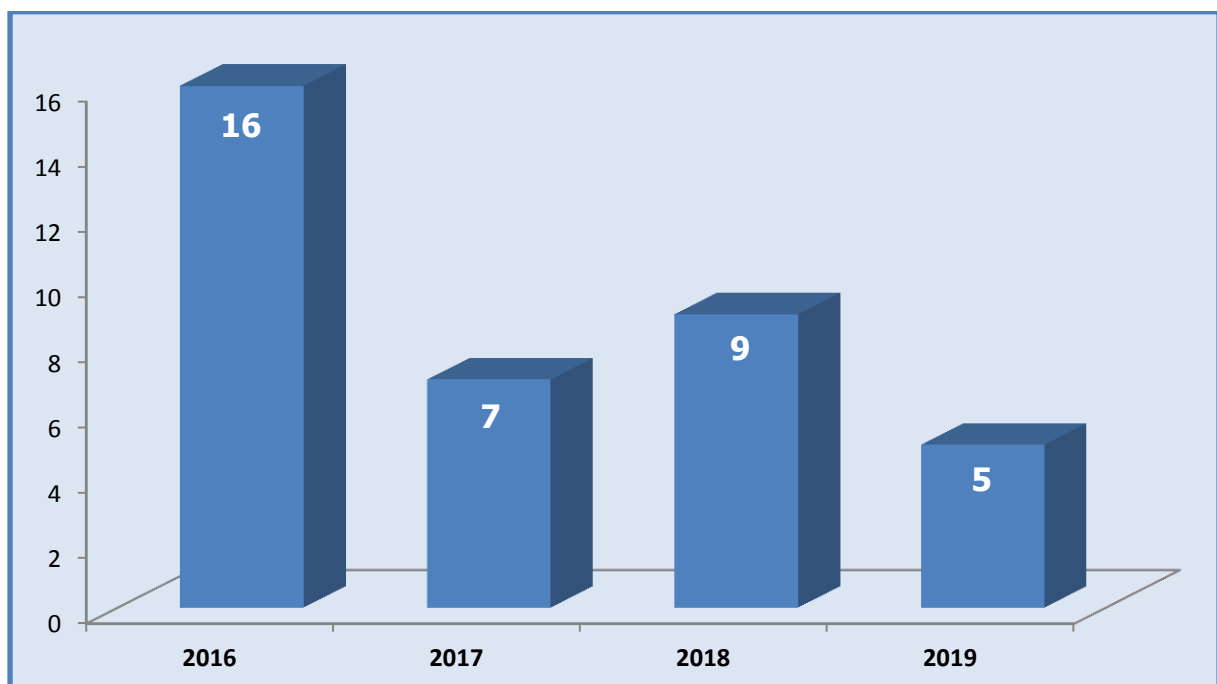


Figure 6: Adoption applications made and Contact/Resident orders sought 2017-2019



Note: An adoption order gives full parental rights and all legal responsibilities to the adoptive parents as if the child concerned were born to them. An adoption order severs all legal ties with the birth family who will then cease to have any legal rights over the child. Contact orders require the person with whom a child lives to allow that child to visit, stay or have contact with a person named in the order. Residence orders decide where and with whom the child is to live.

Figure 7: Public Law Care Proceedings Cases 2016-2019



Note: Care Proceedings (Public Law) are court proceedings brought by the relevant Government Department where an application is made generally for a "Care Order" or "Supervision Order" in respect of a child. If the relevant Department believes that a child is at risk, it can apply to court for permission to take action to protect them. The number of applications shown above does not take into account how many children an application may relate to or the nature of the application (of which there are a range of types).

Figure 8: Initiating Divorce applications, Provisional and Final Orders 2016-2019

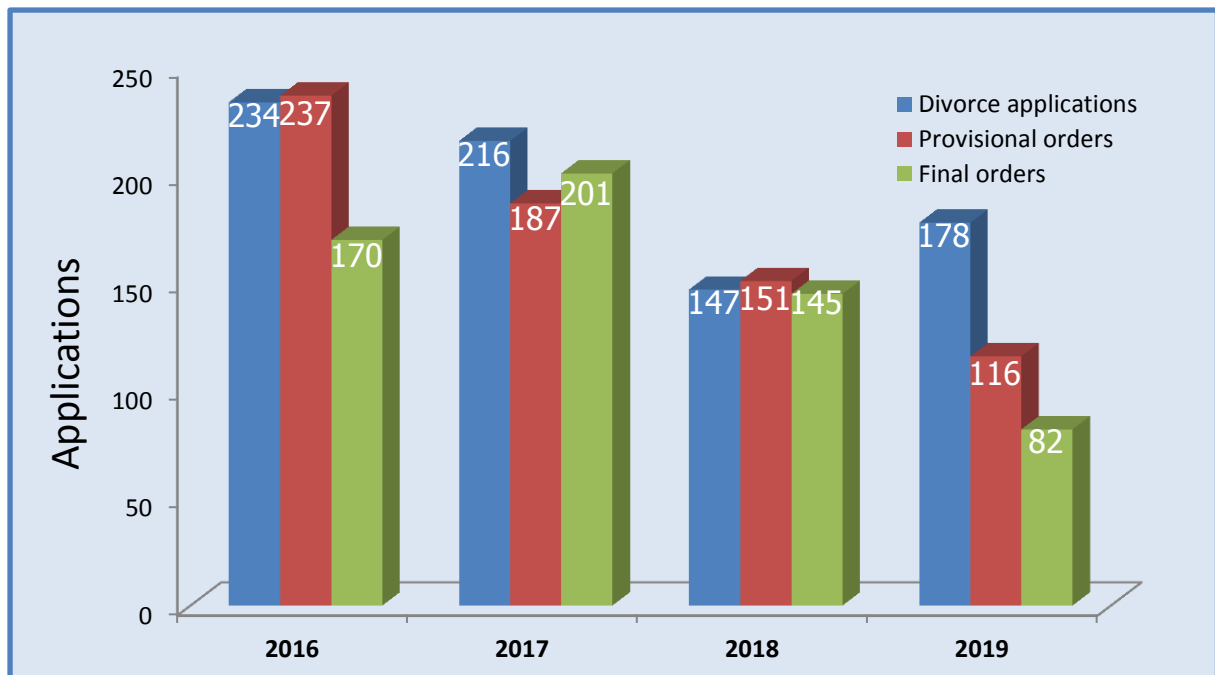
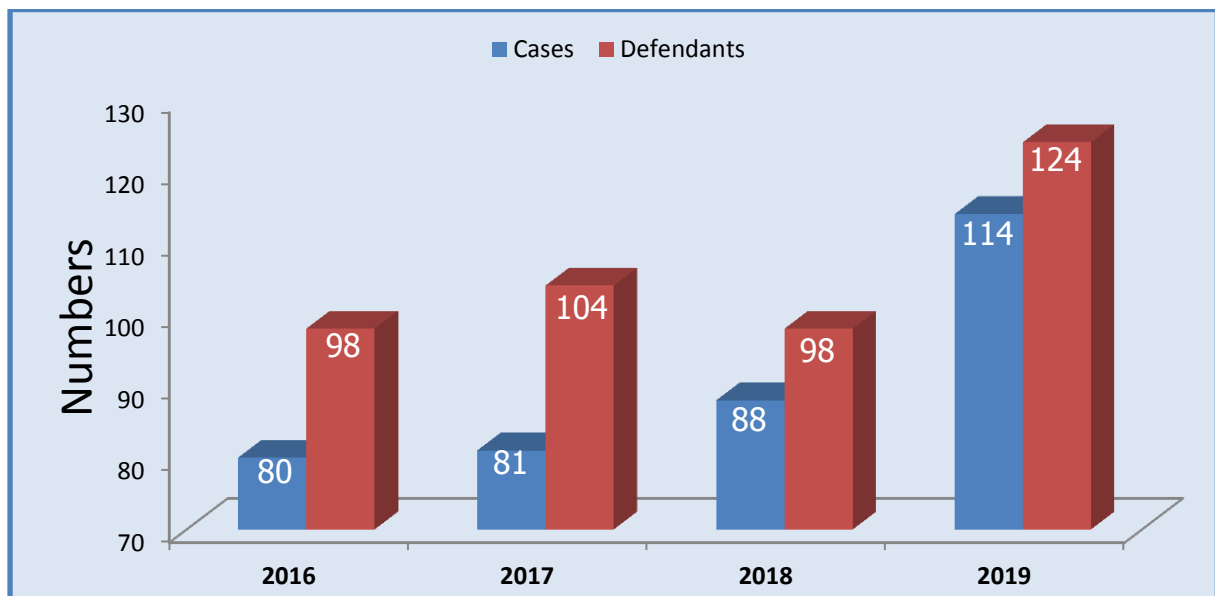
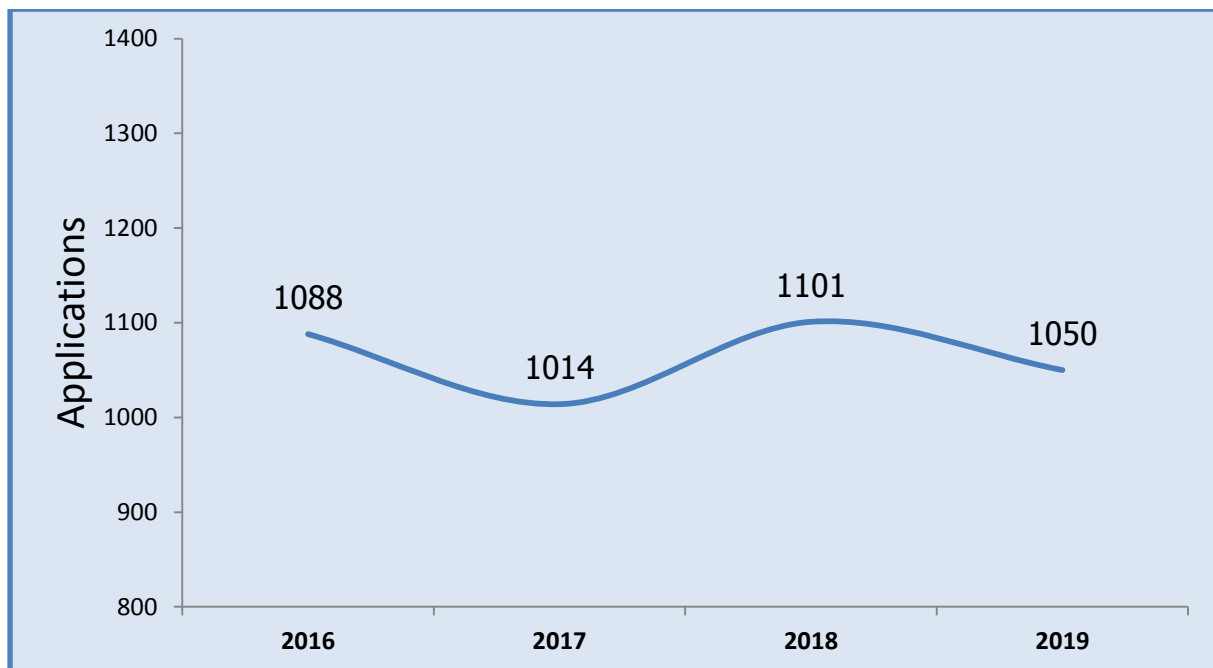


Figure 9: New cases and defendants before Courts of General Gaol Delivery 2016-2019



Note: Courts of General Gaol Delivery deal with matters of particularly serious crime.

Figure 10: High Court non-contentious Probate applications 2016-2019



Note: The Probate Office forms part of the High Court. It deals with 'non-contentious' probate business, that is where there is no dispute about the validity of a will or entitlement to take a grant. Between January 2017 and December 2018 estate inventory declarations submitted to the court indicate that assets in the region of £1.3bn (held in the Isle of Man) were administered by estate representatives. It should be noted that assets declared as part of the probate process are declared on estate 'brackets' rather than an exact amount. As a consequence the figure above is based on a 'mid' figure within these brackets.

Figure 11: New Tribunals applications 2016-2019

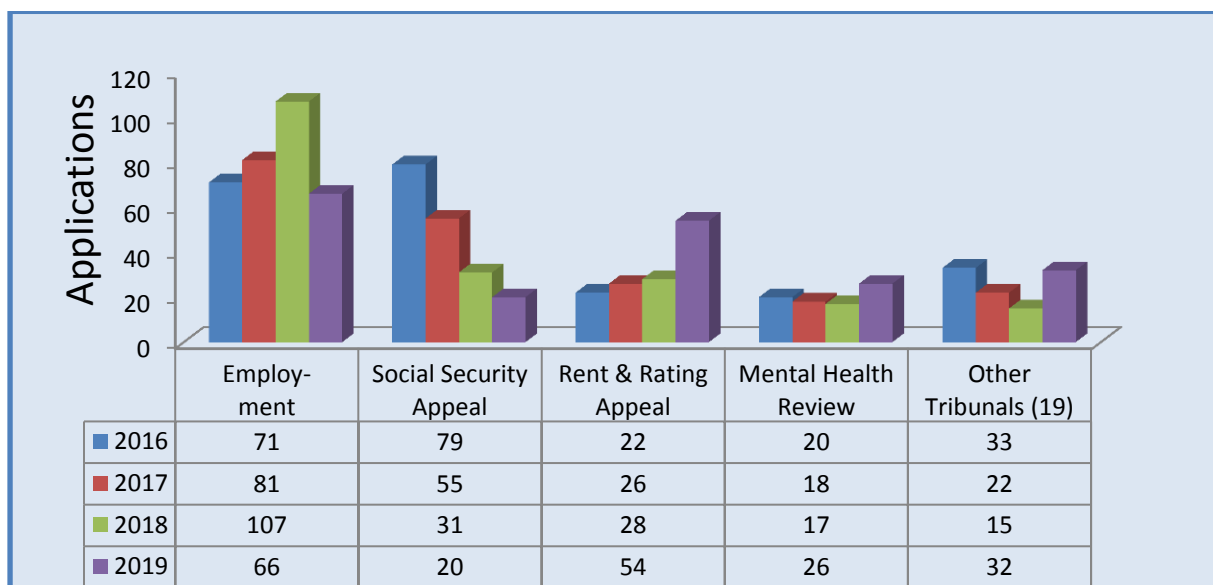
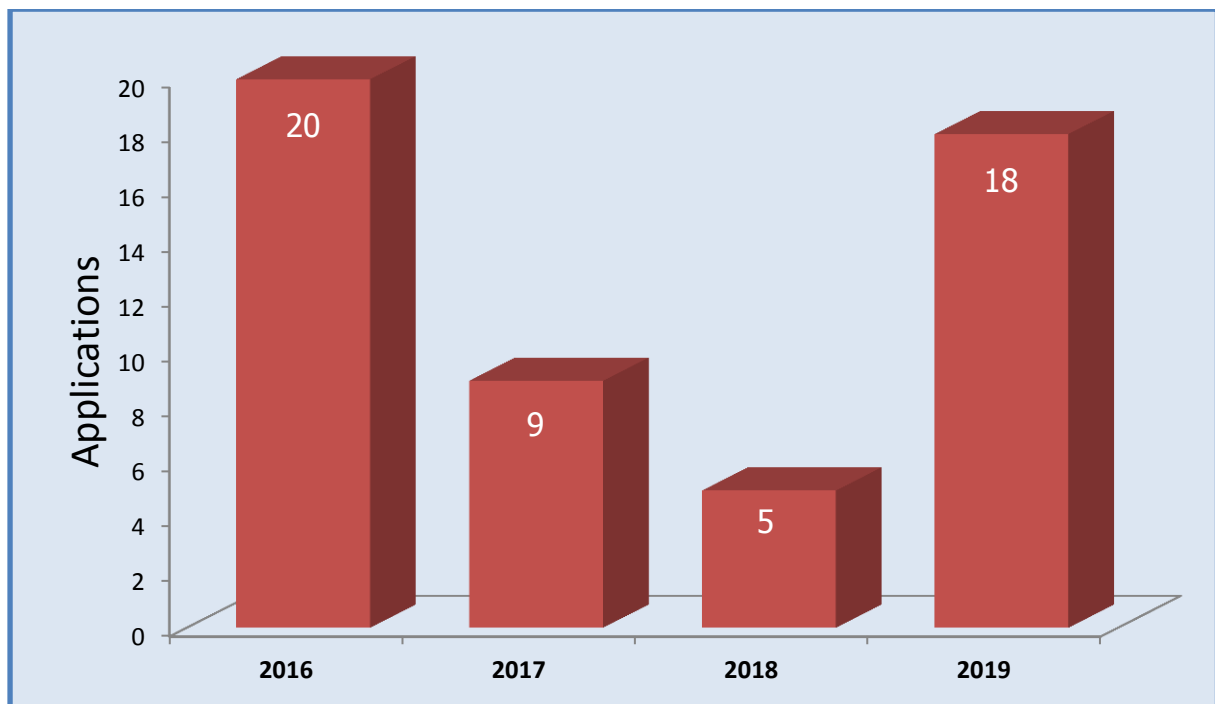
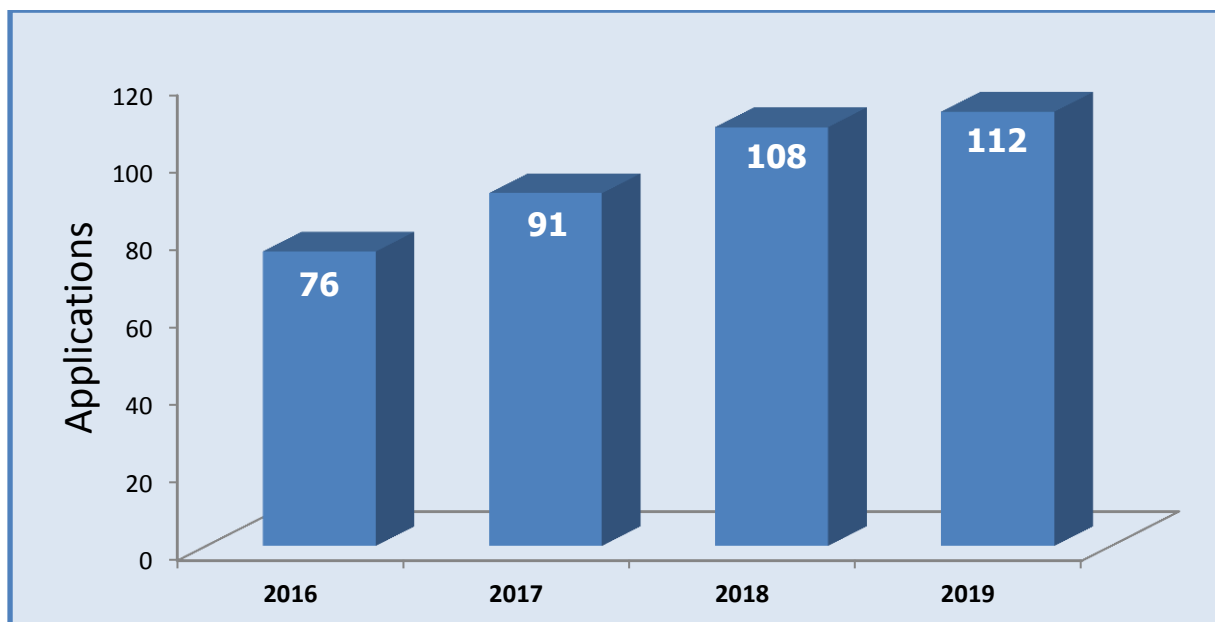


Figure 12: Applications for Licensing as a temporary Manx Advocate 2016-2019



Note: A temporary Advocate's Licence may be issued to persons qualified in other jurisdictions in certain prescribed circumstances. The majority of such licences are issued in relation to complex commercial litigation matters.

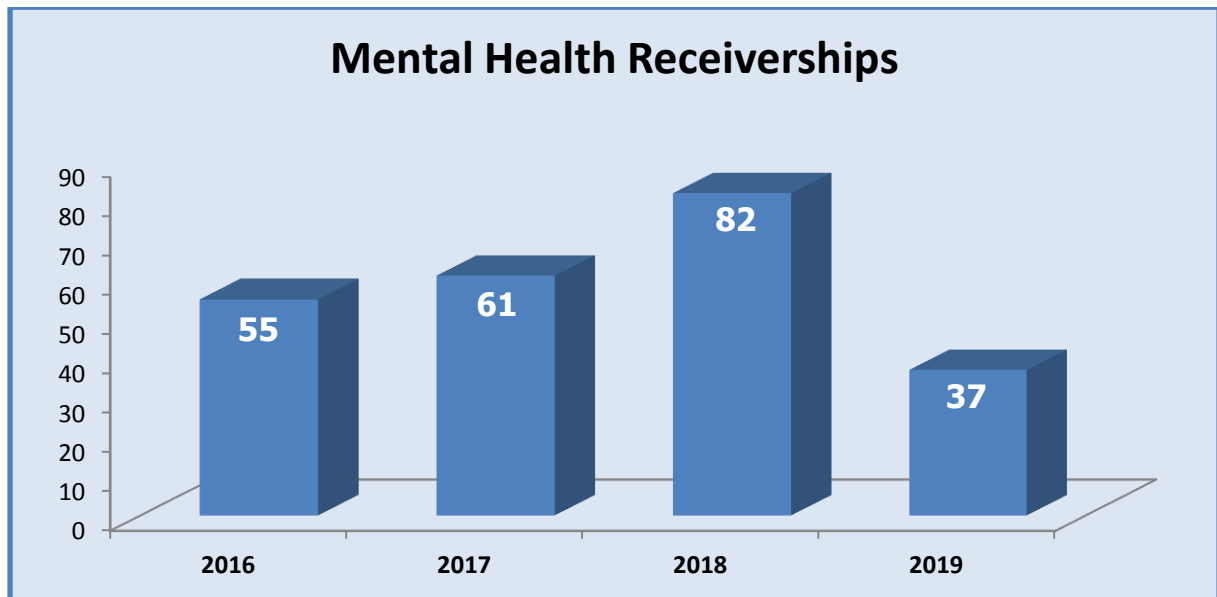
Figure 13: Applications for Enduring Powers of Attorney 2016-2019



Note: An Enduring Power of Attorney is a legal document in which 'the donor' appoints someone else ('the attorney') to look after their affairs in the event that they lose mental capacity. An ordinary power of attorney loses its validity when the donor loses the mental capacity to manage his or her own affairs. However, if an enduring power of attorney has

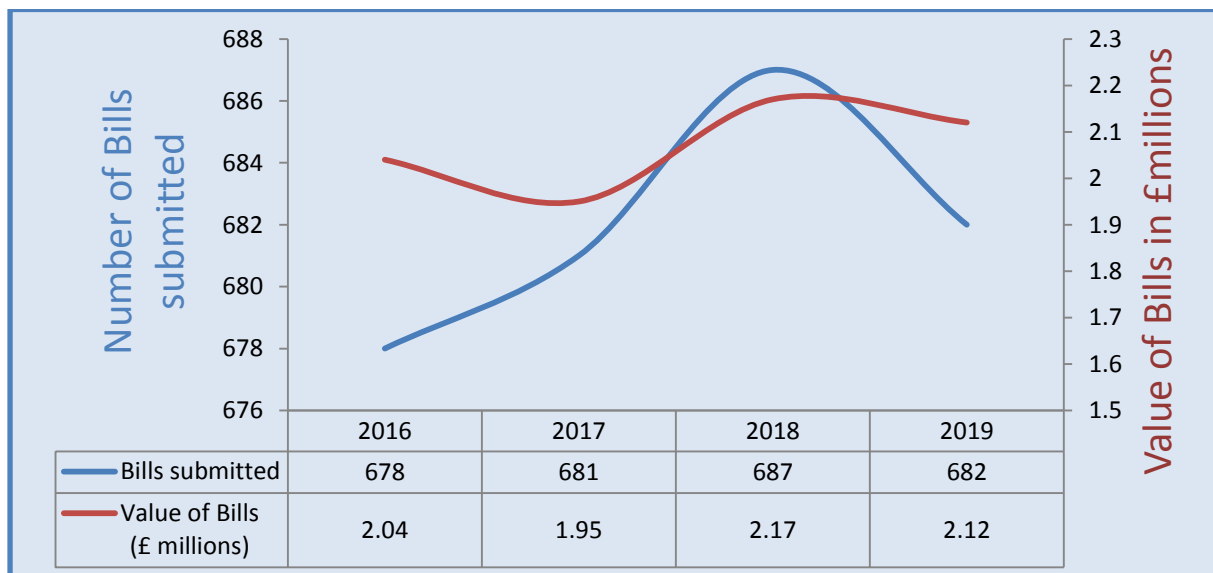
been drawn up then it should be registered at the Isle of Man Courts of Justice in order that the attorney may continue to act on the donor’s behalf when the donor loses capacity.

Figure 14: Mental Health Receiverships 2016-2019



Note: Mental Health Receiverships are granted following an application to the court for the appointment of a Receiver where a person becomes incapable, by reason of mental disorder, of managing his or her property and affairs.

Figure 15: Number and value of Legal Aid Costs Assessments 2016-2019



Note: The assessment of legal costs payable is carried out independently by an officer of the court. The object in all cases should be to achieve a fair assessment of the costs due to the legal services provider. The need for an assessment arises out of a court order, a legal aid certificate and certain other circumstances.

Figure 16: Appearances at the Fixed (weekly) Summary Criminal Courts 2016-2018

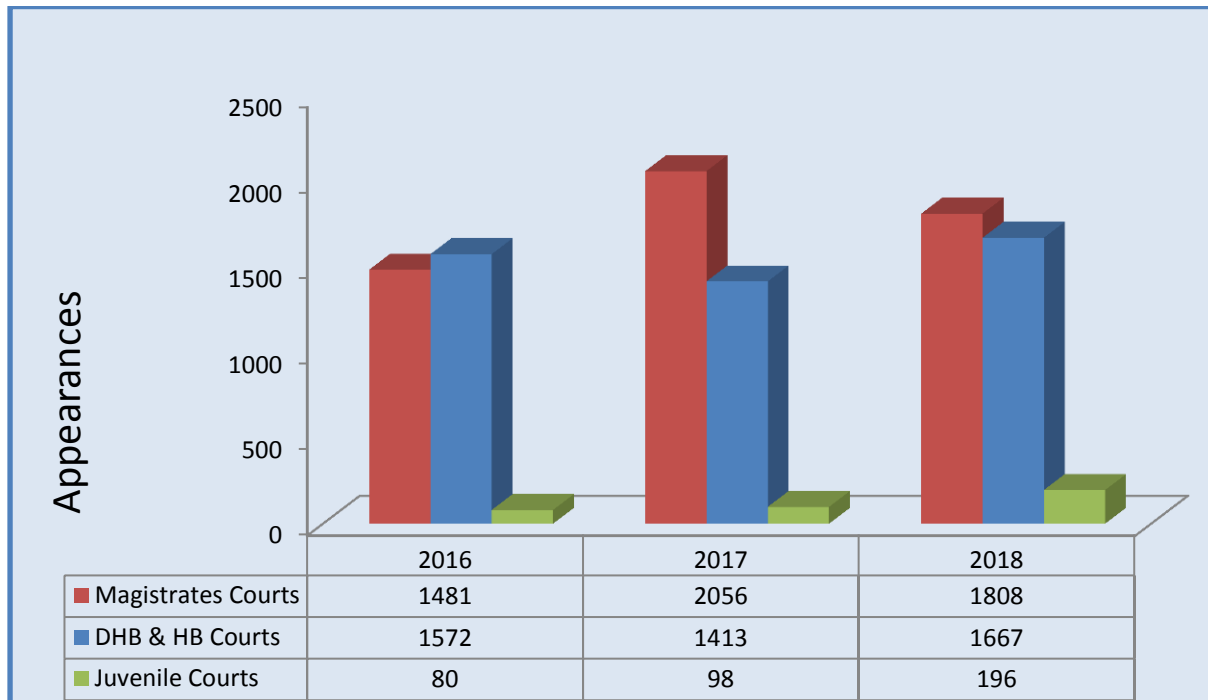


Figure 17: Sudden Deaths reported to and Inquests held by the Coroner of Inquests 2016-2018

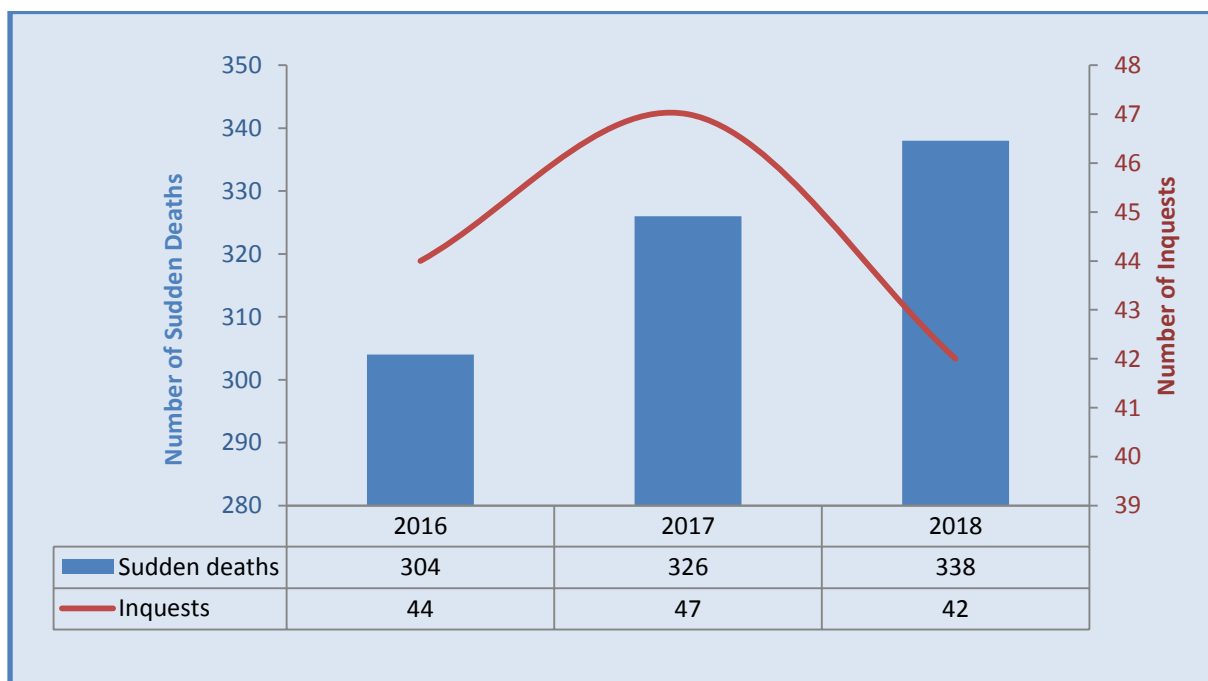
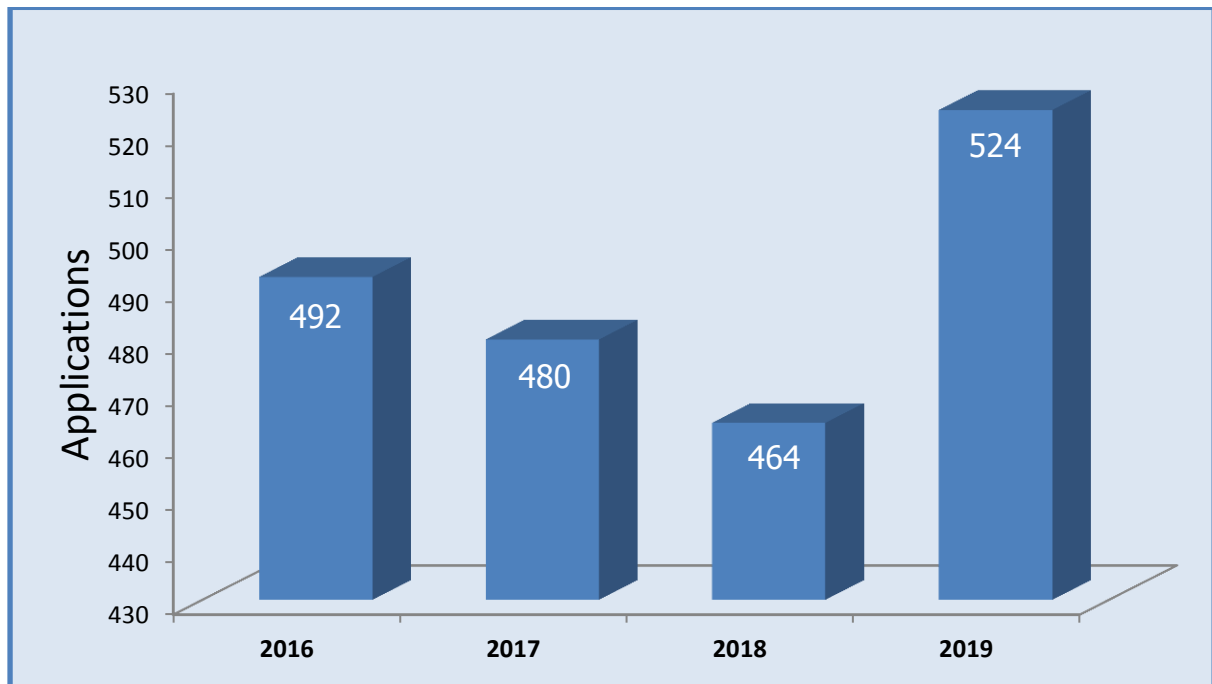
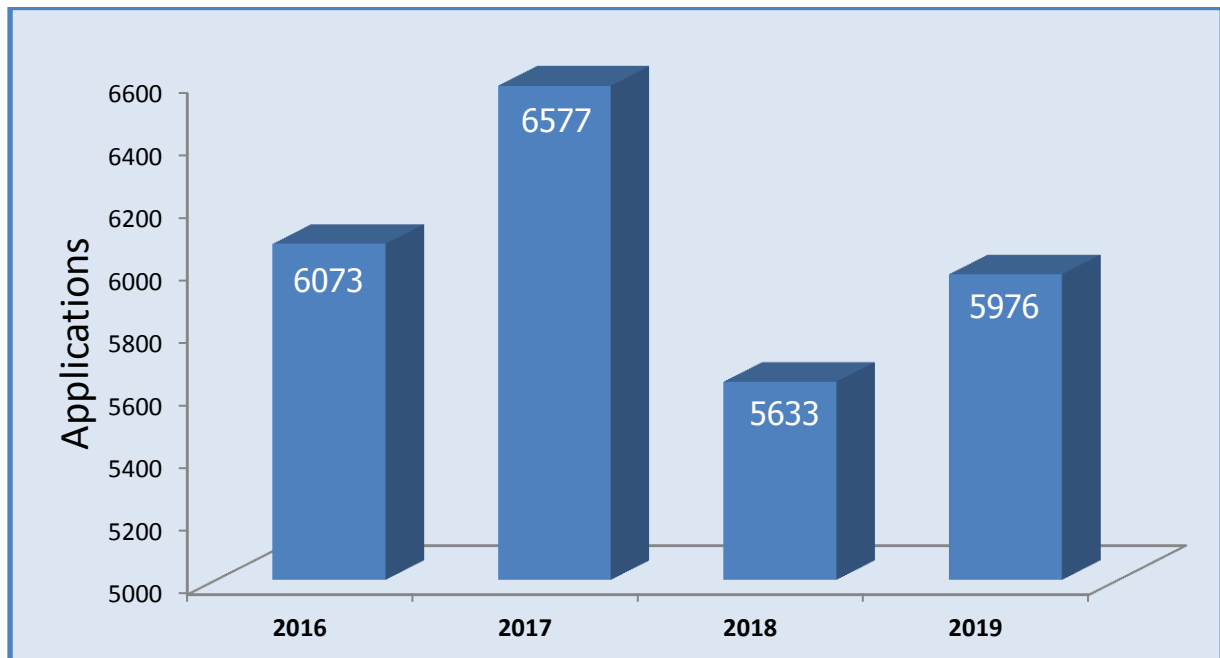


Figure 18: Applications made to the Licensing Court 2016-2019



Note: These figures exclude triennial licences.

Figure 19: Applications for an Apostille Certificate 2016-2019



Note: An Apostille is an official Government issued certificate added to documents in order for them to be recognised as genuine when presented in another country. Once a document has had an Apostille Certificate attached confirming the authenticity of signatures and seals, it can be presented to any country that recognises the Apostille. The authority receiving the document should then accept the seals or signatures as true and valid without requesting further evidence or proof.

