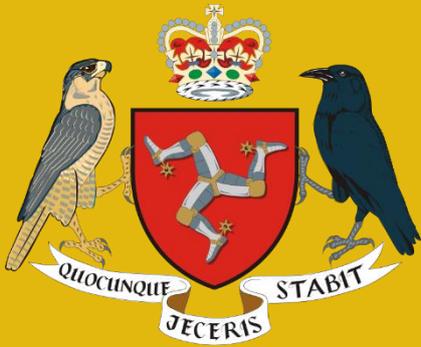




ISLE OF MAN COURTS OF JUSTICE QUONON CARIS BELAN VANNIN



**ISLE OF MAN
GENERAL REGISTRY
COURTS & TRIBUNALS SERVICE
ANNUAL REPORT
2021/2022**

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FOREWORD

Welcome to the latest annual report from the General Registry. Whilst retaining the publication of some key statistics across court and tribunal services over the past 12 months, this report also now seeks to provide further information on the challenges facing us in the coming years and our plans to tackle them.

This will hopefully help readers to get a better understanding of all the services the General Registry provides which you may not be aware of and also details of our contributions to the overall delivery of “Our Island Plan”. Ensuring open and equal justice is available for all, in a manner that is both reputationally well respected and is effectively and efficiently delivered, is a fundamental foundation for our Island.

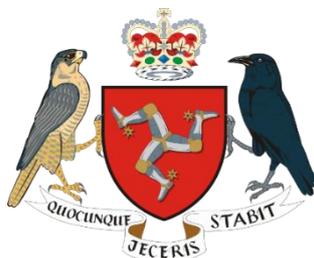
In that context, work is now well underway to modernise and digitise court services through the replacement of our legacy case management systems. This programme of work is explored more fully in this plan and builds upon the recent successful digitisation of probate and tribunal services. A phased approach over the next 2 years has been adopted to avoid disruption, and will enable us to adopt a more joined up approach with our partners in the justice system in terms of digital applications, payments and records management. This work will enable the General Registry to continue to play a key role in determining and delivering future strategies as part of the work of the Criminal Justice Board and Council of Ministers Sub-Committee on Justice.

As well as our busy business as usual court and tribunal services, we have also worked closely to implement new legislation brought forward by Tynwald over the past year. New Acts in respect of licensing, divorce, domestic abuse, sexual offences and justice reform have required new Rules of Court, forms, fees and training amongst other work. This has presented a considerable challenge to our small workforce who have responded brilliantly and we are extremely proud of the efforts of all our staff. We remain committed to playing our part as the work in this area continues apace in the current year across areas including capacity, adoption, debt & insolvency and further justice reform amendments.

We hope you find some interesting insight into the work of the General Registry within this document and as always, would welcome any feedback you might have to improve content for future years.

Colin Cowley
Interim Chief Registrar

His Honour Andrew Corlett
First Deemster and Clerk of the Rolls



June 2023



MISSION STATEMENT

“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.”

WHO WE ARE

Established by statute in 1965, the General Registry, now more commonly referred to as the Isle of Man Courts & Tribunals Service (“IoMCTS”), is responsible for the administration of courts and tribunals, and supporting the statutory independence of the judiciary.

The primary responsibility of the judiciary is to administer justice according to the law, with the ‘Executive’ and ‘Administration’ being responsible for providing the support necessary to enable the judiciary and magistracy to exercise their judicial functions independently. The Executive is also responsible for providing leadership to the organisation, along with a broader system of support to facilitate the carrying on of the various business of the courts, including infrastructure, resources, corporate governance and strategic direction.

The Chief Registrar is the Accountable Officer, statutorily under the direction of the First Deemster. The Chief Registrar has overall responsibility for the good governance of the organisation and has a key role in liaising with judicial and legal officers across a number of statutory provisions and obligations.

The Chief Registrar is supported directly in his role by the ‘Chief Registrar’s Office’ which includes a staff of legal and executive officers. The qualified legal officers are responsible for internal legal research and advice/guidance and for procedural and legal advice to the lay magistracy.

In addition, a Director of Performance & Change acts as the Deputy Accountable Officer & has oversight of the ‘Chief Registrar’s Office’, combining responsibility for operations and day-to-day oversight of the organisation with the modernisation of the Courts & Tribunals Service.

Operationally, the Courts & Tribunals Service is organised into five areas of responsibility, each headed by a Head of Section (Senior Operational Lead), who is responsible for the day-to-day delivery of services.

We are predominantly a front line, demand driven organisation, meaning that the services we deliver need to be constantly reactive to the needs of the judiciary and our customers. Our people take great pride in their work and we remain an organisation that embraces flexible working, where appropriate, with a quarter of our people employed part-time for a range of hours.



This year's Annual Report takes a more 'people-centred' detailed forward-looking approach whilst retaining some key statistics for reference and comparison. Specific budget and staffing details are available within our own web pages - www.courts.im and via relevant other Government publications. This report will now seek to concentrate more on our intended direction of travel and in doing so, set out some clear objectives that reflect our strategic priorities - for our service delivery and projects - during the upcoming twelve months and beyond.

WHAT WE DO

The IoMCTS 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 Bailiffs as well as Magistrates, Tribunal Chairs and members. This support is provided across the following teams:-

The Chief Registrar's Office – supports:

- Corporate responsibilities and appropriately related governance
- The Executive Leadership and Senior Management Teams
- Business Small Change & Project Support
- Data Protection & Security and relevant guidance

Civil and Family Team – supports:

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

Criminal and Summary Courts Team – supports:

- All criminal proceedings (including Juvenile) in the Summary Courts
- Courts of General Gaol Delivery
- Public law care proceedings
- Licensing courts
- Inquest courts and support for the Coroner of Inquests
- Certain family proceedings
- Mental Health Receiverships and Registration of Enduring Powers of Attorney

Legal Costs, Customer Service and Corporate Team – supports:

- The assessment of legal costs, inc. those payable in relation to legal aid work
- The provision of public counter facilities & ‘front of house’ services at the Courts of Justice
- The provision of support services across the organisation
- The administration of the bi-annual Manx Bar Examinations
- The processing of Apostilles & applications from other jurisdictions under the Hague Convention

Finance and Compliance Team – supports:

- Finance & Compliance services relevant to Court & Tribunal matters (inc. fines & maintenance payments & their enforcement & aspects of Mental Health Receiverships)
- Information management support inc. Senior Risk Information Owner
- Management of applications made pursuant to Freedom of Information legislation
- The statutory Judgments Officer in respect of Coroners

The Probate and Tribunals Team – supports:

- High Court Non-Contentious Probate proceedings
- A range of tribunal proceedings inc., e.g. Employment & Equality & Mental Health, Advocates’ Disciplinary & Social Security.
- Secretariat functions for the Appointments Commission (a statutorily independent body, not part of the Courts & Tribunals Service)

CHANGE AND MODERNISATION

Over the past twelve months, the Isle of Man Courts and Tribunals Service has taken significant steps towards the planned transformative change to the delivery of key services and put in place significant milestones that will shape our future plans.

One of the cornerstones of our change and modernisation programme has been the launch and progression of the new Courts Case Management System (“CCMS”) project. Whilst progress with regards to the new CCMS has been significantly impacted by the pandemic, we have now embarked on the project which will replace existing legacy systems. The new platform will afford an opportunity to modernise operations, streamline processes, enhance accessibility to services, provide improved data and document management/sharing, and, ultimately, deliver access to justice more effectively and transparently.

Integral within the delivery of all court and tribunal services is the ongoing commitment to the availability and development of the use of remote and hybrid hearings by the various courts and tribunals and the increasing use of technology to facilitate meetings and information sharing by the Executive and Administration areas of the organisation.

Another pivotal development during the past year was the introduction of a number of pieces of new legislation that have had far-reaching implications for our legal framework and our external stakeholders. Our team worked at length with the various other Stakeholders to draft enabling legislation and then to enact these reforms; all of which aim to address emerging societal needs and promote a fair and equitable justice system. The implementation of this legislation demonstrates an ongoing drive to align the Island with the highest contemporary legal standards.

The upcoming twelve months will bring further challenges and opportunities as we continue the development and integration of the CCMS, review our online presence and work to enable a further raft of new and amending legislation, e.g. Capacity, Justice Reform, Adoption, Civil Debt Reform and others.

THE WIDER ENVIROMENT

Whilst the IoMCTS does not instigate policy, it does have a vital role within the consultation process to ensure that new developments are viable within the justice environment.

The Chief Registrar is now a statutory member of the Criminal Justice Board and sits on the Council of Ministers sub-committee on Justice. Currently these bodies are advising on and are responsible for delivering key reforms across the Island's justice framework for example in response to the "Wooler" report on the role of the Attorney General; the "Garnier" report on legal services and the Attorney General's review of legal Aid.

Officers also attend regular meetings across various working groups considering policy matters in areas such as licensing, insolvency and trusts.

In addition, memoranda of understanding exist with other areas of Government to facilitate regular meetings between the First Deemster, Ministers and the Isle of Man Government's Chief Executive Officer. These meetings, accompanied by senior advising officers, provide the opportunity to share views on key matters facing the Isle of Man and link the IoMCTS into the wider "Our Island Plan".

Legislation

Whilst policy matters sit entirely outside of the IoMCTS, we are key stakeholders in ensuring new legislation can be brought into operation efficiently and effectively. This can include drafting new Rules of Court (regulations covering practice and procedure before a particular court), producing new forms, guidance (including websites) and fee structures, and training requirements. In addition, the IoMCTS responds to a significant number of consultations and sits on various working groups to discuss and find solutions to operational issues affecting Courts and Tribunals.

Over the past twelve months, the IoMCTS has played a key role in implementing:

- **The Liquor Licensing and Public Entertainments Act 2021**

A significant reforming Act which required extensive collaboration with the Department of Home Affairs to ensure transitions from existing licenses, new forms and fee structures and wide-ranging engagement with other stakeholders i.e. the Constabulary and licensing industry.

- **The Divorce, Dissolution and Separation Act 2020**

This Act reforms the legal requirements and process for divorce. The act aims to reduce the potential for conflict amongst divorcing couples by:

- removing the ability to make allegations about the conduct of a spouse
- allowing couples to end their marriage jointly

The IoMCTS worked closely with the Attorney General’s Chambers in producing new Rules of Court, forms, guidance and procedures to bring this Private Member’s Bill into operation.

- **The Domestic Abuse Act 2020**

The Act provides a legal basis for support of those in abusive relationships, giving police and the courts new powers to deal with domestic abuse.

- **The Justice Reform Act**

The Act covers a substantial number of new provisions and amendments about the trial and sentencing of offenders and the procedures of the criminal courts, harassment and stalking and juries and their verdicts. It also enables sentencing guidelines to be adopted and authorises Rules of Court to enable or require delivery and authentication of information in or in connection with court proceedings by electronic means. In addition, it authorises the use of live video and audio links in summary court proceedings and in other proceedings before the High Bailiff.

Ongoing and future legislation

The following legislation has been approved by Tynwald, received Royal Assent and is now subject to implementation plans driven by various Government Departments. All Acts will require extensive work by the IoMCTS to ensure the provisions can be fully applied to court and tribunal services.

- Sexual Offences and Obscene Publications Act 2020
- Capacity Act 2023
- Adoption Act 2021

In addition, the following Bills are in various stages of development by Government Departments and the IoMCTS is providing advice and guidance on operational issues affecting the Courts and Tribunals:

- Contempt of Court
- Justice Reform (Amendment)
- Public Sector Payments
- Civil Debt Recovery
- Insolvency

Once finalised and approved by Tynwald, they will then be subject to similar implementation plans as noted above.

Finally, the IoMCTS has a corporate responsibility to contribute towards items within “Our Island Plan” that cut across all parts of Government. For example, extensive reviews have taken place to submit information to the ongoing Covid review and we have committed to ensuring our working environment is adapted to meet obligations within newly enacted climate change legislation.

ISLE OF MAN COURTS & TRIBUNALS SERVICE ANNUAL PLAN 2023

To summarise our priorities, this is our "plan on a page" which we will use to report our progress against in future years.

Area of Business	Quarter 1	Quarter 2	Quarter 3	Quarter 4	During Year
Reform & Change		<ul style="list-style-type: none"> • Review of Courtroom AV Functions 	<ul style="list-style-type: none"> • Reform of Coroners • Fees Review 	<ul style="list-style-type: none"> • Review of Organisational Structure 	<ul style="list-style-type: none"> • Criminal Justice Board • Programme of Review ICT Infrastructure
Legislation	<ul style="list-style-type: none"> • Divorce • Licensing 	<ul style="list-style-type: none"> • Domestic Abuse 	<ul style="list-style-type: none"> • Justice Reform (Amendment) Bill 	<ul style="list-style-type: none"> • Adoption 	<ul style="list-style-type: none"> • Review of Non-Contentious Probate Rules
Operational	<ul style="list-style-type: none"> • Licensing • Manx Bar Exams 	<ul style="list-style-type: none"> • Divorce • Licensing • Domestic Abuse 	<ul style="list-style-type: none"> • Phase 1 CCMS 	<ul style="list-style-type: none"> • Phase 1 CCMS • Manx Bar Exams 	<ul style="list-style-type: none"> • Criminal Justice Board • Transitional relationship with Department of Home Affairs
Internal Projects	<ul style="list-style-type: none"> • Phase 1 CCMS - Courts Case Management System (Summary, Criminal, General Gaol & Financial) 	<ul style="list-style-type: none"> • Phase 1 CCMS 	<ul style="list-style-type: none"> • Phase 1 CCMS • Licensing; internal governance and online services 	<ul style="list-style-type: none"> • Phase 2 CCMS – Civil Courts Case Management System (Phase 2 CCMS) 	<ul style="list-style-type: none"> • Extension of existing Employment & Equality Tribunal Case Management System into other Tribunals • Development of Probate online services & open data
External Projects Impacting The Courts & Tribunal Service	<ul style="list-style-type: none"> • Independent Covid Review 		<ul style="list-style-type: none"> • Licensing 	<ul style="list-style-type: none"> • Public Sector Payments Bill 	<ul style="list-style-type: none"> • Collection of Civil Debt • Contempt of Court • Legal Parentage • Proceeds of Crime • Capacity Legislation
Corporate & Governance	<ul style="list-style-type: none"> • Budget Preparation 	<ul style="list-style-type: none"> • External Audit of 'Third Party Accounts' • Annual Report publication 	<ul style="list-style-type: none"> • Records of Processing Activity (Review) 		<ul style="list-style-type: none"> • Mandatory training, e.g. GDPR
2024 / 25	Phase 2 CCMS Legislation: Justice Reform (Amendment); Capacity, Adoption, Civil debt, Insolvency, Contempt of Court				

BUSINESS CHALLENGES

In the context of delivering our plans, we have considered the challenges that may require additional consideration in accordance with risk they presented. The main areas include, but are limited to:

Risk / threat	Mitigation
<p>1. Although the introduction of a new case management system is considered a transformative step for the IoMCTS, this is a significant project for a small organisation requiring major investment, both in terms of finance and staff resources. It is vital that we introduce a system that meets all requirements, but at the same time ensure that our business as usual services continue without disruption.</p>	<p>This requires a robust project management framework, ensuring monitoring of project progress, product quality and financial expenditure and involving our stakeholders at appropriate junctures.</p>
<p>2. Matters before the courts and tribunals continue to grow in size and complexity; this includes the worldwide expectation that, e.g.</p> <ul style="list-style-type: none"> - The administration of justice becomes increasingly accessible online, i.e. application processes are digital in nature; - The delivering of justice, increasingly transparent, e.g. by the publication of appropriate documentation online; - That court hearings are, where appropriate, held in an environment where parties are able to attend remotely or in a 'hybrid' fashion; - The impact of major or exceptional matters before the Court or Tribunal(s) results in unusual demand for resources/budget, or the need for specialised knowledge. 	<ul style="list-style-type: none"> - Review online presence and update websites. - Review accommodation with Dept. of Infrastructure and agree programme of maintenance and improvement works. - Invest in upgrading technology in all courts and tribunal settings. - Introduce a Service Level Agreement with the Treasury Financial Advisory Service to build on existing budget oversight & strategic planning.
<p>3. The ongoing demands of implementing new or amended legislation requiring changes to rules, practices and procedures.</p>	<ul style="list-style-type: none"> - Work closely with the legislative drafting team in HMAG Chambers. - Review of IoMCTS internal structure to consider current & future staffing requirements.
<p>4. Statutory data security and information management requirements. Data protection is of paramount importance and failure to adequately safeguard sensitive information, including</p>	<ul style="list-style-type: none"> - Our new court management system will allow us to continue adherence and development of GDPR to ensure that robust

<p>personal data, court records, and case details, can lead to severe legal and reputational repercussions.</p>	<p>cybersecurity measures are in place.</p> <ul style="list-style-type: none"> - We will also look to invest in ongoing training and awareness programmes to mitigate the risk of data breaches & unauthorised access, whilst at the same time seeking to extend our existing online offering(s).
<p>5. Budgetary restraints - limited financial resources can pose challenges to delivering quality services while maintaining operational efficiency. To mitigate this risk, we must investigate alternate ways of delivering services that maximise value for money within our financial limitations.</p>	<p>Examine all possible cost savings / efficiencies afforded through different ways of working as a result of the introduction of the new case management system.</p>
<p>6. Recruitment and retention both judicially and administratively is a critical risk, i.e. failure to attract and retain appropriate administrative and judicial personnel.</p> <p>To mitigate this risk, we must adopt proactive recruitment strategies, enhance the image and profile of the Courts and Tribunal Service, foster a positive work environment, and provide professional development opportunities to existing and new individuals in order to attract and retain top-tier talent</p>	<ul style="list-style-type: none"> - Work closely with central government as part of new "Our Public Service" programme. - Carry out a Magistrates recruitment programme. - Review make-up of current "Acting" Deemsters and recruit further if considered appropriate.
<p>7. Potential threats to the independence of the functions which we perform. It is crucial to maintain a clear separation of powers, ensuring that our operations are free from undue influence, whether that be political or corporate. We must build on the excellent work done in previous years by developing strong governance structures, transparent procedures, and clear lines of accountability, with the aim of mitigating the IoMCTS from external pressures that may compromise our independence.</p>	<ul style="list-style-type: none"> - Establish a new Memorandum of Understanding with Department of Home Affairs. - Regular meetings of Judiciary and Chief Registrar with Justice Minister, Government Chief Executive and Chief Minister to discuss issues. - Chief Registrar as member of the Criminal Justice Board and Council of Ministers' sub-committee on Justice.

We will report on progress against these challenges and update on new emerging risks within future reports.

BUSINESS INFORMATION & METRICS

It is always challenging to convey meaningful business information that reflects the services delivered when the period over which that business (in this case an application to the Court or a Tribunal) is received, processed and finally dealt with, can cover weeks, months or even years.

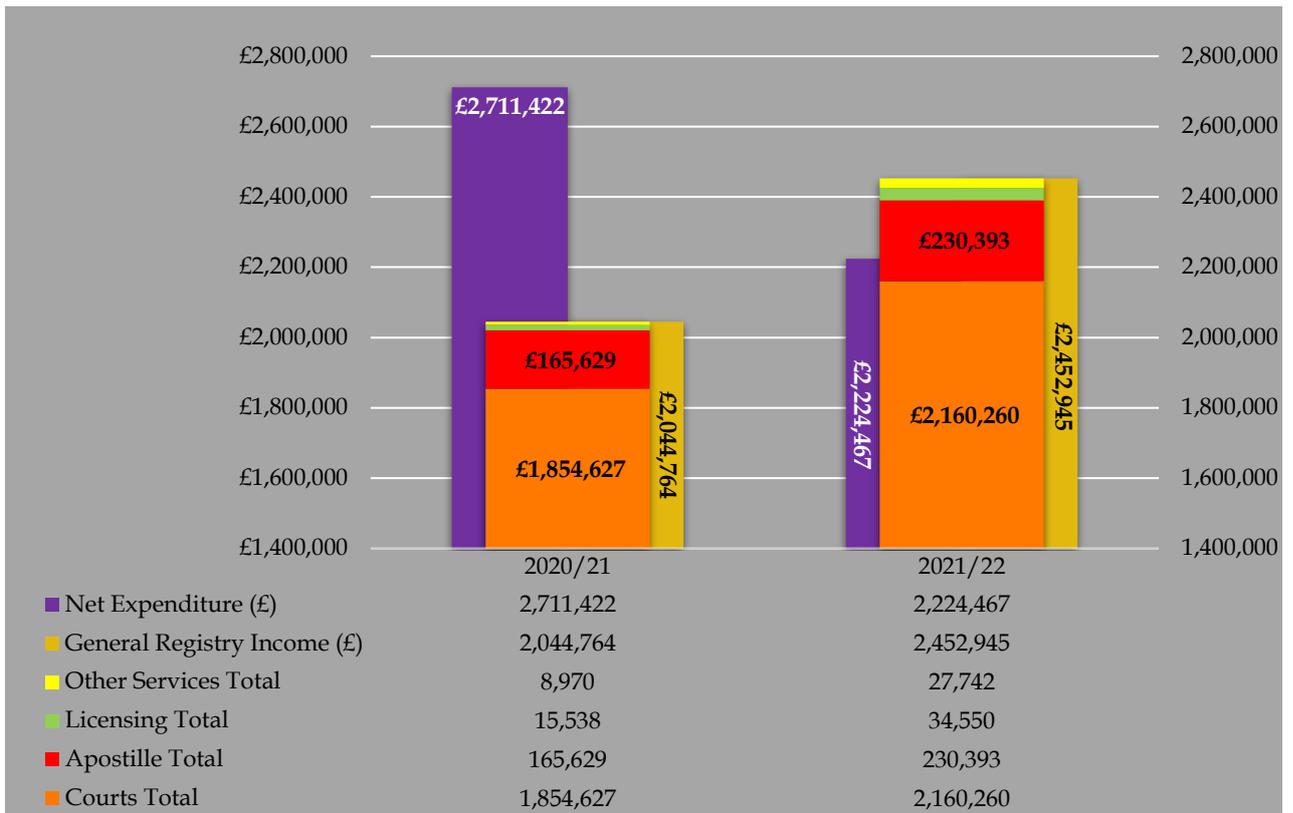
In addition, the various applications dealt with by the court can have interdependencies with each other, both across the different Divisions of the Court and across different areas of the organisation. The effort required to process one particular type of application can also in some instances, be equivalent to the effort required to process many applications of a different type.

The charts within this report endeavor to give a flavour of the work dealt with by the IoMCTS during the 2021/2022 calendar year. It is important to note that whilst some of the applications would require a traditional 'hearing/trial' in a formal court environment, others will have been dealt with via an administrative court process, e.g. Probate, Enduring Powers of Attorney & a high proportion of matters in the Civil and Family Jurisdictions.

The charts in this report present additional narrative with current rather than historical information, with the desire that this will more meaningfully reflect the current work of the organisation.

It is envisaged that as part of the programme of digital modernisation, there will be opportunities, where appropriate, for the regular online publication of data that would allow any interested individual to better understand the demands on services against resources and budgets. Additional historical data can be found in previous Annual Reports [here](#), and detailed financial information can be found in the relevant Treasury Pink Books.

CHART A: INCOME & EXPENDITURE



*As can be seen from the visualisation above, the main source of income for the Courts and Tribunal Service comes from fees payable to the Court for services delivered. The area of business within the Court that contributes most to the income figure is Probate, which is annually in the region of £1,450,000.

CHART B: MAINTENANCE SUMS RECEIVED & PAID ONWARD

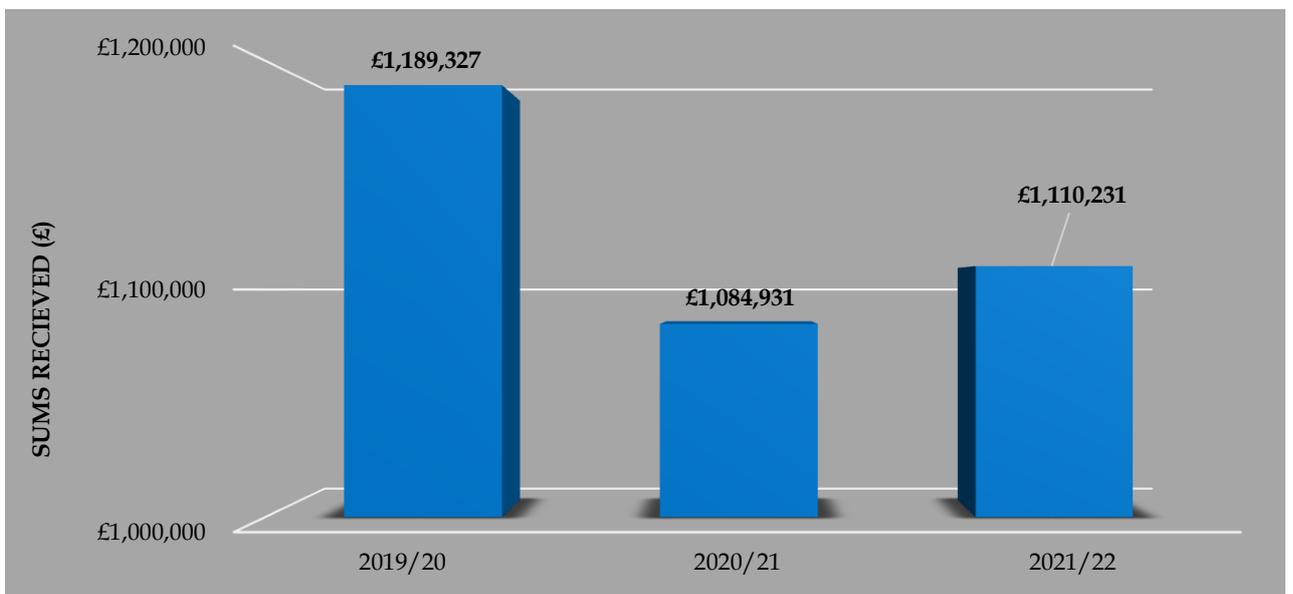


CHART C: APPLICATIONS TO THE HIGH COURT – CIVIL & APPEAL

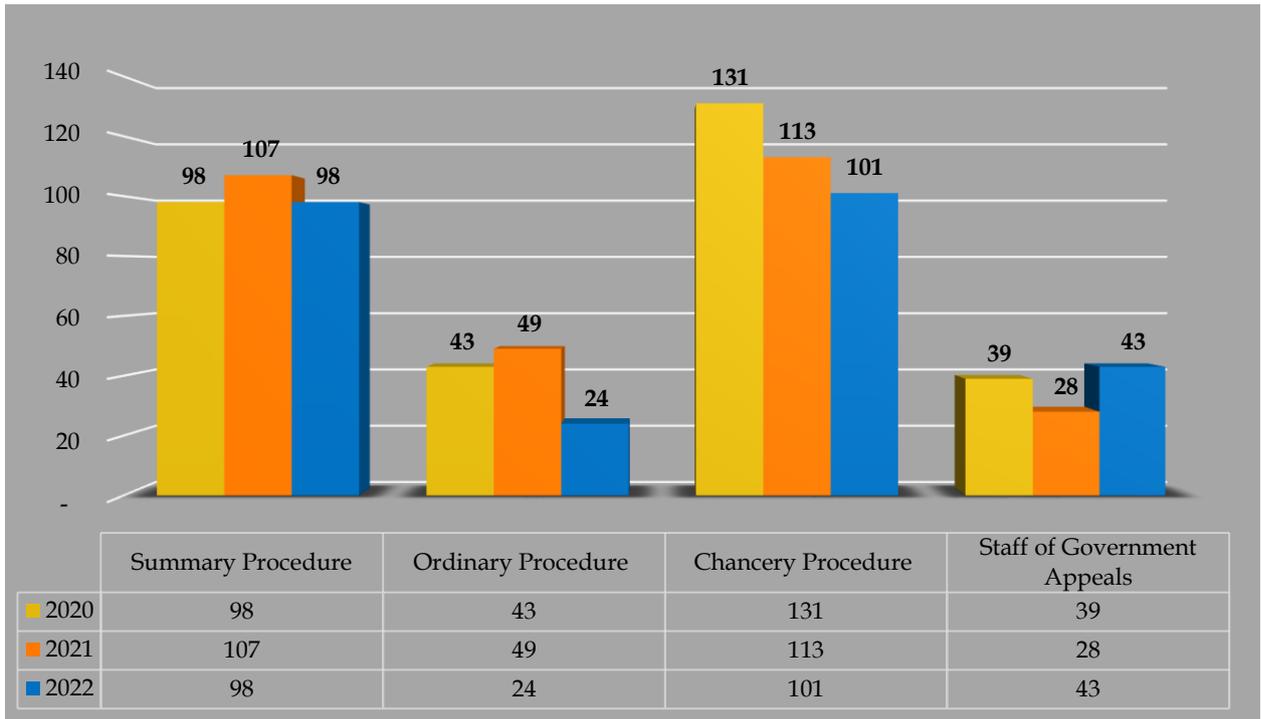


CHART D: APPLICATIONS TO THE HIGH COURT – DIVORCE

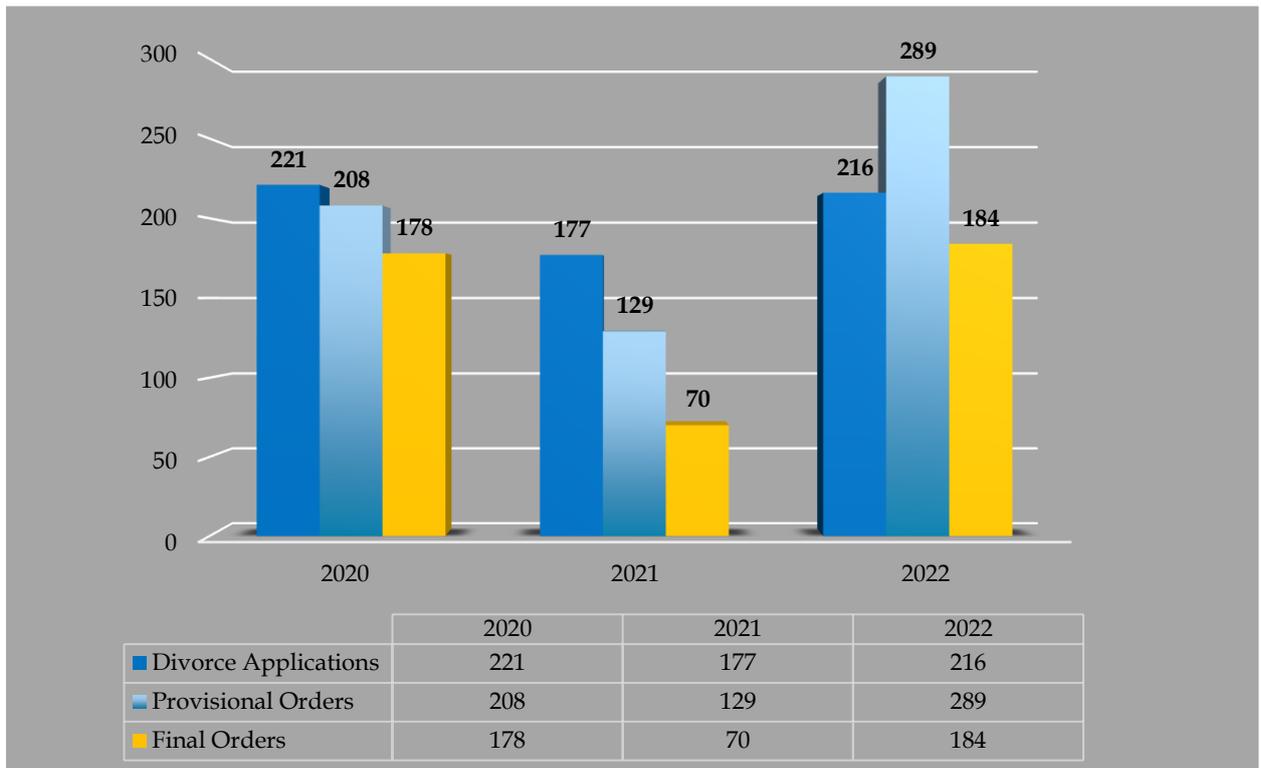


CHART E: APPLICATIONS TO THE HIGH COURT – ADOPTION & CONTACT/RESIDENCE

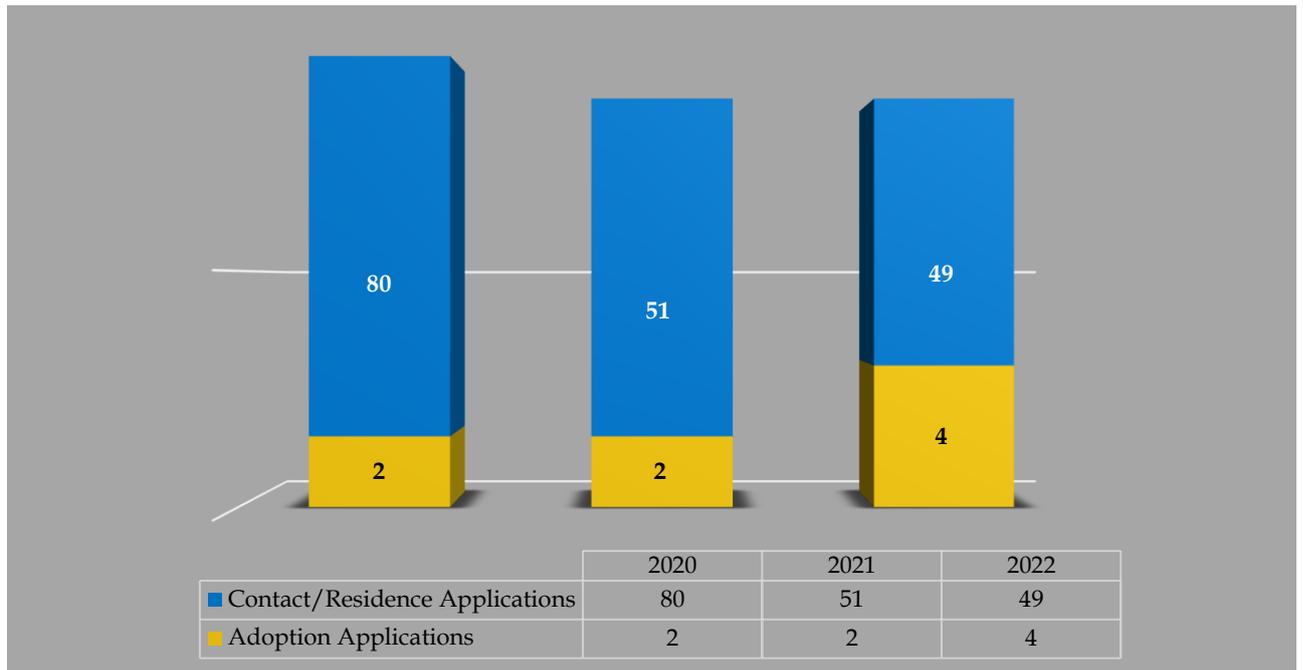


CHART F: SUMMARY BUSINESS (SMALL CLAIMS PROCEDURE)

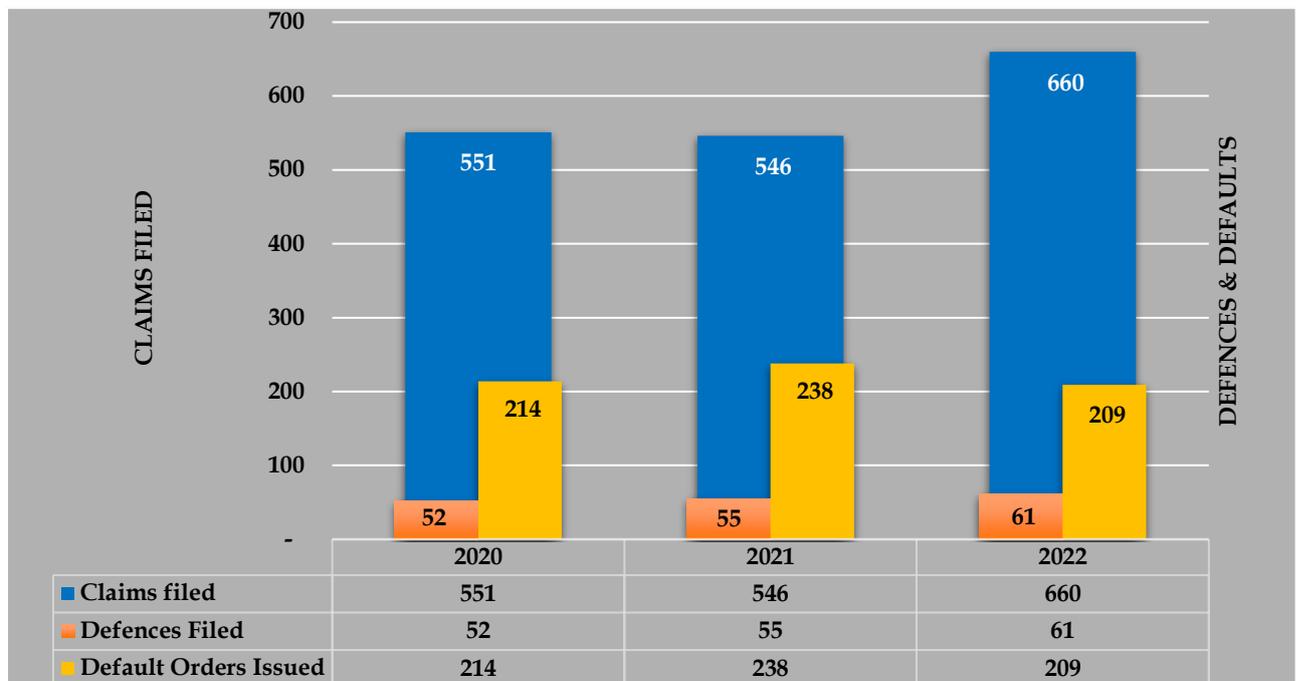


CHART G: PUBLIC LAW CARE PROCEEDINGS CASES

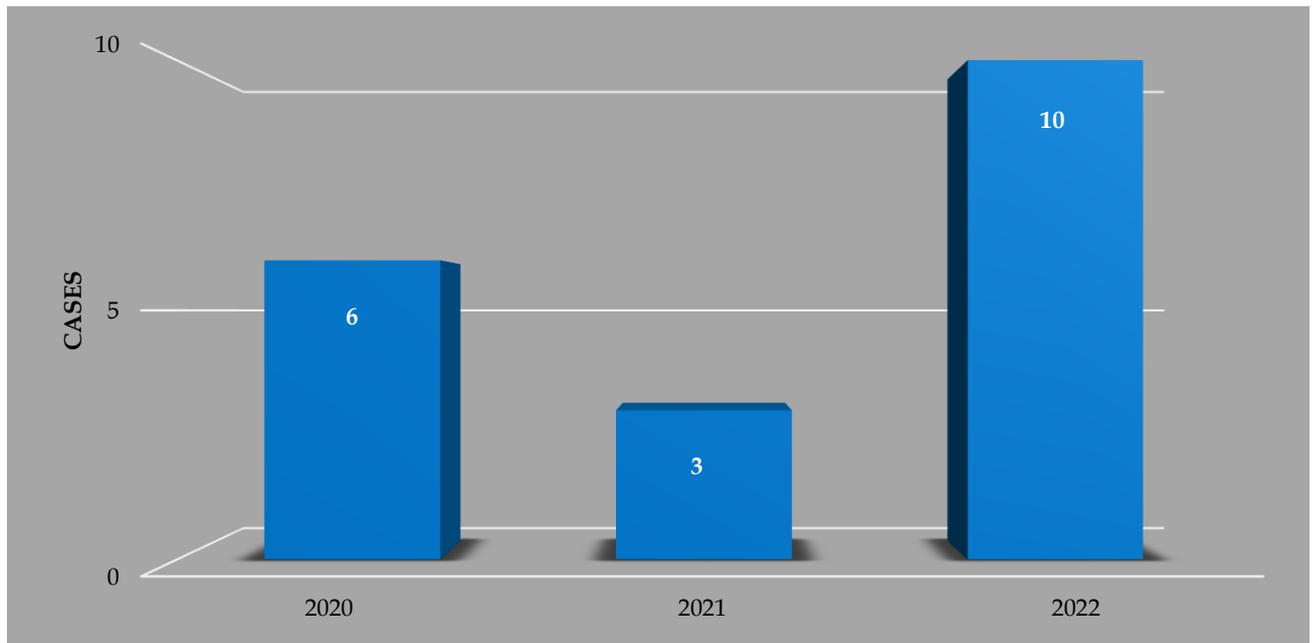


CHART H: PUBLISHED JUDGMENTS & TEMPORARY MANX ADVOCATE LICENCES ISSUED

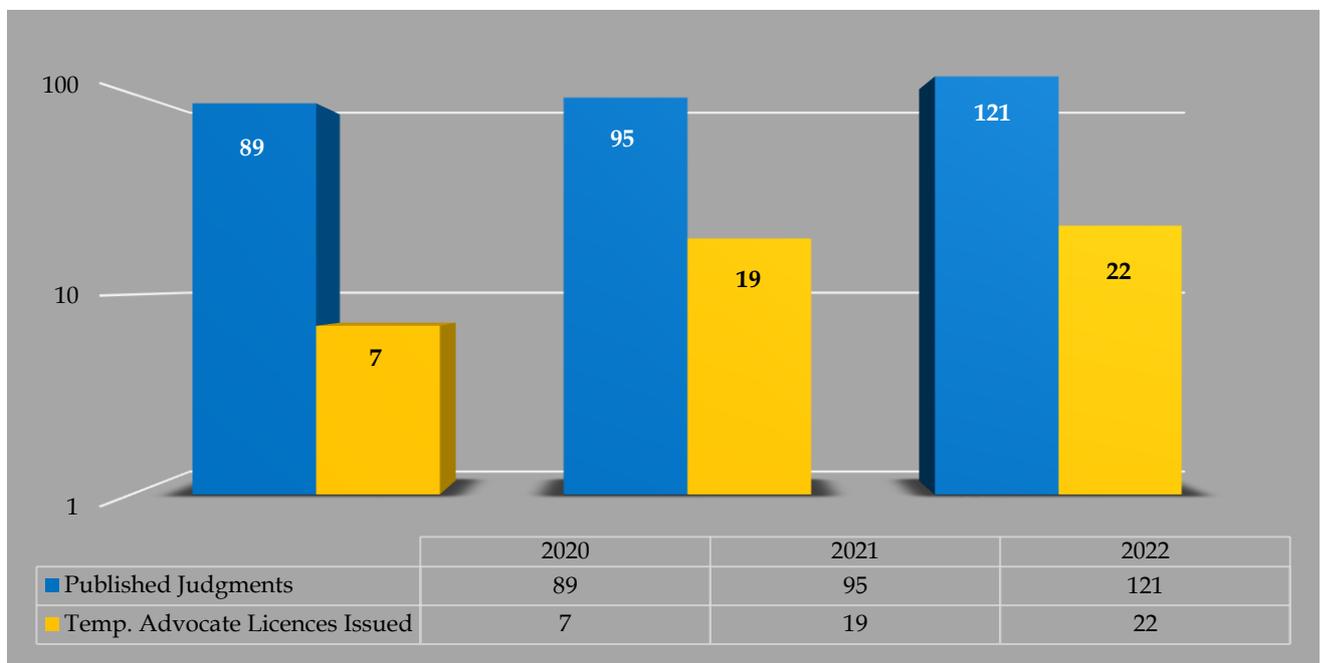


CHART I: APPLICATIONS FOR NON-MOLESTATION AND/OR OCCUPATION ORDER(S)

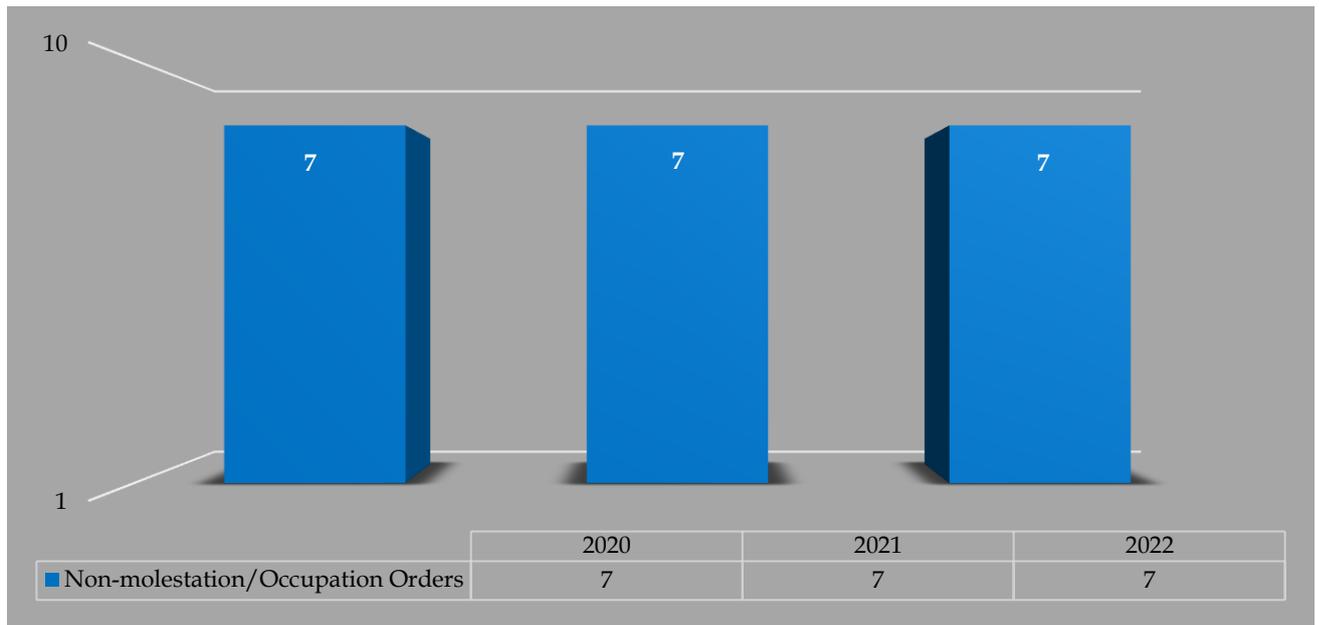


CHART J: APPLICATIONS FOR NON-CONTENTIOUS 'PROBATE'

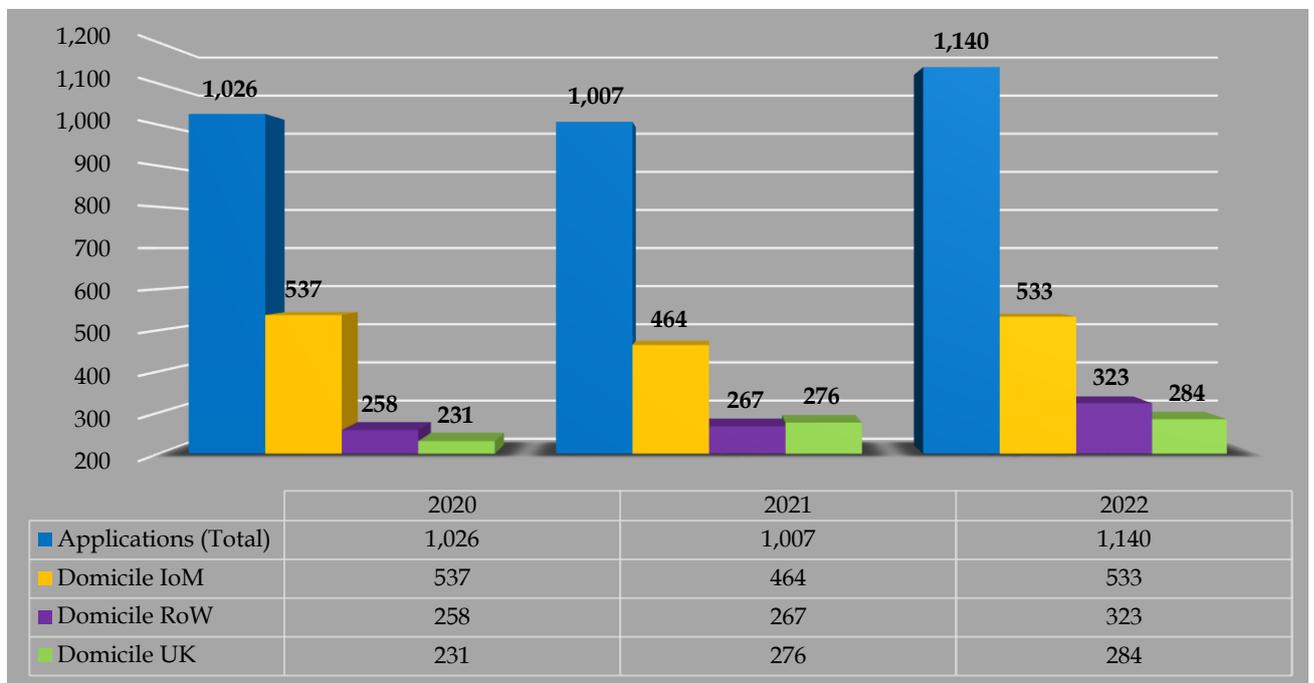
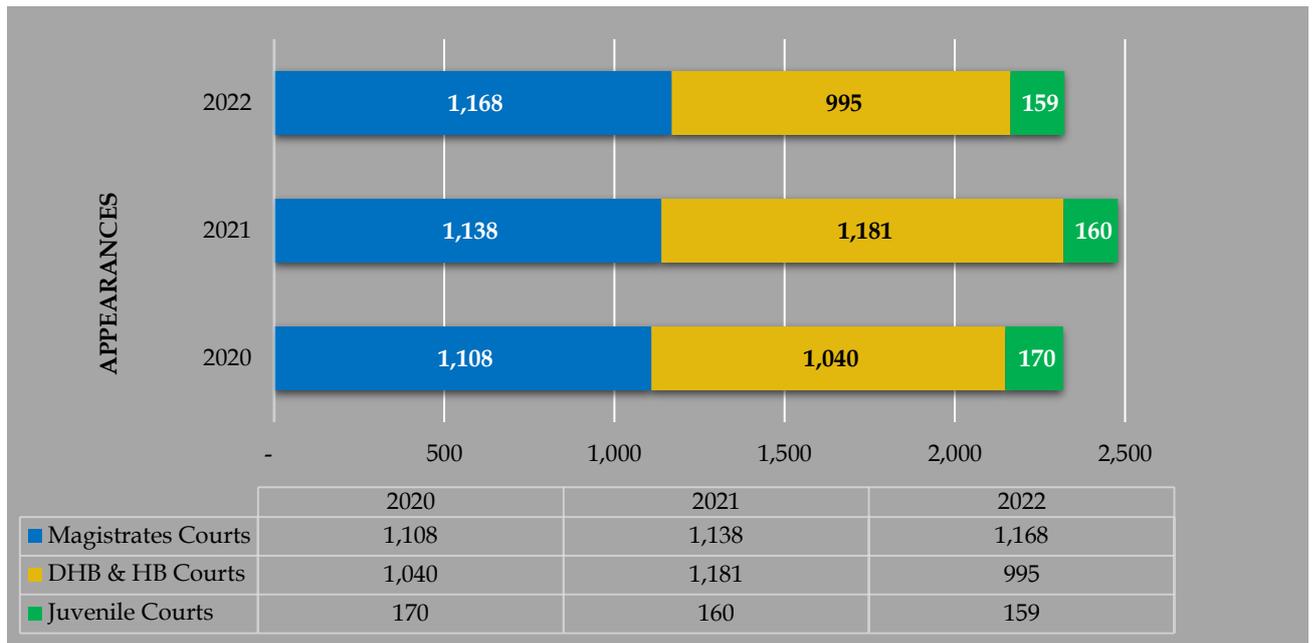


CHART K: APPEARANCES AT WEEKLY SUMMARY CRIMINAL COURTS



*Definitions of abbreviations within this chart are as the following:
 'DHB' Deputy High Bailiff & 'HB' High Bailiff

CHART L: APPLICATIONS TO LICENSING COURT (Liquor/Music)

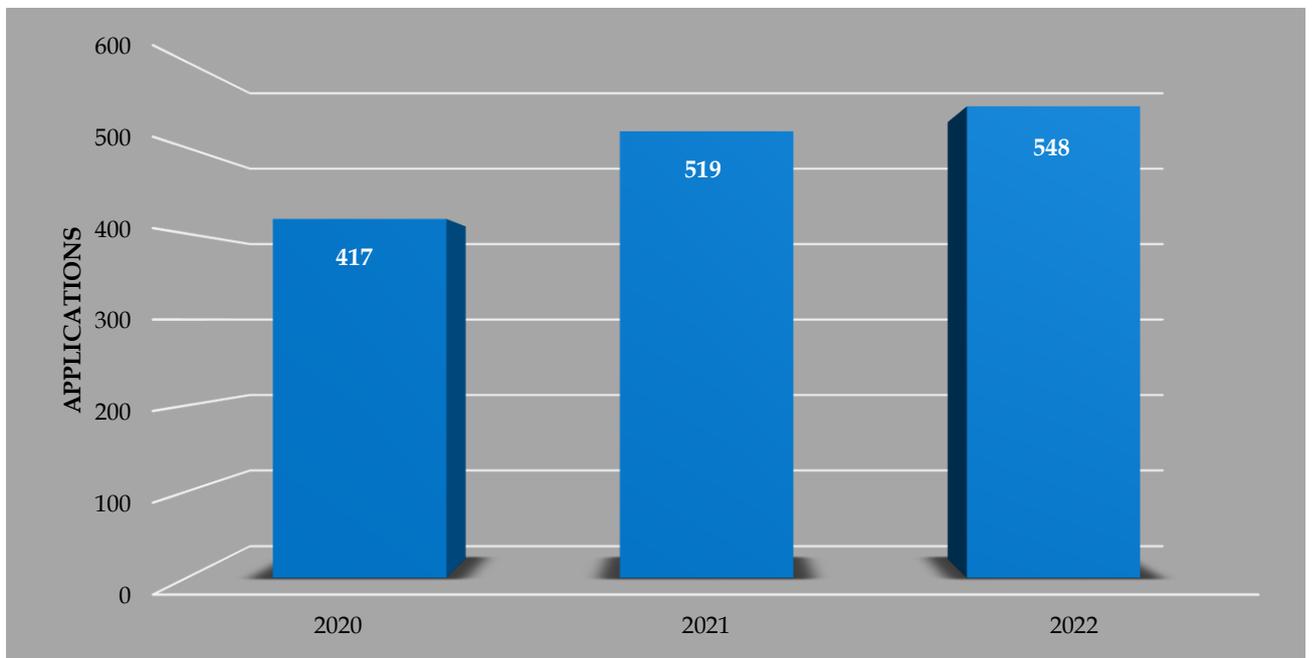


CHART M: SUDDEN DEATHS REPORTED & INQUESTS HELD

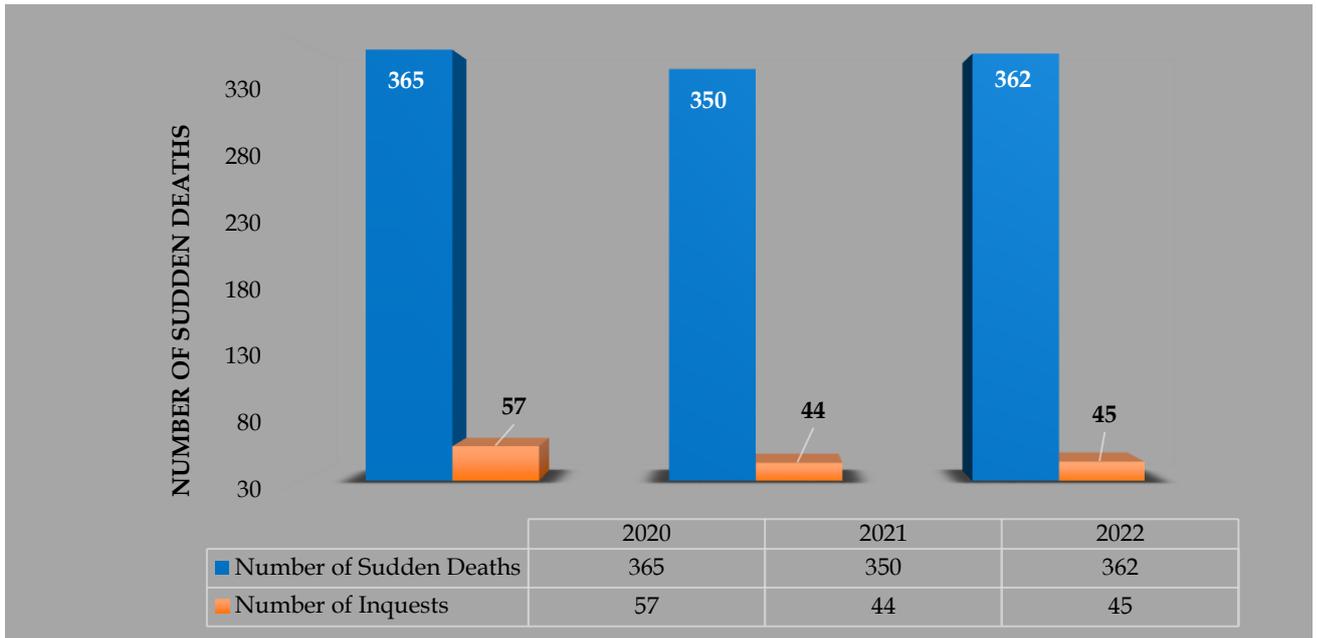


CHART N: NEW GENERAL GAOL CASES & No. OF DEFENDANTS (Broadly equivalent to English Crown Courts)

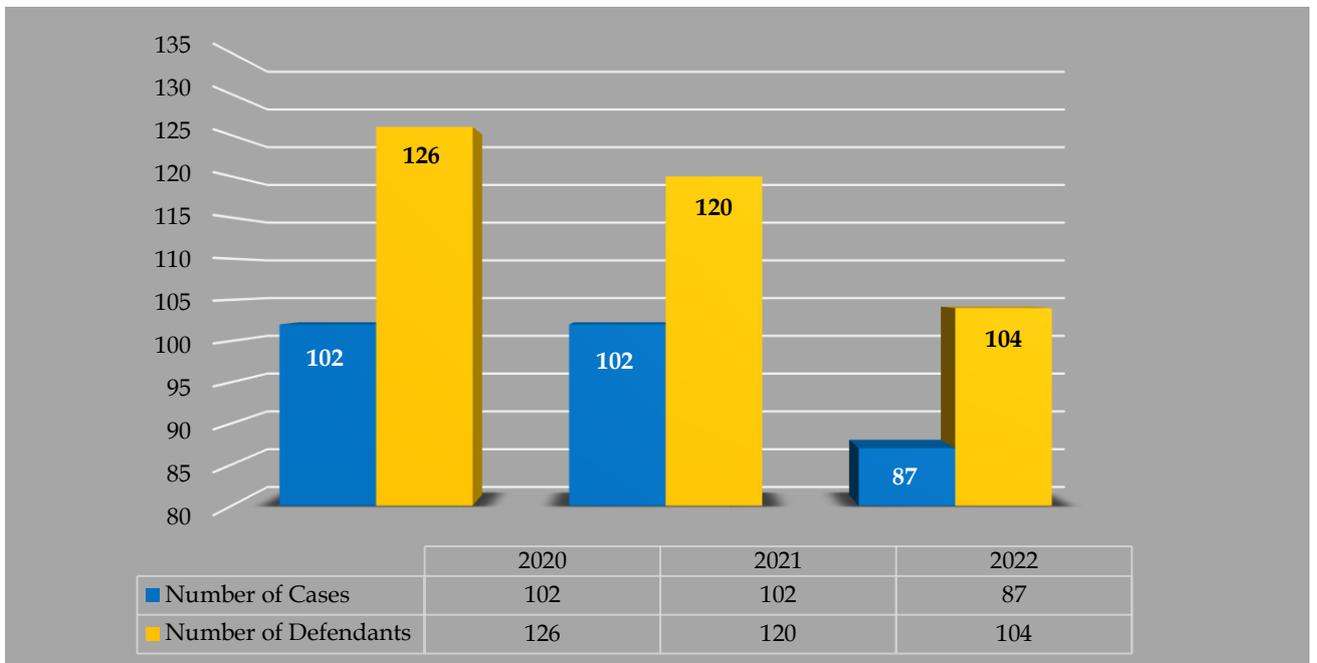


CHART O: APPLICATIONS FOR (REGISTRATION OF) ENDURING POWERS OF ATTORNEY & GRANTING OF MENTAL HEALTH RECEIVERSHIPS

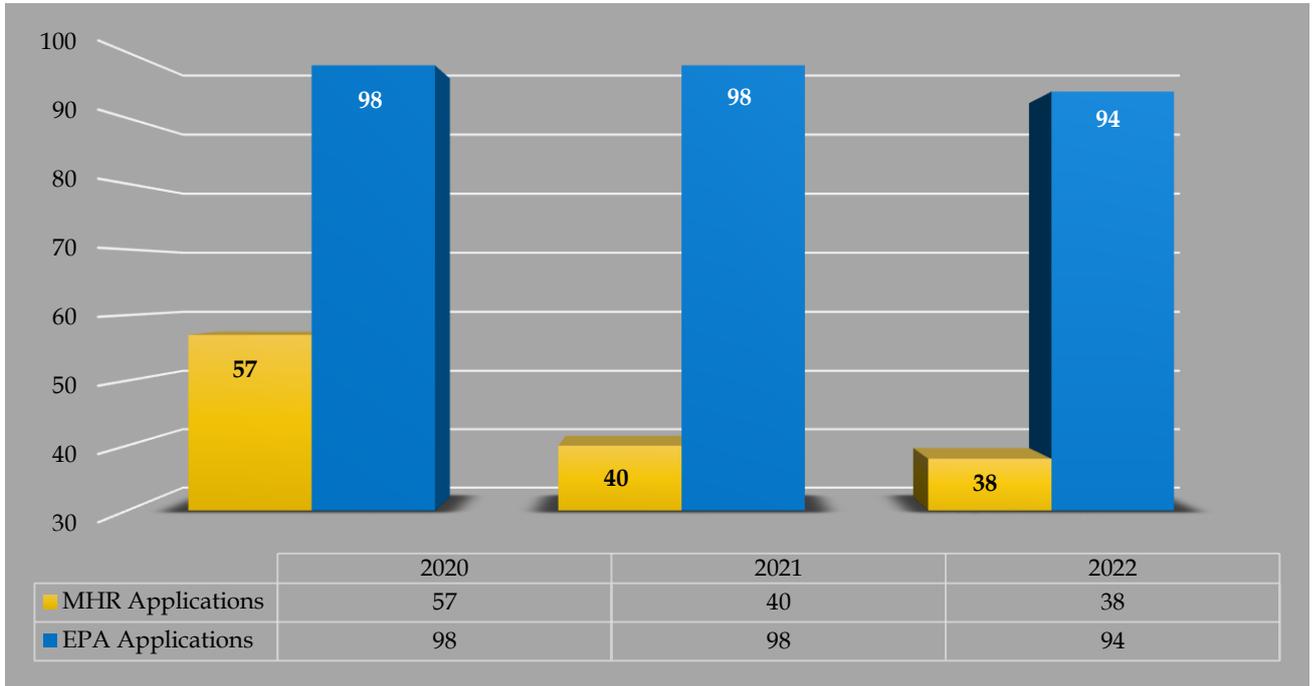
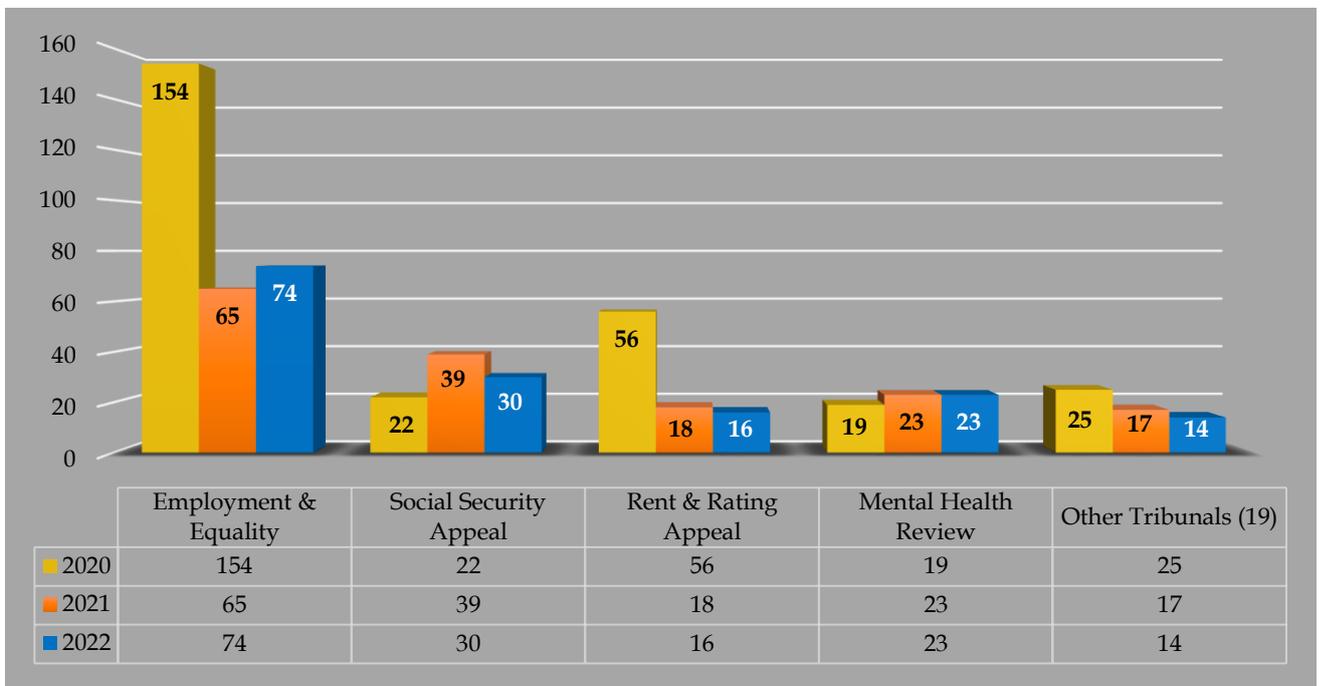


CHART P: APPLICATIONS TO TRIBUNALS



*Number of applications to the Employment & Equality Tribunal in 2020 includes a significant number of complaints from a group of employees against the same employer.

CHART Q: APPLICATIONS FOR AN APOSTILLE CERTIFICATE



CHART R: NUMBER (& VALUE) OF LEGAL AID COST ASSESSMENTS

