

JUDICIAL GREFFE - HUMAN RIGHTS AUDIT (SUMMARY)

APRIL - 2001

FUNCTION

SAMEDI SECTION

1. MW/JGW 30/04/01 CASE MANAGEMENT Royal Court Rules contain formal procedure. Compliant. Services provided by Master of the Royal Court. Master is Advocate of the Court, Human Rights trained. No further action required.
2. MW/JGW 06/06/01 TAXATION OF COSTS New Rules allow written submissions/oral hearing. Appeals. Royal Court has supervisory jurisdiction. Compliant. No order for taxation required. 2 items referred to Master: 1) 'No Order cases' * 2) retrospective impact of assessments. *
3. MW/JGW 06/06/01 LEGAL AID EXPENSES Proposal from Law Society awaited. Advocate R. Renouf / Master in consultation. In house procedures review will follow. * Master to review.
4. MW/JGW 06/06/01 LOWER COURT APPEALS Handling of Appeals is generally complaint? Procedure to be agreed. Master will liaise. * Judicial procedures themselves compliant. Mr. I. Christmas / his success or to be instructed ? *
5. MW/JGW 06/06/01 MEDICAL REGISTRATION AND ALLIED No compliance issues. Health and Social Services to take registration matters - proposal in train. New Law needs to be compliant. Act is presently administrative act only.
6. MW/JGW 06/06/01 DEEDS POLL AWF managed. Permission no longer sought from husband if husband and wife no longer married. There is a right of Appeal so compliant. George/Georgina case coming up for Appeal. Administrative act. Refusal: essentially consultation required; reasons required. **
7. MW/JGW 06/06/01 FOREIGN JUDGEMENTS Statute compliant (gives effect to reciprocal arrangements). In house procedures * ? Timescales. *

8. MW/JGW FOREIGN
26/06/01 MAINTENANCE Master checking procedures with Adrian Willis. * To be transferred to VJO? *
9. MW/JGW DÉGREVEMENTS
03/06/01 Law Commission recommends abolition. Other procedures (insolvency) to be preferred. All Statutory.
10. ELECTROL COLLEGE
20/04/01 No Human Rights Aspects
11. MW/JGW POSTAL VOTING
07/06/01 OFFICER Present legislation under review. New United Kingdom experience. * Internal procedures. * (Vetting to be relaxed)
12. MW/JGW GREFFIER ARBITRE
07/06/01 Judicial Greffier/Master only. Compliant. Fully functional. (Master's function)
13. MW/JGW RULES OF COURT
07/06/01 Enabling power is statutory. Rules Committee involved. Law Offices' Department. Responsibility for all changes to rest with Master. *
14. MW/JGW PAYMENTS INTO
07/06/01 COURT Covered by Rules all as to practice procedure and Judicial aspects. Management of accounts excellent good working system. Part of litigation, not enforcement; privacy issues .
15. MW/JGW LIQUOR LICENCES
07/06/01 Statute needs audit. Responsible Committee should ensure compliance in association with Law Offices' Department. Internal procedures to be reviewed.
Department should not advise. Dissemination of info - not a decision. * detailed Procedures required.
16. MW/JGW GAMBLING LICENCES
07/06/01 Absurd structure of legislation. States Committee but Authority comprises Jurats. Policy statements etc. Detailed written * procedures required.

17. ME/JGW PETITIONS TO QUEEN No Human Rights aspects
20/04/01
18. MW/JGW HUMAN RIGHTS Liaise with Sandra Auckland, (Policy & Resources) and Bailiff.
07/06/01 TRAINING
19. MW/JGW LEAFLETS Referred to Master. *
25/07/01 (PORTUGESE)
20. MW/JGW TAKING OF EVIDENCE Request for assistance/taking of evidence. * Ensure applications go to Master Judicial process. Judicial function. Procedure already compliant.
27/07/01 / RECIPOCAL ASSISTANCE Self regulating.
- PUBLIC REGISTRY**
21. MW/JGW MAINTAIN THE No Human Rights aspects
20/04/01 REGISTRY
22. MW/JGW PROVIDE EXTRACTS Public record - No Human Rights dimensions. CF. Companies Law . Affidavit - will only use for this purpose. Copyright?
25/07/01 Freedom of information? We can't interfere in relation to further dissemination- question of policy. *
23. MW/JGW REGISTER WILLS No Human Rights issues. (Right to seek relief of Court in case of dispute)
25/07/01 (REALTY)
24. MW/JGW REGISTER No Human Rights aspects
20/04/01 CONTRACTS
25. MW/JGW REGISTER Judicial No Human Rights aspects
20/04/01 Hypothecs

26. MW/JGW REGISTER POWERS OF No Human Rights aspects
20/04/01 ATTORNEY

PROBATE

27. MW/JGW GRANT PROBATE All statutory - rights of appeal/i.e. appropriate recourse to Court available. - 'He must refer....'
25/07/01 AND
ADMINISTRATION

28. MW/JGW OVERSEE Purely administrative act. Obligation on Curator to file accounts. Judicial process involved/Judicial checks and balances.
25/07/01 CURATORSHIP Practical solutions.

FAMILY SECTION

29. MW/JGW FILING PETITIONS Various
20/04/01

30. MW/JGW HEARING SUMMONS statutes All services provided by Registrar of the Family Division. Registrar is Advocate of the
20/04/01 Royal Court and Human Rights trained.

31. MW/JGW ASSESSING and Rules
20/04/01 (PENSION
ALIMENTAIRE)

32. MW/JGW ADOPTION
20/04/01

INTERLOCUTORY

SERVICES

33. MW/JGW HEARING Various Laws and Royal Court Rules. Compliant. Services provided by Master of the Royal Court. Master is Advocate of the Court and
20/04/01 SUMMONSES Human Rights trained. No further action required.
34. MW/JGW ORDERS: Judicial process is handled by Master of the Royal Court.
25/07/01 SERVICE
OUT/SUBSTITUTED
SERVICE

APPELLATE SECTION

35. MW/JGW PROCESSING APPEALS
20/04/01 Law of 1961, as amended. Appeal Court is staffed by United Kingdom silks (QC's). Section/services by nature fully compliant.
36. MW/JGW RECORDING AND No Human Rights aspects
20/04/01 INDEXING APPEALS
37. MW/JGW TRANSCRIBING No Human Rights aspects
20/04/01 JUDGMENTS
38. MW/JGW RECORDING/ No Human Rights aspects

- 20/04/01 TRANSCRIBING
EVIDENCE
39. MW/JGW MAINTAIN No Human Rights aspects
20/04/01 UNREPORTED
JUDGMENTS
40. MW/JGW FORWARD No Human Rights aspects
20/04/01 JUDGMENTS TO LRI
41. MW/JGW REGISTER AND INDEX No Human Rights aspects
20/04/01 ORDERS IN COUNCIL
42. MW/JGW SECRETARY TO Fully compliant through Mr. F B Sergeant - who is fully trained and assumes the obligation.
23/04/01 PRISON BOARD OF
VISITORS

LOWER COURTS

43. MW/JGW PROVIDE
25/07/01 INFRASTRUCTURE Master to confer with Magistrate. *

DATA PROTECTION
REGISTRY

44. MW/JGW HOUSE THE REGISTRY No Human Rights aspects to be consider by Judicial Greffe.
20/04/01

INTELLECTUAL

PROPERTY

REGISTRY

45. MW/JGW MAINTAIN THE No Human Rights aspects
20/04/01 REGISTRIES

OTHER SERVICES

46. MW/JGW ATTEND COURT No Human Rights aspects
23/04/01 SITTINGS

47. MW/JGW ISSUE AND ENROL Merely records orders of Court. But who is entitled to receive ? * Extent of content * Order of Justice to be annexed?
25/07/01 ACTS

48. MW/JGW PROMOTE LAW All future Law or New Laws have got to be Human Rights compliant. Note though (e.g.) Small Claims Court - lack of could breach of Human Rights. *
20/04/01 REFORM

49. MW/JGW TAKE EVIDENCE IN Fully compliant - Greffier/Master preside.
20/04/01 CHAMBERS

50. MW/JGW HUMAN RESOURCE All procedures fully compliant. Services provided through Human Rights trained Human Resources Manager.

- 20/04/01 FUNCTIONS
51. MW/JGW HEALTH AND SAFETY In house - responsibility central guidelines in place. In house Human Resources professional in place.
25/07/01 FUNCTIONS
52. MW/JGW DEAL WITH MEDIA
20/04/01 (Communication) No Human Rights aspects...? Access to pleadings etc Revise procedures * (1) devise procedures.
53. MW/JGW INFORMATION
25/07/01 SYSTEMS Issues being addressed as systems develop - the systems need to continue to be responsive to Human Rights. Answer: **
Manuals. Not to those that shouldn't have it. Yes to those who should.

* **MATTERS to be actioned, considered by Master.**

Released on 19 Jun 2017 to Deputy Higgins