

STATES OF JERSEY



COURT AND CASE COSTS: INVESTIGATION (P.138/2004) – COMMENTS

**Presented to the States on 28th September 2004
by the Finance and Economics Committee**

STATES GREFFE

COMMENTS

The Finance and Economics Committee could support the allocation of funds to investigate expenditure if it believed that such an examination would lead to new lessons being learned and fresh opportunities for efficiencies being identified.

However, the proposed review would not appear to yield anything that is not already known or about which steps are not already being taken to address such costs.

The reasons for the increase to Court and Case costs have already been identified and it is true to say that the increases gave the Committee and the States difficulties in terms of allocating sufficient budget; however through the Fundamental Spending Review Process, an adequate budget, based upon current estimates, has now been secured. This problem has arisen largely because these costs have historically been funded in arrears to reflect costs incurred.

Furthermore, aware of the rise in costs, an investigation initiated by the then Finance and Economics Audit Committee has been undertaken, and a report has been presented to the Finance and Economics Committee. The findings of that report have been converted into an action plan which the departments concerned are in the process of implementing.

With regard to that part of the Report and Proposition in respect of costs relating to the 'Les Pas' Case, those costs were paid on the basis that they were judged by the Departments concerned to be reasonable and appropriate to the complex and highly complicated nature of that particular case. As such there appears to be no merit to investigating those costs further, and no realistic prospect of reducing the fees charged.

However, if the States did feel it appropriate that these costs be reviewed, it has established the (Shadow) Public Accounts Committee to investigate just such matters, and accordingly the Finance and Economics Committees believes that in such instance this matter should be referred to that body, rather than incurring yet further costs by employing external consultants.