



Royal Court of Jersey
Judicial Greffe

Your Ref:
Our Ref: AJC/dmd

3rd October 2019

Deputy Kirsten Morel
Economic and International Affairs Scrutiny Panel
States Greffe: Scrutiny
Morier House
St Helier
Jersey
JE1 1DD

2 October 2019

Dear Deputy Morel

Thank you for your letter dated 20 September 2019 regarding your review of the Government Plan.

Court Digitisation

Page 182 of r. 91-2019 includes a half page of text extracted from page one of the business case that the Judicial Greffe submitted to Treasury for the Courts Digital project. It is now apparent that key paragraphs were not copied across from the business case. In isolation, you have been provided with insufficient information for the scrutiny panel to understand the proposed project. I welcome the opportunity to properly explain the project to you now.

To answer your specific questions:

1. Please could you provide an overview of the plans and why changes are required?

To answer the second part of the question first, attached is a “change initiative mandate” – one of the documents required by the Corporate Portfolio Management Office as part of their process to review and approve projects. I believe it gives a succinct overview of the need for digital transformation of the courts. I suggest this is employed as pre-reading so that you have the context for my answers below.

Regarding an overview of the plans – detailed planning is just starting. We have been fortunate that, in advance of capital being agreed by the States Assembly on 26 November and the first amount being available to us from January 2020, the Jersey Legal Information Board has funded some ‘pump-priming’ activities. This will fund a project manager / business analyst to form a project board, plan the phases of the project, begin gathering the requirements that will go into an invitation to tender, and to engage with stakeholders. We will also engage some external advice, given that court

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technology is a specialist area. JLIB may initially fund a procurement specialist, hired through the COO's Commercial Services team.

While that detailed planning exercise is yet to start, we have made some assumptions based on early discussions with potential suppliers, and we envisage the implementation of a Case Management System to be along the following lines:

Preparation of tender documents	Beginning November 2019
Issue of tender	March 2020
Selection of suppliers; due diligence	May 2020
Signed contracts	June 2020
Business process review, led by supplier personnel but involving staff from across the courts	July - August 2020
Customisation, data conversion, configuration	September – December 2020
User acceptance testing, training	January – February 2021
Phase 1 go live – commercial court	1 March 2021
Post-live support	March 2021
Phase 2 – implement for petty debts and family court	April – July 2021
Phase 3 – implement for criminal court	August – November 2021
Phase 4 – roll out additional functionality; implement for tribunals	December 2021 – March 2022
Further phases as necessary	Through to Q4 2023

This timetable would be to deliver an end-to-end paperless court including following functions:

- Case management – the new system that court administrators will use for end-to-end management of cases (initiation, tracking, scheduling, workflow and reporting)
- Document management – storage and management of all case documents lodged with the court
- Court calendar management (scheduling cases, court rooms, judges and equipment)
- Digital signatures
- Financial management (fines, fees, collection, distribution, reconciliation)
- E-filing (the ability for professionals and self-represented litigants to upload documents to the court online)

- Public access portal – a website where parties can access case information, documents, the court calendar, and make payments of fines and fees. It will include registration, password management and single sign-on.
- Case presentation – a website where counsel, judges and Jurats (together with appropriate third party stakeholders such as the Children’s Service and Probation) access ‘bundles’ prepared by the parties – this includes electronic documents, scanned images, photographic, audio and video evidence

In parallel with the work led by the software supplier(s) to implement their software, there will be work for court staff to document and review processes, attend requirements workshops and training sessions, and to purchase and install computer equipment in the Magistrate’s Court and historic Royal Court building, and new tablet devices for use by judges, Jurats, and key administrative staff.

2. Will a tendering process be undertaken for this project?

Yes. We intend to advertise an open tender on the www.channelislandtenders.com site, in keeping with other government procurements over the value of £100,000. We will publicise the upcoming tender locally and internationally via the [Court Technology Bulletin](#) in order to access experienced contractors and maximise competition for the project.

3. How will you ensure appropriate project management of the scoping, selection and delivery?

The scoping phase of the project will start in Q4 2019 using seed funding from the Jersey Legal Information Board (JLIB). This follows a visit by the JLIB Programme Director to the [Courts Technology Conference](#) in New Orleans in September 2019.

The sourcing process will be overseen by the Commercial Services team in the Chief Operating Office.

The delivery phase will be overseen by Modernisation & Digital (M&D), following the procedures of the Portfolio Management Office. M&D will provide a suitably qualified and experienced project manager.

The project team will be supplemented by a specialist advisor with expertise in court technology and experience of multiple such tendering processes for a variety of jurisdictions. This may be a consultant from the not-for-profit [National Centre for State Courts](#), and/or someone from the private sector.

4. What allocations of investment will be required for future years? For example, when IT software needs to be updated?

Our preference is for a cloud-hosted system that will be provided on a Software-as-a-Service basis. The contract would be for a so-called 'evergreen' system that includes regular updates to the software, carried out by the software vendor, ensuring it is kept up to date. This approach avoids the software becoming obsolete, but implies a greater ongoing revenue cost than the traditional way of licensing software.

In the past, there was a one-off capital outlay for a perpetual licence and support agreement with an annual cost of say 20% of that. There may have been additional costs every few years for system upgrades. The modern approach to licensing is to have no initial capital outlay, other than implementation costs, but a much greater ongoing annual cost. For a system of this nature, we anticipate an annual licence cost of at least £100,000. There will be further ongoing costs for cloud hosting and the managed service. The total run costs may be in the region of £400,000 per year, but hopefully less.

While we have made an effort to obtain indicative costings from suppliers, it won't be until we receive tender responses back that we have a better feel for any of the costs of the systems and their implementation.

As most systems originate in the USA, we are conscious of the need to hedge against exchange rate fluctuations, particularly with Brexit in mind. We have allowed for this in our capital request.

Years 1, 2, 3 and 4 of the four-year period covered by this Government Plan include these run costs, but there will be the need for revenue funding from year 5 onwards.

Pride Software

1. Information provided to the Panel states that the system has not been upgraded for 7 years and will require a major upgrade in 2022 to encompass new legislation and functionality. What is the new legislation?

The bulk of the investment is required for upgrading the functionality of the software. However, a further enhancement will be undertaken to permit the registration of lasting powers of attorney created under the Capacity and Self-Determination (Jersey) Law 2016.

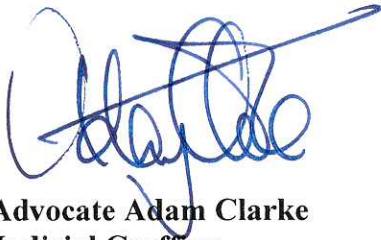
2. Is there any intention to implement a land registry in the future?

The possibility of creating a land registry (as opposed to the existing registry of title deeds) has been considered on a number of occasions in recent years. However, no such proposals are currently under consideration. It should be noted that the Pride

software would be equally well suited to being an information repository for a land registry, as it is for a registry of deeds.

I trust that the above, and the information provided in the attached change mandate document, sufficiently answer your questions. I am of course willing to meet with you to answer any further questions.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Adam Clarke', with a long horizontal stroke extending to the right.

Advocate Adam Clarke
Judicial Greffier