

HM ATTORNEY GENERAL  
MARK TEMPLE KC

HM SOLICITOR GENERAL  
MATTHEW JOWITT KC

Director Civil Division - Advocate SYLVIA ROBERTS



LAW OFFICERS' DEPARTMENT  
MORIER HOUSE  
ST HELIER  
JERSEY JE1 1DD

Email: [enquiries@lawofficers.je](mailto:enquiries@lawofficers.je)  
[www.gov.je/lawofficers](http://www.gov.je/lawofficers)

**Your Ref:**

**Our Ref:** 102-08.20240004

18 October 2024

Deputy Miles  
Chair  
Corporate Service Scrutiny Panel

By email:  
Justine Lepp [J.Lepp@gov.je](mailto:J.Lepp@gov.je)  
Monique Magalhaes [M.Magalhaes@gov.je](mailto:M.Magalhaes@gov.je)

Dear Deputy Miles

### **Proposed Budget 2025-2028 Review - Corporate Services Scrutiny Panel**

Thank you for your letter of 10 October giving us the opportunity to provide more details of our growth bid for the proposed Budget 2025 – 2028 and an update on the growth bids in the current Government Plan.

- 1) Budget 2025-28  
I-LOD-GP25-001  
Staff Resources for Additional Cases [in the Criminal Courts Team of the Criminal Division]**

### **Background**

Issues were identified in 2023 and early in 2024 with the significant increase in the volume of trials, advice files and new processes which were resulting in an overload of work within the Criminal Courts Team, much of which related to increased RASSO and domestic abuse cases. With this sustained increase in workload it was anticipated that there was a risk to the core role of prosecuting criminal offences and that the high standards required to receive Lexcel<sup>1</sup> accreditation would be jeopardised. This would mean that the Department's business plan objectives would not be met.

The principal key objective and deliverables from the LOD business plan:

*Key Objective 2: to provide the independent prosecution service for the Island*

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<sup>1</sup> Lexcel is the England and Wales Law Society's legal practice quality mark for client care, compliance and practice management. The Department receives an annual assessment from an independent Lexcel inspector and accreditation is only received if the assessor is satisfied after their inspection that the stringent Lexcel Standards are complied with. The LOD has been accredited since 2019.

Key Deliverable: *high quality and timely advice provided. Prosecutions in the Royal Court and Magistrate’s Court carried out fairly, efficiently and effectively.*

The sustained increase in workload that led to the submission of the growth bid submitted in May 2024 for the Budget 2025-28 can now be expanded upon to include a forecast to the yearend based on figures from January to September 2024. It is anticipated that these high levels are now ‘the new normal’ and will not decrease over the Budget 2025-28 period.

The year on year increases from 2022 are presented in the following table:

	% increase 2023 on 2022	Further % increase: 2024 on 2023 (full year forecast based on actuals Jan – Sept 2024 )
Trials / Newton Hearings dealt with in the Magistrate’s Court	32%	1%
Cases sent to Royal Court	33%	20%
Trials / Newton Hearings listed in the Royal Court	50%	60%
Trials / Newton Hearings dealt with in the Royal Court	40%	38%
Advice files received	9%	11%
Early Engagement meetings*	208%	130%

\*Early Engagement meetings are mainly due to a focus on VAWG cases and reflect the increased activity in this important area.

In addition to the work referred to in the table above, new processes involving additional work for the Criminal Courts Team also include the requirement to review material in all cases (save for Centeniers’ matters) that are listed in the Magistrate’s Court. This is an initiative of the Criminal Justice Improvement Group and involves working in collaboration with the States of Jersey Police.

**CSSP question: whether the proposed funding for 2025 is sufficient to meet the significant increase in workload of the criminal courts team and the incorporation of new work streams?**

The LOD Accountable Officer, Law Officers and Directors are mindful of the request from the Treasurer and the Minister for Treasury and Resources to keep departmental funding within the resources available and not to seek additional funding unless it is essential to the functioning of the Department. With this in mind, the growth bid was submitted in May 2024 at the lowest level deemed possible in order to meet the increase in demand. Whether it will be sufficient is not guaranteed and will be determined in the Budget period 2025-28.

**CSSP question: any further detail on the objectives you intend to achieve in 2025 as a result of the proposed Revenue Expenditure Growth allocation?**

As set out in the Background section above, the additional funding will be required in order to meet the increase in demand for the services of the Criminal Courts Team and thereby meet the key objectives of the Department.

**CSSP question: how many additional personnel the department is intending to recruit in 2025 to meet these objectives?**

The growth bid envisages four additional staff: two Legal Advisers and two Assistant Legal Advisers. The funding request is lower in year one due to allowing time for the recruitment process following a decision of the States Assembly. (ie if the growth bid is approved in the States Assembly at the end of 2024, it will take several months to recruit the additional staff, therefore full year funding would not be required in year one).

**CSSP question: any challenges, concerns or risks that have been identified and considerations for mitigating these?**

Risks include the volume of work continuing to outpace the resources available to complete the work and a delay in being able to recruit to the roles. Some work may be outsourced as mitigation but this is not a cost-effective long term solution.

There will be the challenge of finding suitably qualified and experienced candidates for the roles. To mitigate this the Department has to promote the benefits of working at the LOD and the Department's 'employee value proposition'. The Department promotes this by publicising the results of the Be Heard survey (the Department is the only States Department to be accredited by Best Companies with a star rating and designated as 'officially a very good organisation to work for' in 2023. The 2024 results are yet to be announced).

**2) Government Plan 2024-27  
I-LOD-GP24-001  
Civil Division**

**CSSP question: whether the funding was sufficient to meet the aims and objectives, whether challenges have been identified to date?**

This growth bid for the Civil Division of the Law Officers' Department covered a Legal Adviser post being moved from fixed term to permanent in the Advice Team and a Conveyancer post being moved from fixed term to permanent in the Property Team. The funding was sufficient to meet the needs of these Teams and no challenges have been identified.

**3) Government Plan 2024-27  
I-LOD-GP24-002  
Criminal Courts Team**

**CSSP question: whether the funding was sufficient to meet the aims and objectives, whether challenges have been identified to date?**

This growth bid for the Criminal Division of the Law Officers' Department covered two additional Paralegal posts for the Criminal Courts Team. The funding was sufficient to meet the needs of the Team however as per the growth bid for the Budget 2025-28, workloads have continued to increase in 2024 and more resources at a higher level are now required from 2025.

**4) Government Plan 2024-27  
I-LOD-GP24-003  
Moneyval**

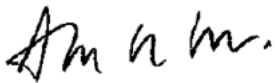
**CSSP question: whether the funding was sufficient to meet the aims and objectives, whether challenges have been identified to date.**

This growth bid covered positions in the Mutual Legal Assistance Team and the Economic Crime and Confiscation Unit in order to enable the further prosecution of complex financial crime and money laundering. The funding has been sufficient to meet these objectives.

**5) Overall for 2024: whether staffing capacity was increased to a sufficient level to meet the demands of the department effectively**

The Department has been able to operate effectively in 2024 but as per the growth bid in the proposed Budget 2025-28, a further increase in staffing will be required to prosecute offenders, maintain the high standards of the Department (maintaining Lexcel accreditation in 2025) and achieve the key objectives of the Law Officers' Department Business Plan.

Yours sincerely



**Alec Le Sueur**  
**Practice Director**  
D +44 (0) (1534) 441444  
E A.LeSueur@gov.je