



Viscount of the Royal Court of Jersey

Candidate Pack

Bailiwick of Jersey

August 2023



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Introduction from The Bailiff of Jersey

The Channel Islands are not part of the United Kingdom but are dependencies of the Crown. Her Majesty's Government is responsible for their defence and international relations and the Crown is ultimately responsible for the Islands' good government. In that regard the Crown operates through the Privy Council and the Lord Chancellor and Secretary of States for Justice is the member with particular responsibility for matters relating to the Channel Islands.



The Bailiwick of Jersey was part of the Duchy of Normandy when Duke William, following his conquest of England, became King William 1 of England in 1066. It has since been subject to the English monarch as successor to the Dukes of Normandy. Jersey did not, however, become part of England nor the United Kingdom.

The Island has its own legislative assembly (the States Assembly), its own administrative, fiscal and legal system and its own courts of law. Primary legislation passed by the States of Jersey requires the approval of The Queen in Council.

The Viscount of Jersey has, since the 14th century, been the chief executive officer of the Royal Court of Jersey. Since 1930, court services have been provided by the Viscount's Department in conjunction with the Judicial Greffe. Until 1973 the Viscount was appointed by the Crown; since 1973 Viscounts have been appointed by the Bailiff of Jersey.

The Viscount runs Jersey's insolvency service and the Viscount has important duties under the Bankruptcy (Désastre) Law 1990 and the Proceeds of Crime (Jersey) Law 1999.

The Viscount's Department (also referred to in Channel Island English by the Jersey Legal French title of the Vicomte) executes the orders of the courts of Jersey. This involves managing fines, bail monies, seizures, confiscations, evictions, service of process, arrests for non-appearance in court and other enforcement procedures.

The Viscount manages jury selection and exemption, financial assistance to jury members and acts as surveillant for the jury.

The Viscount also acts as coroner to deal with matters relating to sudden or unexpected death and administers estates of deceased persons.

The Viscount is amongst those who act as returning officer for elections in Jersey. Finally, the Viscount acts as mace-bearer for the Bailiff of Jersey in the States of Jersey and the Royal Court of Jersey, and carries out other ceremonial functions.

Sir Timothy Le Cocq – Bailiff



Press Advertisement

VISCOUNT OF THE ROYAL COURT OF JERSEY

BAILIWICK OF JERSEY

Jersey is a Crown Dependency and part of the British Isles. The Island is a self-governing parliamentary democracy under the British Crown, with its own financial, legal and judicial systems, and the power of self-determination. The island has a distinct relationship with the Crown separate from the other Crown Dependencies and the Lieutenant Governor represents Her Majesty the Queen in Jersey. Jersey is not part of the United Kingdom, and has an international identity separate from that of the UK.

The Viscount's Department is the executive arm of the Island's Courts acts as a national insolvency service for Jersey. The Department also executes orders of the Courts as well as fulfilling the duties of Coroner. The office of Viscount is very important and extremely varied.

To be considered for this role, you will need:

- To be qualified as a Jersey lawyer or accountant with wide general experience and an extensive knowledge of commercial and corporate matters, especially insolvency and bankruptcy to run an effective insolvency service and to ensure that Jersey maintains a strong international reputation.
- Considerable financial and budgetary acumen and experience, to fulfil the responsibilities of Accounting Officer
- Wide management knowledge, leadership capability, and resilience.
- To exercise creative and original thought to resolve problems arising in novel situations. You will generally have ownership of significant decision making processes.
- To understand and be capable of fulfilling functions arising under the Proceeds of Crime (Jersey) Law 1999 and related legislation so that Jersey functions effectively in the context of freezing and confiscation orders particularly in terms of international efforts against organised crime and corruption.



Application/Interview process and timelines

To formally apply for the Viscount of the Royal Court of Jersey, please send a copy of your CV and a supporting statement clearly expressing your motivation for applying and how you meet the stated requirements of the position.

Applications should be emailed to Steven Cartwright at s.cartwright@courts.je no later than 5pm on the 28th August 2023.

If you are selected for final interview, these are likely to take place during the week commencing the 18th September 2023.

Interviews will be conducted by the following panel members:

- A representative from the Jersey Appointments Commission
- The Bailiff or Deputy Bailiff
- The Judicial Greffier
- An independent member from the Government of Jersey

The interviews will be carried out with reference to the Job Description and Personal Specification and how well the Panel feels each candidate can demonstrate that they have the necessary competencies and attributes, as demonstrated in the application and the interview, to undertake the office of Viscount of the Royal Court of Jersey.

After discussion between all Panel members, voting Panel members will score each candidate. Candidates will be scored on the basis of whether the Panel feels each candidate has exceeded, met or not met the requirements of the post.

Once the successful candidate has been selected, they will be invited to accept the post.



Job description and personal specification

1 **Purpose of the job**

To fulfil, or procure the fulfilment of, all of the functions of the Viscount of the Royal Court of Jersey. The Viscount is the Chief Executive Officer of the Island's Courts and States.

2 **Principal accountabilities**

a) **Insolvency functions:**

- (i) Administer "*en désastre*" and other insolvency processes (including Remise de Bien)
- (ii) Carry out important functions regarding frozen assets under the Proceeds of Crime (Jersey) Law 1999

b) **Court enforcement functions:**

- (i) Collect and enforce fines
- (ii) Receipt and payment of Bail monies
- (iii) Arrest and presentation of persons for non-appearance in Court
- (iv) Service of legal process
- (v) Collect (and pay) costs and compensation
- (vi) Execute and enforce civil judgments
- (vii) Carry out evictions
- (viii) Enforce maintenance orders
- (ix) Enforce criminal Freezing and Confiscation Orders and managed seized assets
- (x) Enforce civil asset Freezing Orders, and managed seized assets

c) **Jury functions:**

- (i) Prepare the *Tableau Général* (Jury List), and maintain and operate the electronic jury selection system
- (ii) Grant exemptions from jury service
- (iii) Grant financial assistance to jurors caused hardship by jury service
- (iv) Act as Jury *Surveillant* (custodian)

d) **Coroner's functions:**

- (i) Conduct inquests
- (ii) Deal with ancillary matters relating to sudden or unexpected deaths

e) **Other services:**

- (i) Act as Delegate of last resort for persons who lack capacity and have limited assets
- (ii) Administer Oaths
- (iii) Bear the Royal Mace of the Bailiff of Jersey
- (iv) Conduct *Vues de Vicomte*
- (v) Convene sittings of the Royal Court and other bodies



- (vi) Grant exemptions from payment of judicial fees
- (vii) Exercise supervisory/regulatory powers in respect of delegates and attorneys acting under lasting powers of attorney
- (viii) Act as *Tuteur* of last resort
- (ix) Administer the Collective Investment Funds Compensation Scheme
- (x) Act as trustee for criminal injuries compensation awards to minors
- (xi) Promote law reform in the context of the Department's service areas
- (xii) Perform various ceremonial duties
- (xiii) Take evidence in chambers
- (xiv) Act as custodian for children giving evidence via CCTV
- (xv) Hold profits from unauthorised deposits under the Banking Business (Jersey) Law 1999

3 Knowledge and experience required

- The Viscount should ideally be a Jersey lawyer or accountant with wide general experience and an extensive knowledge of insolvency law.
- The Viscount must have mature financial and budgetary acumen and experience, such that he or she can fulfil the responsibilities of Accounting Officer under the Public Finances (Jersey) Law 2005 or effectively provide for the delegation or undertaking of such.
- He or she must have wide management knowledge and experience, leadership capability, energy, resilience and breadth of related perception and understanding.
- The post-holder will have the ability to integrate major and diverse functions.
- The Viscount is required to exercise creative and original thought in order to resolve problems arising in unchartered and pathfinding situations. The Viscount generally has ownership of his or her decision making processes, subject to review, on judicial activity, by the Royal Court. The Viscount has wide magnitude of impact due to the number and potential complexity of functions allocated.

4 Special requirements

- The Viscount must have a wide knowledge of commercial and corporate law, especially of insolvency and bankruptcy law so as to maintain an effective insolvency service and to ensure that Jersey is internationally profiled in this regard.
- The Viscount must understand and be capable of fulfilling all functions arising under the Proceeds of Crime (Jersey) Law 1999 and related legislation such that Jersey functions effectively in the context of *Saisie Judiciaire* (freezing) and confiscation orders especially in terms of international efforts against organised crime and kleptocracy.



- The Viscount must be able to provide, or procure the provision of, an effective and complete Coroner’s service for the Island.
- The Viscount’s Department has been the holder of the Investors in People Gold Award. The Department is a proponent of performance management and client and customer service values. The Viscount has accordingly to be fully committed to the maintenance and development of the Department from the strategic and service perspectives, while achieving a synergistic relationship with traditional and judicial values. The Viscount will also, therefore, be fully committed to sharing commonality of purpose with the Judicial Greffe and developing the Court Service marque. The Viscount is accordingly required to work in partnership and unity with the Judicial Greffier, sharing skills, resources and aspiration to the maximum extent possible.
- The Viscount’s Department is a mature and advanced user of electronic information and data management systems. The Viscount is required to ensure the selective utilisation of technology by the Department to maintain and develop this position.

5 **Constitutional status**

The Viscount is not a civil servant to whom the Employment of States of Jersey Employees (Jersey) Law 2005 applies but is an independent office-holder appointed under the Departments of the Judiciary and the Legislature (Jersey) Law 1965. The Viscount is therefore constitutionally located within the Judicial Branch and as such is not generally accountable to Executive Government, though the Viscount naturally leads the Department having regard to the general strategies and policies adopted by the States.

6 **Dimensions**

- A wide and diverse range of services
- 27 staff

The operational budgets for 2023 are:

- Net Revenue Expenditure £2.30 million
- Capital £0.35 million
- Third-party assets £6-7 billion (approximately)

