

Court of Appeal
Supreme Court
Magistrates Court
Island Court

2015 END OF YEAR STATISTICS AND
CONSIDERATIONS

January 2016

Footnote: with the introduction of our new Court Management System, there has been a major undertaking in reconciling all of our case records, and some adjustments have been made, when comparing to what was reported this time last year. They are not of any significant number.

Summary

- As I/we reflect on 2015, it is hard to remember such a year confronted by us all, not only with the destruction caused by Cyclone Pam, but also seeing the Rule of Law being so evident to so many of us during the latter part of 2015
- In addition to those external factors, we have also welcomed Justice Chetwynd and Master Cybelle, a new Court Management System, and issued many Practice Directions with the over-arching goal of delivering a justice system, to all of our community, in a timely manner, with confidence that each case is treated with the time and commitment needed
- From a statistical point of view, there are some indicators that suggest we have some work to do in 2016, and with the judiciary, and the administration, we are committed to working on these critical aspects of case management
- As you will see from the following information, areas such as timeliness, reserved judgements, pending/unacceptable backlog and the status of each case – is paramount to us – as we strive for case management that delivers for all concerned
- Whilst our Clearance Rate did not achieve our target of 100% (or more), I am confident that by addressing such things as ‘over conferencing’, we can reduce the number of events/attendances need to finalise our cases, and make it a more efficient and timely system for all
- Reserved judgments are something every court is well aware of, and the recent Practice Directions will be our target for 2016, and am confident that we can improve on this aspect, which I know has been an issue for many of you awaiting the delivery of such
- Under the stewardship of the Chief Registrar, all of our jurisdictions, from the Court of Appeal, to the Island Courts, are up and running with a new Court Management System. I have been assured, that it in itself will not make our cases run any faster, but if it helps us, the judges and magistrates – run our case load with more information and management capability, then that can only be a good thing
- This new system, for the very first time, allows me, and others to reflect on the overall situation of the Court, no matter the location, the jurisdiction, and the case itself. It is our priority over time to provide appropriate information to ‘all of you’, and increase the transparency of where each and every case is up to
 - And for the record, each new case in the Supreme and Magistrates Court here in Vila – all material is being scanned and is available to each and every judicial officer in electronic form, as well as the paper form
 - Maybe in my time – I may yet see a ‘paper-less’ court, or at the very least - a ‘less-paper’ court
- In summary, we have some key priorities for the coming year, namely reserved judgments, a growing pending #, cases that need to brought under control, and improving/reducing the number of attendances that a case needs to be resolved
- With the support and engagement of the profession, and additional resources, I and my fellow judges of the Supreme Court are confident that we can achieve much this year.

2015 highlights

- Appointment of Master – with discreet case load e.g. enforcement
 - Issuing of Practice Directions
 - New Court Management System (CMS) – providing greater management of cases and efficiencies for all
 - Appointment of Justice Chetwynd
 - Treating Enforcement as a separate application – directed to Master
 - All this while recovering from Cyclone PAM, and dealing with the largest political case seen in this country (including the Appeals)
 - Overall concerns:
 1. Not making in-roads into # of Pending cases, and Age of Pending naturally growing
 2. Judicial output – as calculated by disposals/full time JO – continues to fall from 2012/2013
 3. Many cases (close to 300) – with no Further Listings – these need addressing as a priority in early 2016
 4. Reserved Judgments – especially in SC – still not down to acceptable levels
- ALL OF THESE WILL BE OF THE HIGHEST PRIORITY FOR 2016

Key Observations

- Court of Appeal
 - 2015 **registrations and disposals** slightly up on previous years
 - The CoA continues to maintain very close to 100% **clearance rate** every year
 - **Timeliness** of Civil Appeal matters continues to grow, versus criminal matters which are typically disposed in just over a month
 - More work to be done in 2016 in ensuring **outcomes** are consistently recorded
 - Civil Appeals – almost 50/50 split between allowed and dismissed
 - Criminal Appeals – further work to be done on the outcomes before commentary is made
- Supreme Court
 - SC **filings** have fallen from 773 to 722
 - SC **disposals** have fallen 672 to 683
 - **Pending** has grown from 915 to 1038 (and from 815 at end of 2013)
 - **PDR (Pending to Disposal Ratio)** has grown from 1.4 to 1.66 – a worrying sign
 - Potential 400 cases in excess of ideal position – equating to a lot of judicial resource and/or improved case disposal rates
 - **Clearance rate** below 100% - for the year – 88%
 - **Timeliness** for criminal matters – still good at an average of 219 days, and civil – 650 days to complete a case

Key Observations

- Magistrates Court
 - MC **filings** are stable at 2205 compared to 2210 last year
 - Criminal on the way up but DV on the way down
 - SC **disposals** have fallen 2366 to 2084
 - **Pending** has grown from 1306 to 1482
 - **PDR** has grown from .6 to .7
 - Potential 300 cases in excess of ideal position – equating to approximately one Magistrate
 - **Clearance rate** below 100% - for the year – 95%
 - **Timeliness** for criminal matters – higher than the Supreme Court – 255 days, and civil increasing – now at 694 days to complete a case
- Island Court
 - All case load for the Island Courts – from 2013 – is now on the new system, except for four locations
 - Filings in 2015 significantly down from 2014 – 331 as compared to 601 cases in 2014
 - Clearance rates still under review

Supreme Court

- Overall **registrations** (National) 722 – down from 773 the previous year – a small decrease of approximately 6%
 - Vila – 623 and Santo – 65 (remaining from other locations)
 - Civil – 40% (excludes Company, Probate, Judicial Review etc.)
 - Criminal – 18% (excludes Bail applications and Criminal Appeals)
- Overall **completions** 637 – down from 683 – a decrease of approximately 6%
 - Vila – 495, and Santo – 74(remaining from other locations)
- Average **age** of cases disposed:
 - Civil – 650 days (was 694 days)
 - Criminal – 219 days (was 257 days)
- **Clearance** rate (Completions/Registrations) – 88% - similar to 88% the previous year
- **Pending** – total cases pending – 1038 (up from 915 at end December 2014)
 - Civil 64%
 - Criminal 9%
 - 36% of cases – from 2013 or older
 - LAST YEAR - 35% of cases – from 2012 or older
 - PDR – Pending to Disposal Ratio – 1.66, and target is 1 – or approximately 630 cases in total (which equates to approximately 410 additional cases to dispose = approximately 3-4 judges)
 - LAST YEAR – 1.4 PDR
 - Civil PDR = 2.9 – highlights where focus for delay reduction program needs to focus
 - Criminal PDR = .64

Magistrates Court

- Overall **registrations** (National) 2205 – similar to 2210 the previous year
 - PV – 1131 – down from 1371 in 2014
 - Santo – 807 – substantially up on 2014 (495)
 - Malekula – 137 – substantially down on 2014
- Overall **completions** (National) 2084 – down from 2366 – a decrease of 12%
 - PV – 1066 – substantially down on 2014 - 1522
 - Santo – 779 – substantially up on 2014 - 569
 - Malekula – 122 – substantially down on 2014 - 193
- **Clearance** rate (Completions/Registrations) – 95% - substantially down from 107% the previous year
- Average **age** of cases disposed (Vila only):
 - Civil – 694 days
 - Criminal – 255 days
 - Violence – 72 days
- **Pending** – total cases pending (National) – 1482
 - Civil – 405 cases - 27%
 - Criminal including PI – 807 cases – 53%
 - Domestic Violence – 219 cases – 14%
 - 20% of cases – from 2013 or older
 - PDR – Pending to Disposal Ratio – .7, and target is .5 – or approximately 1050 cases in total (which equates to approximately 300 additional cases to dispose = approximately 1 Magistrate)

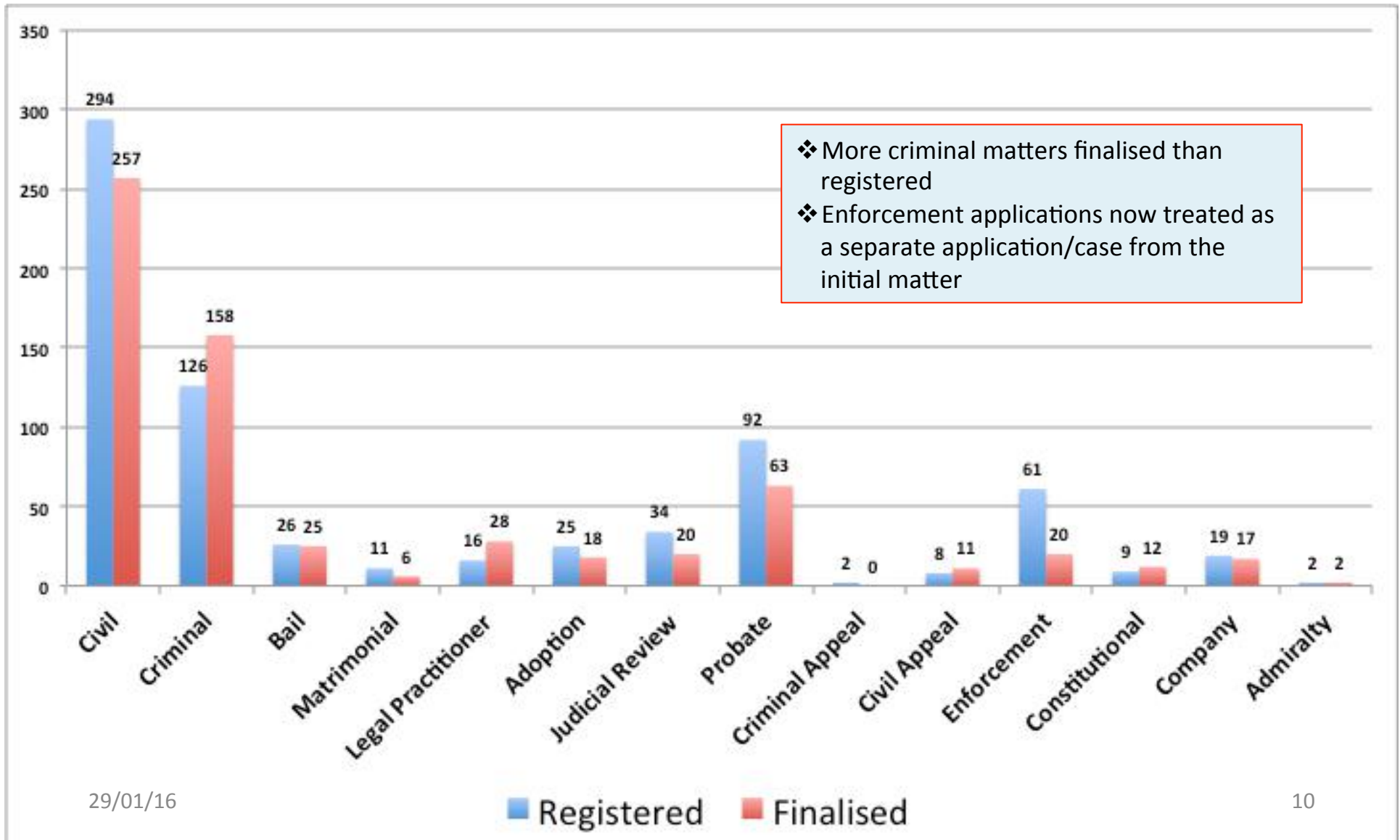
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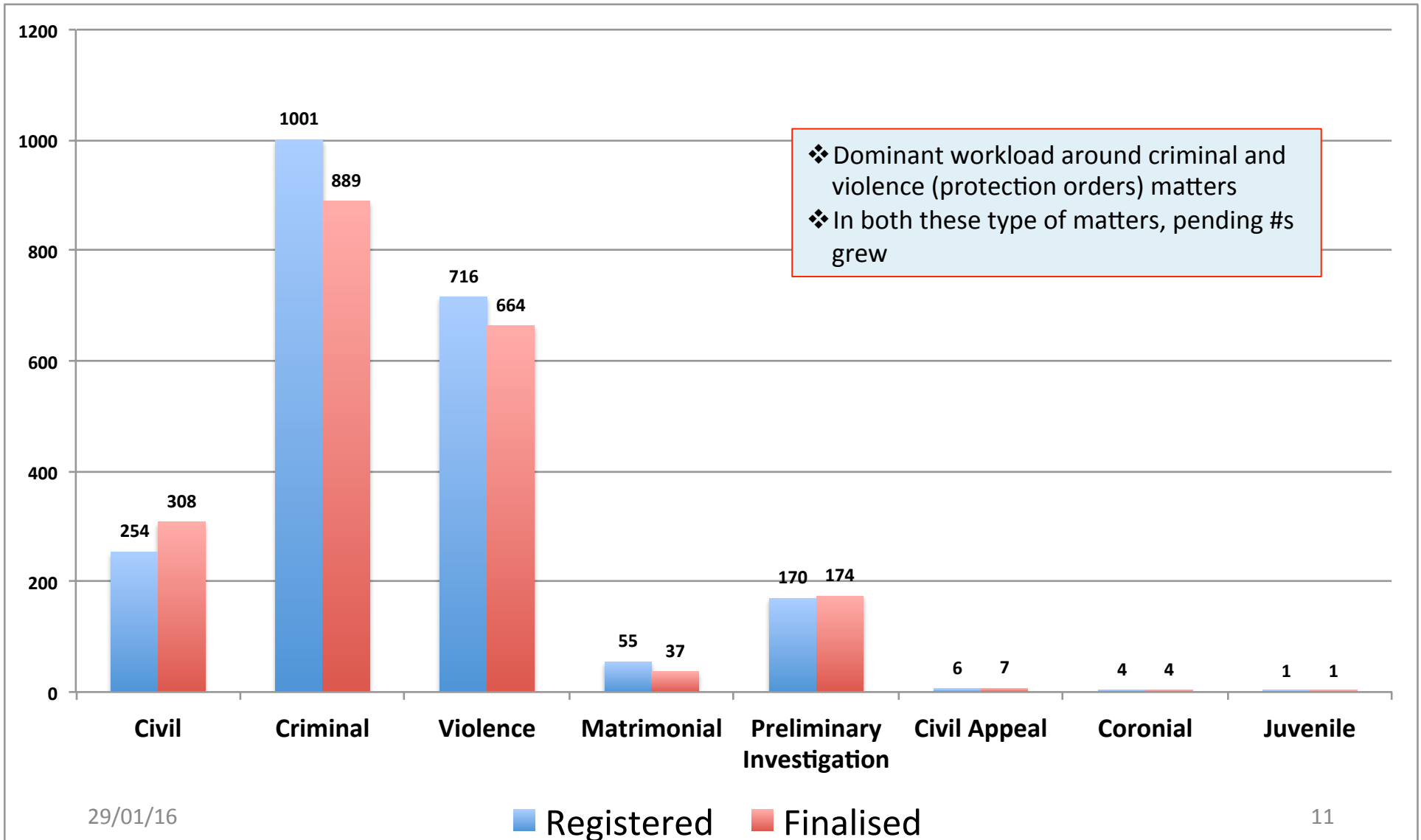
This section shows cases registered and finalised – by jurisdiction, then case type, location and month of filing.

1. CASES

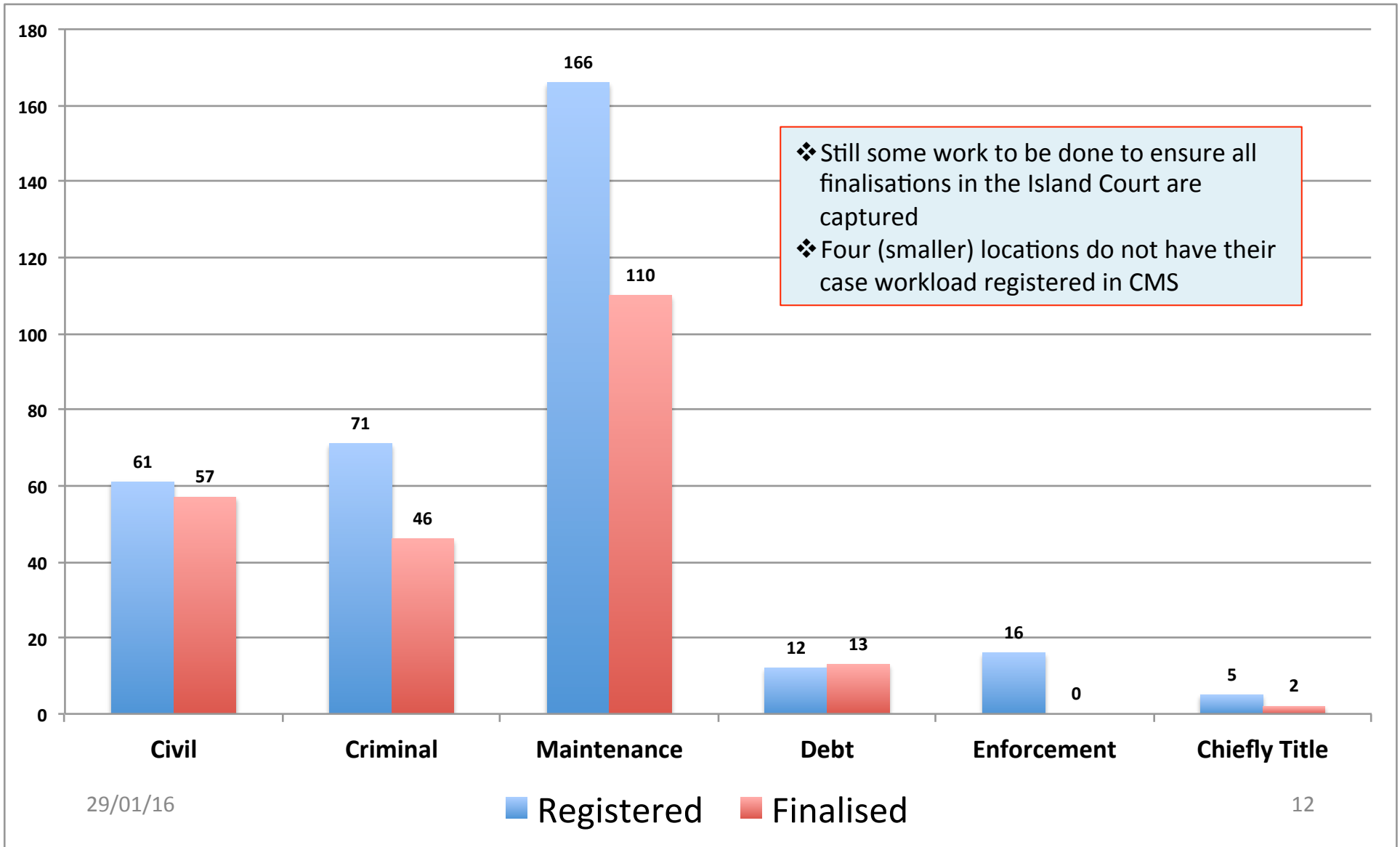
1a. SC by case type



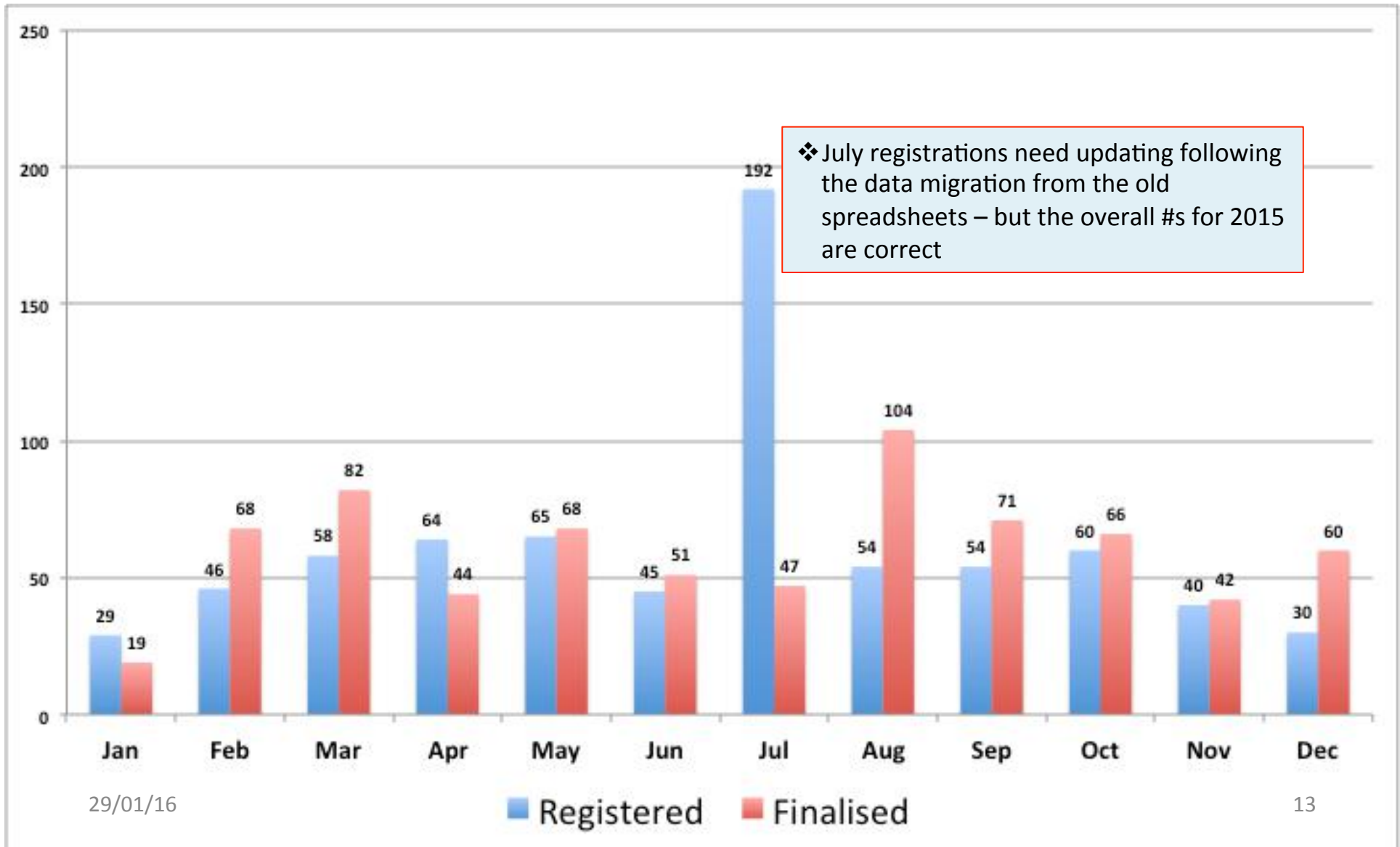
1a. MC by case type



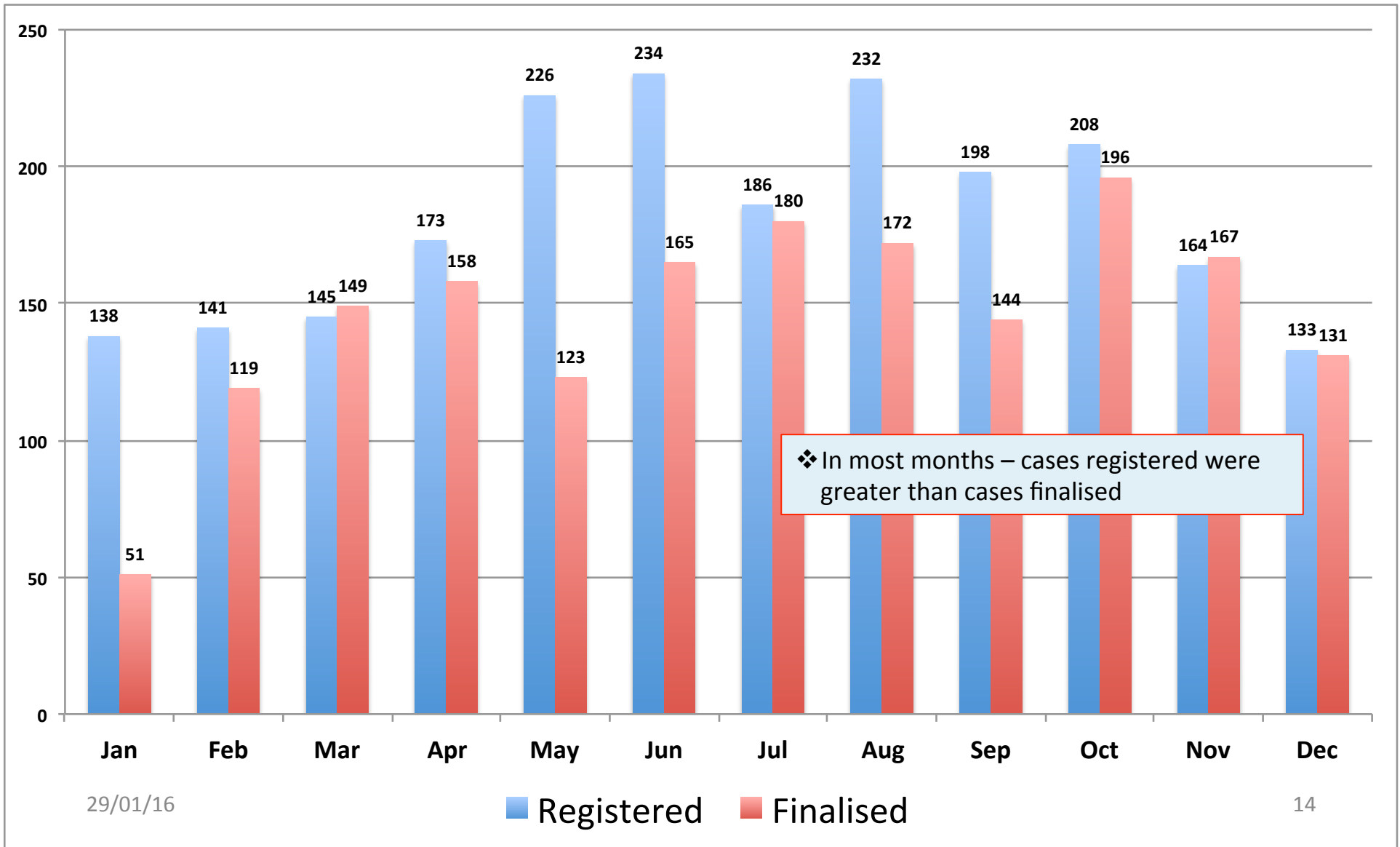
1a. IC by case type



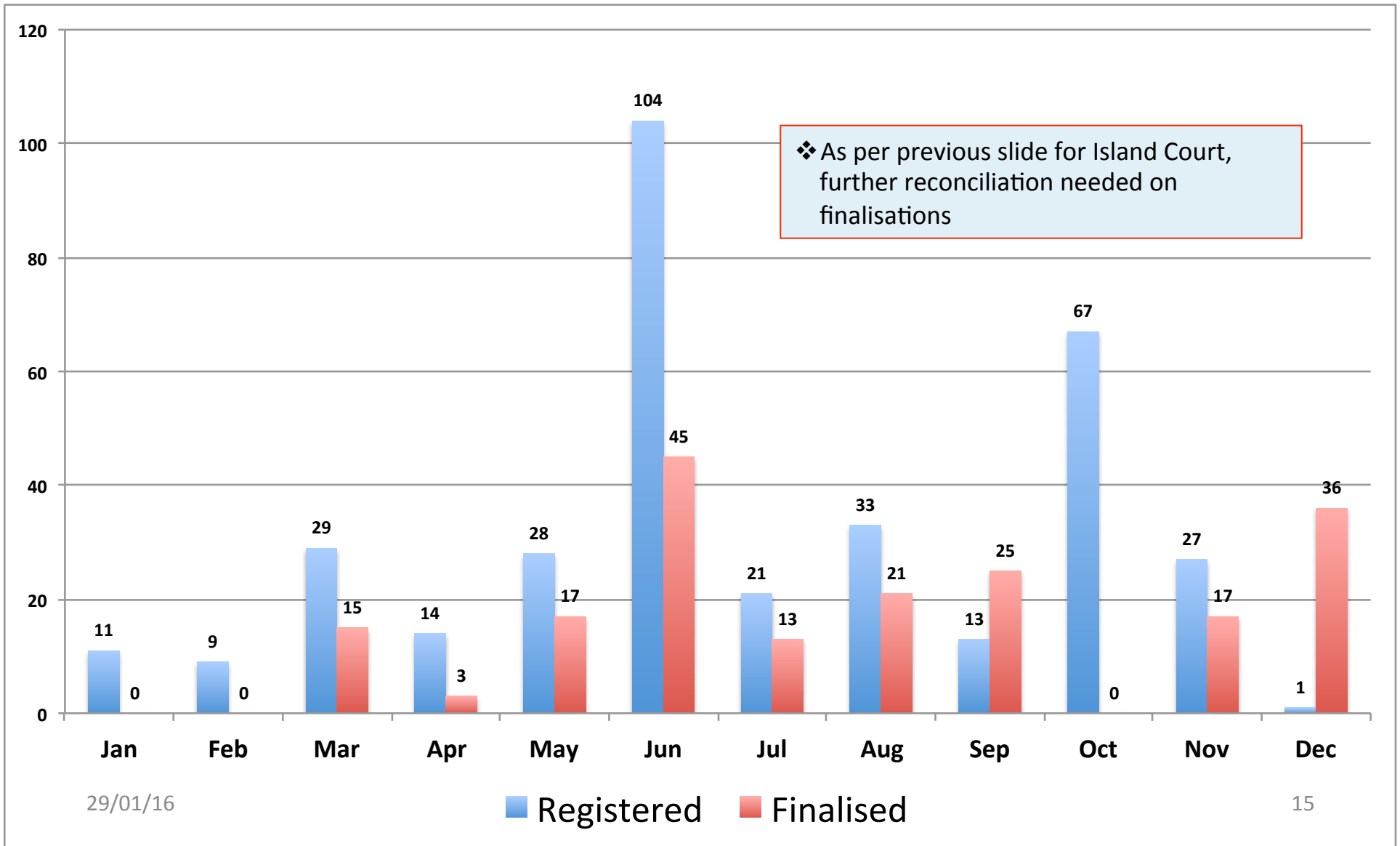
1b. SC by month



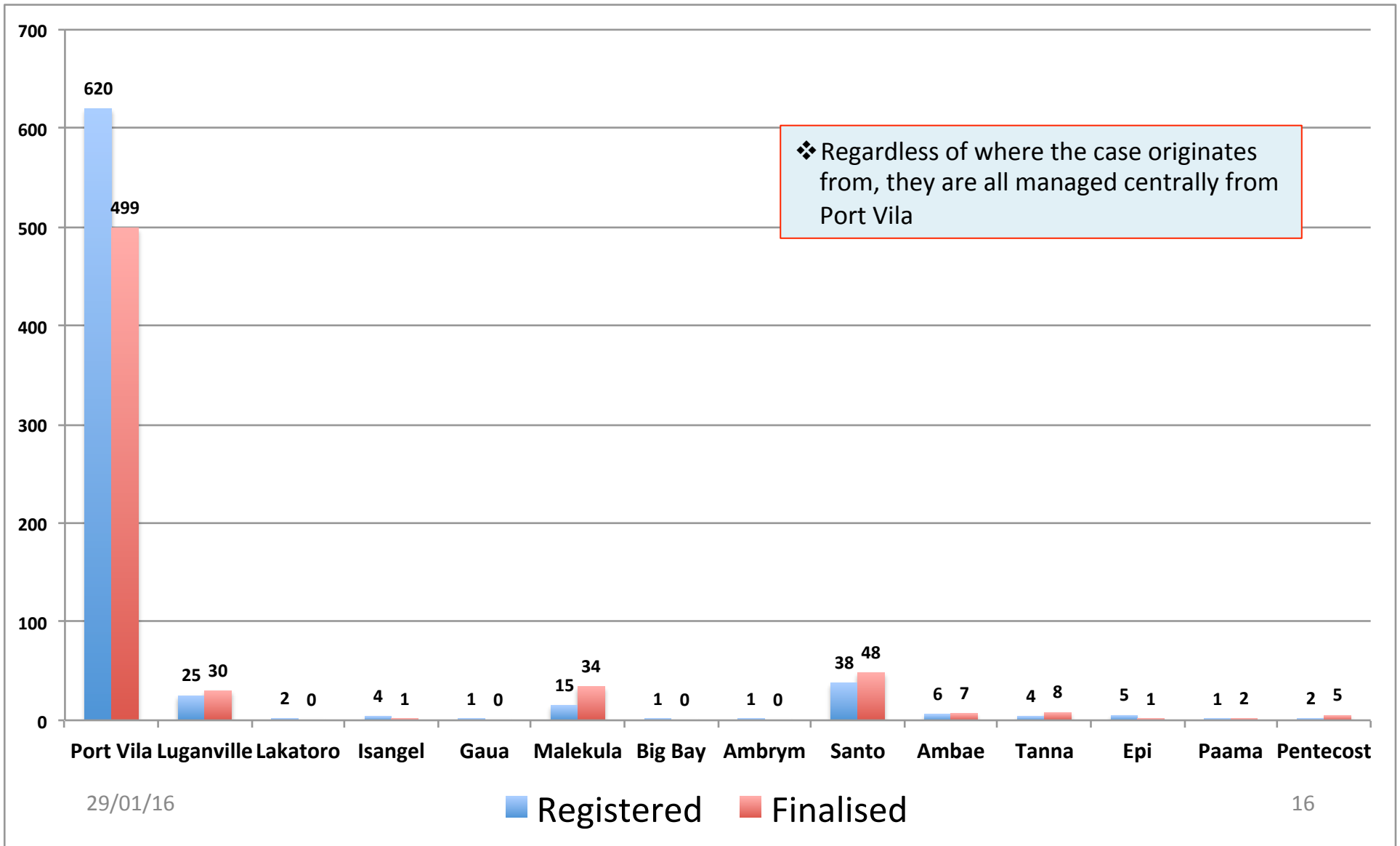
1b. MC by month



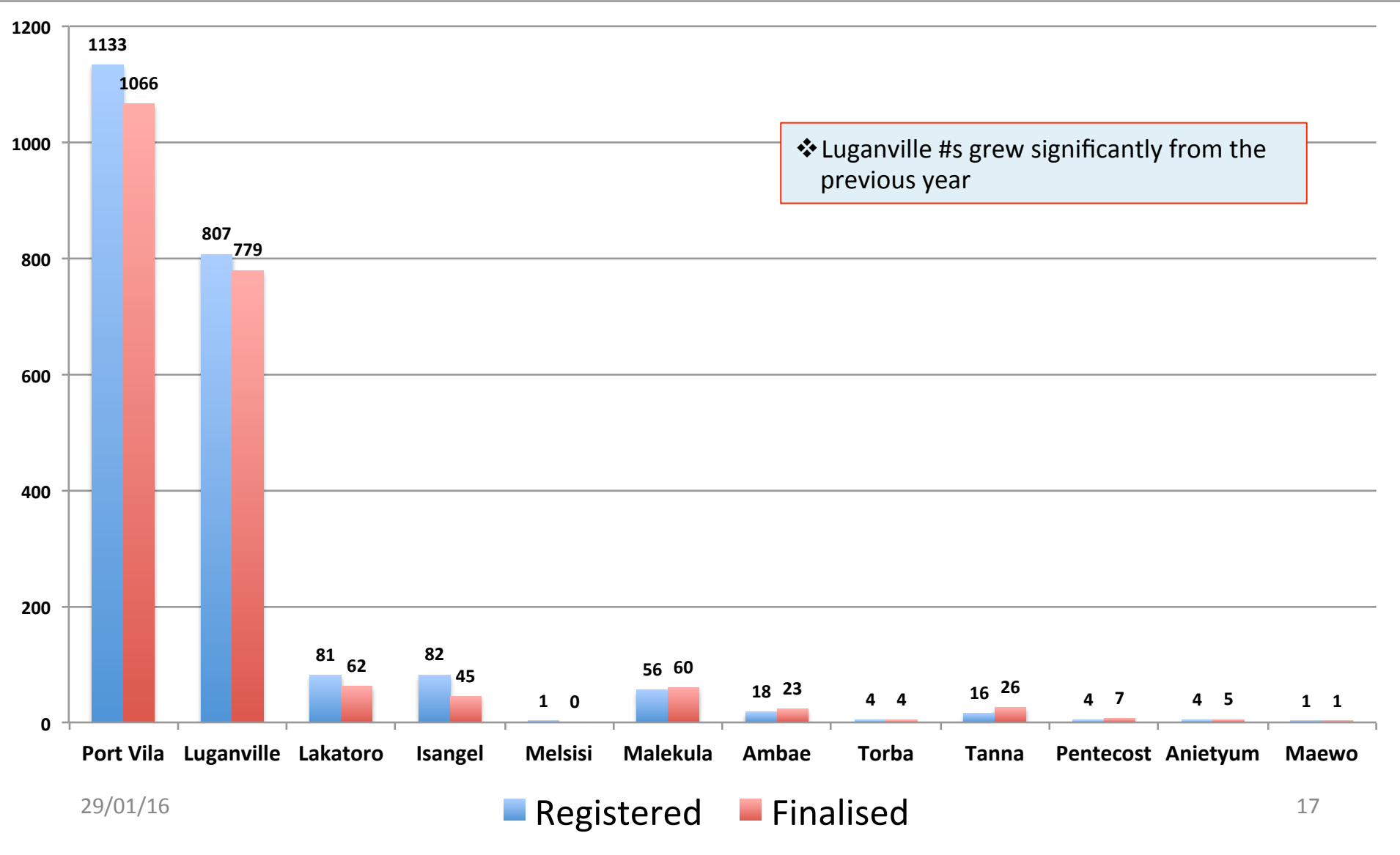
1b. IC by month



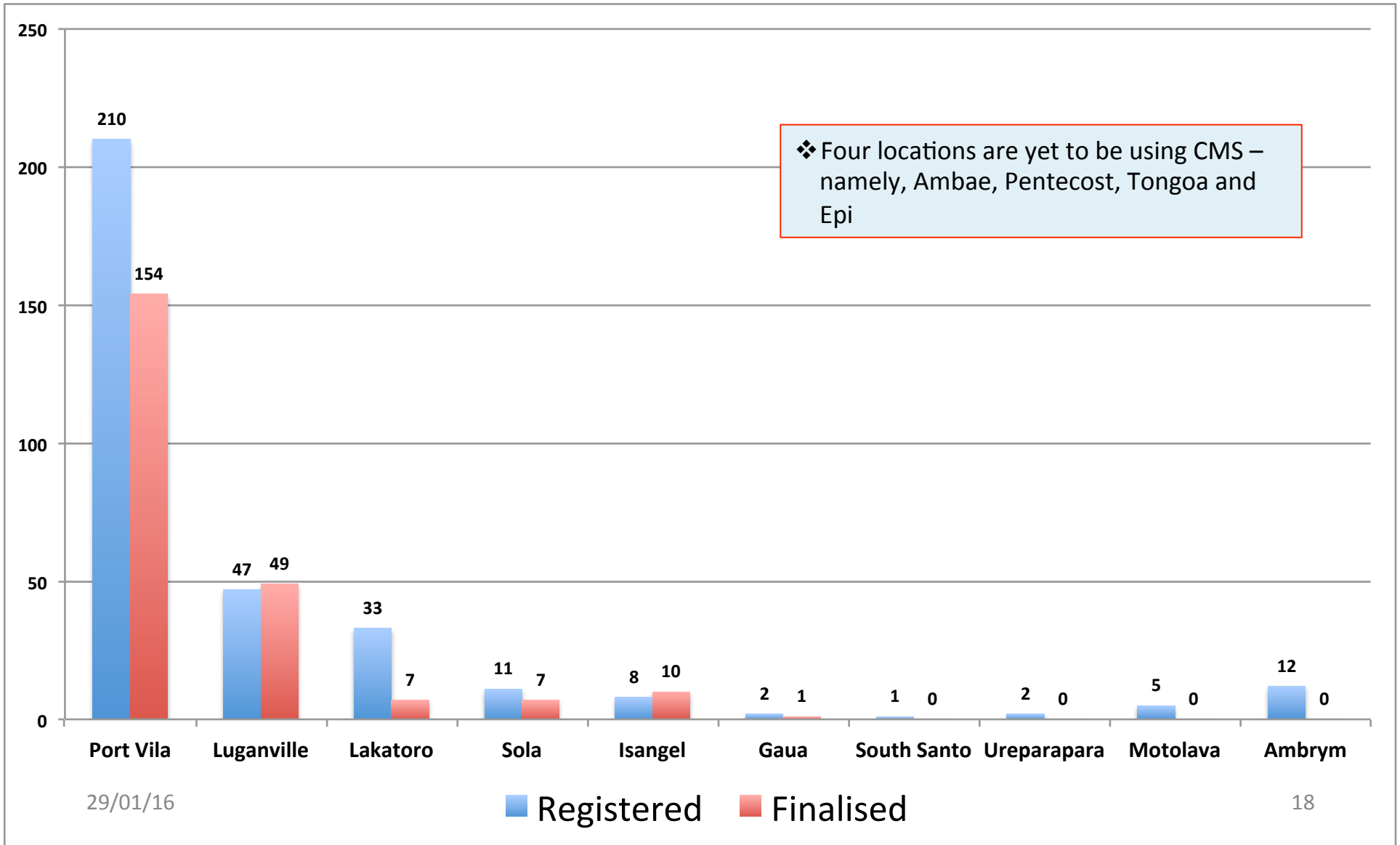
1c. SC by location



1c. MC by location



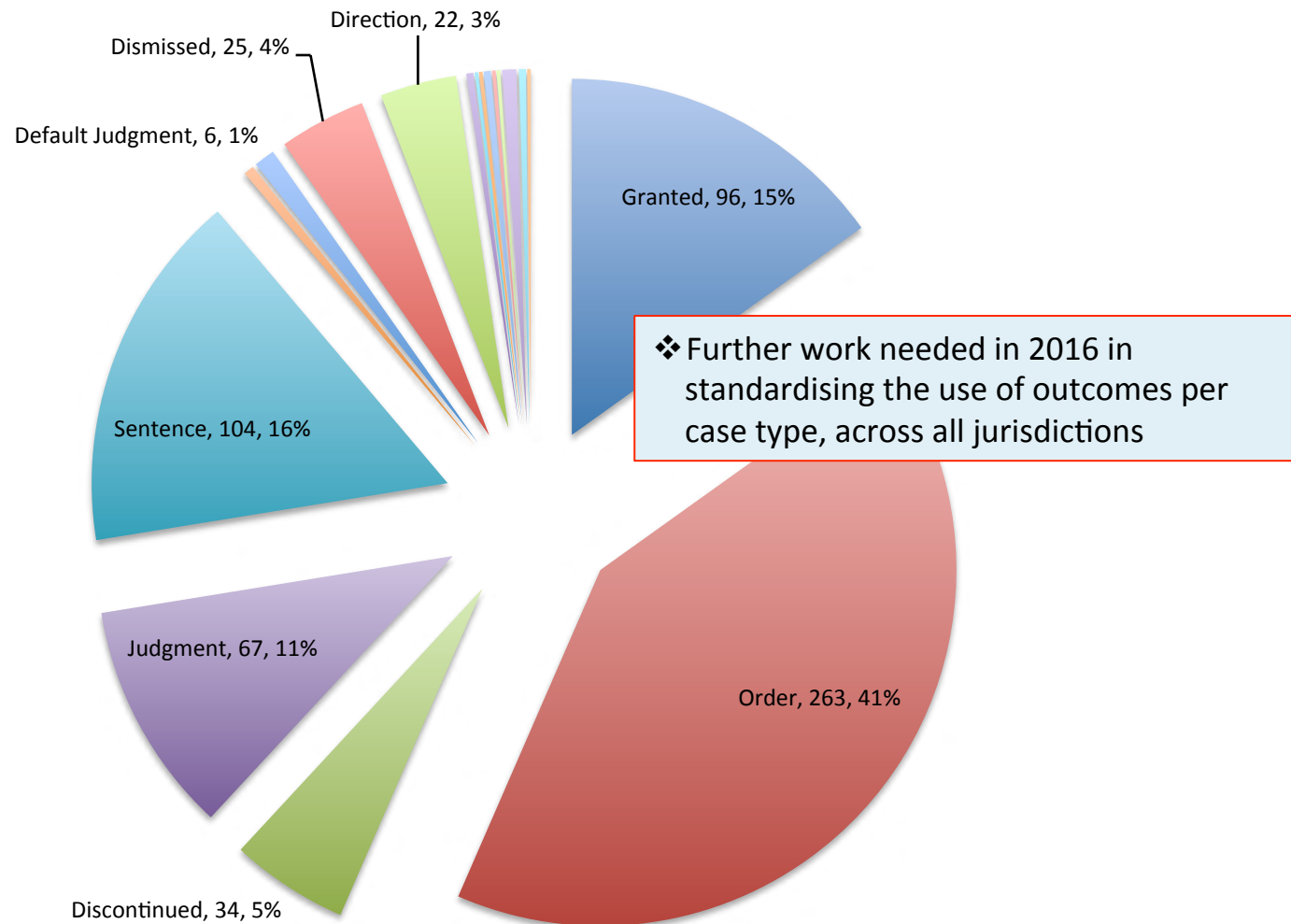
1c. IC by location



This section shows the method of outcome for cases in the Supreme Court. It should be recognised that this reflects the data entry practices from the last year – prior to the introduction of CMS, and in 2016, greater consistency will be adopted when applying final outcomes.

2. OUTCOMES

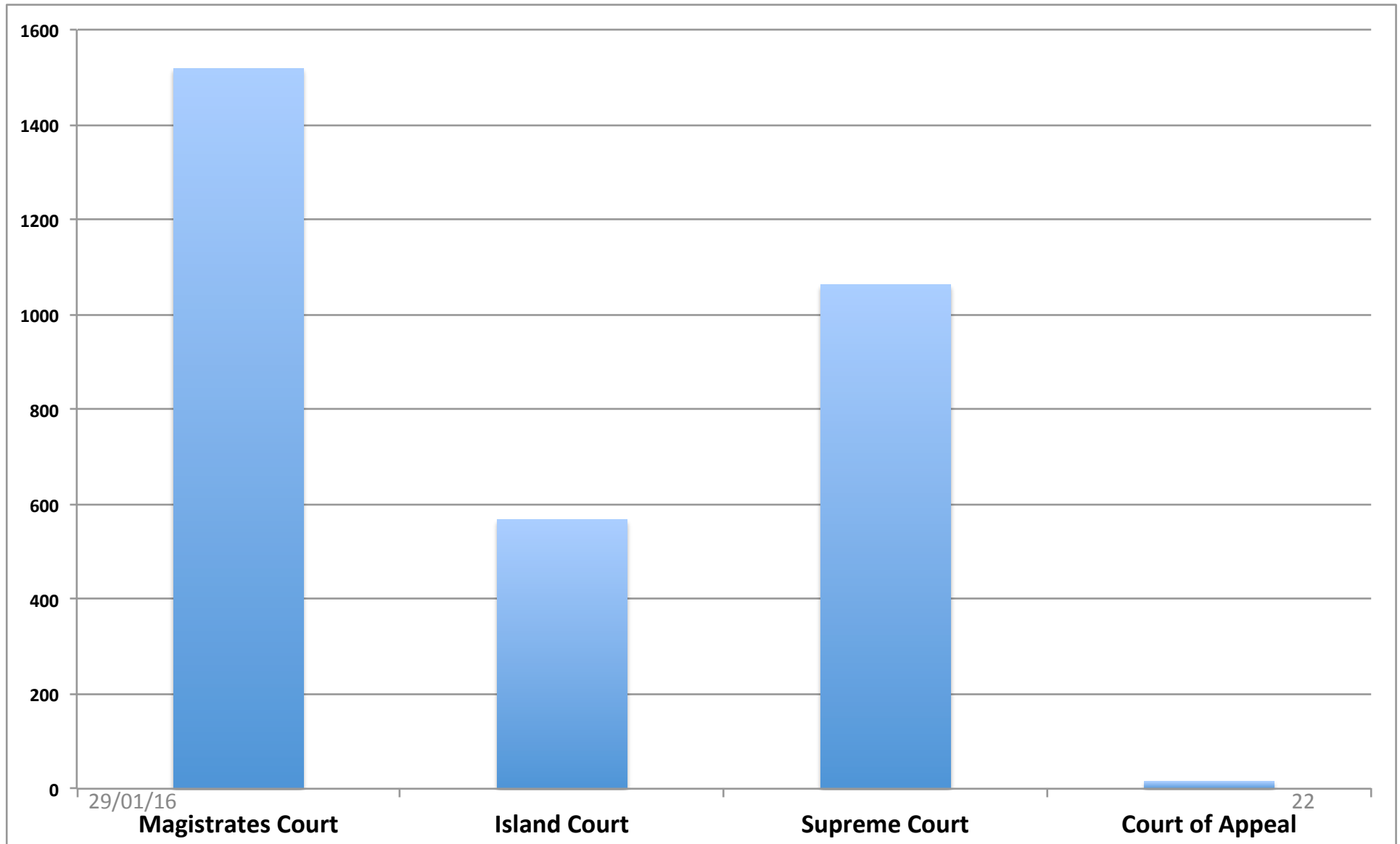
2. Overall SC outcomes



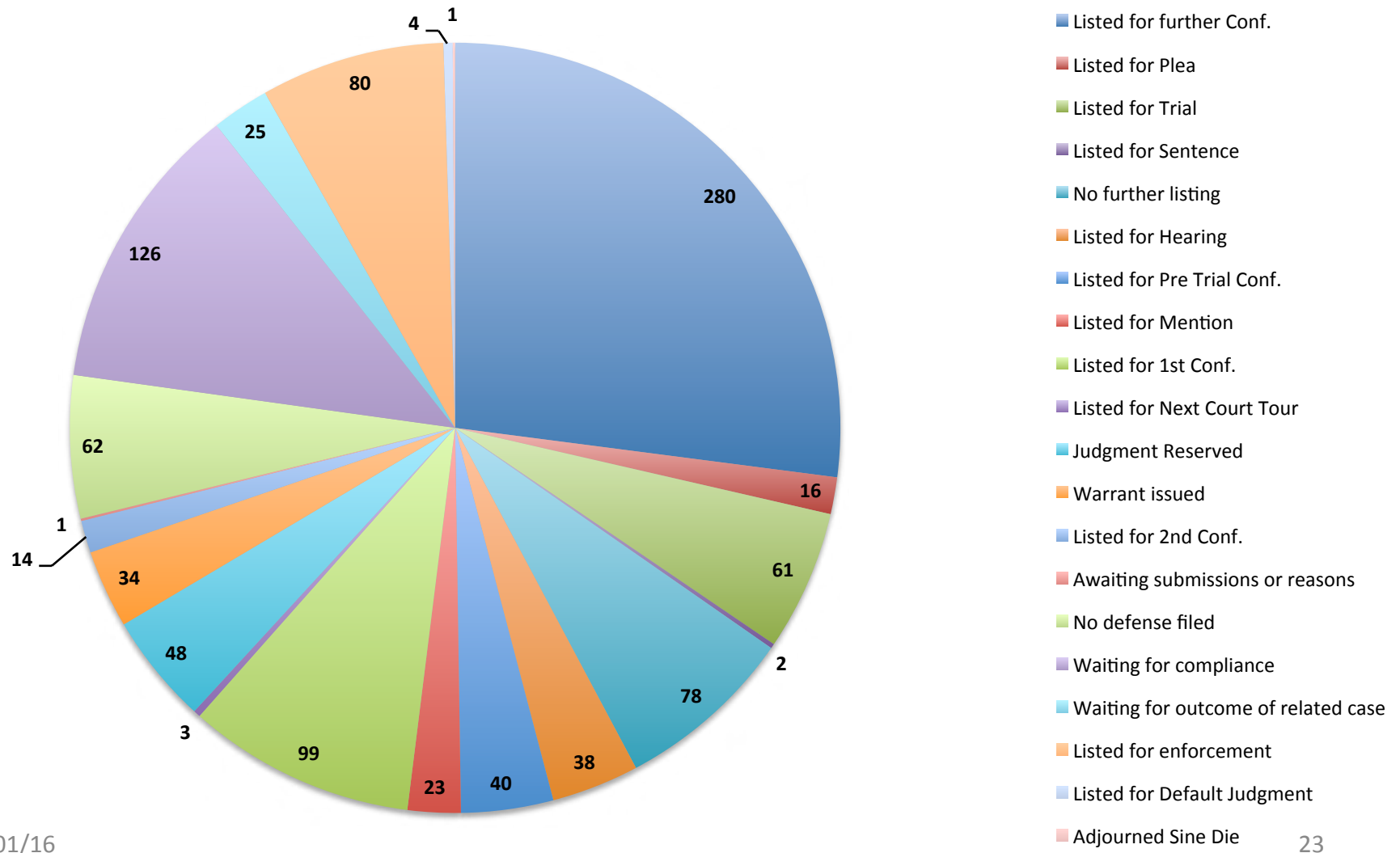
This section shows cases pending – by stage, case type and age for the Supreme and Magistrates Court. For the Supreme Court, it also shows the previous position of pending #s.

3 - PENDING

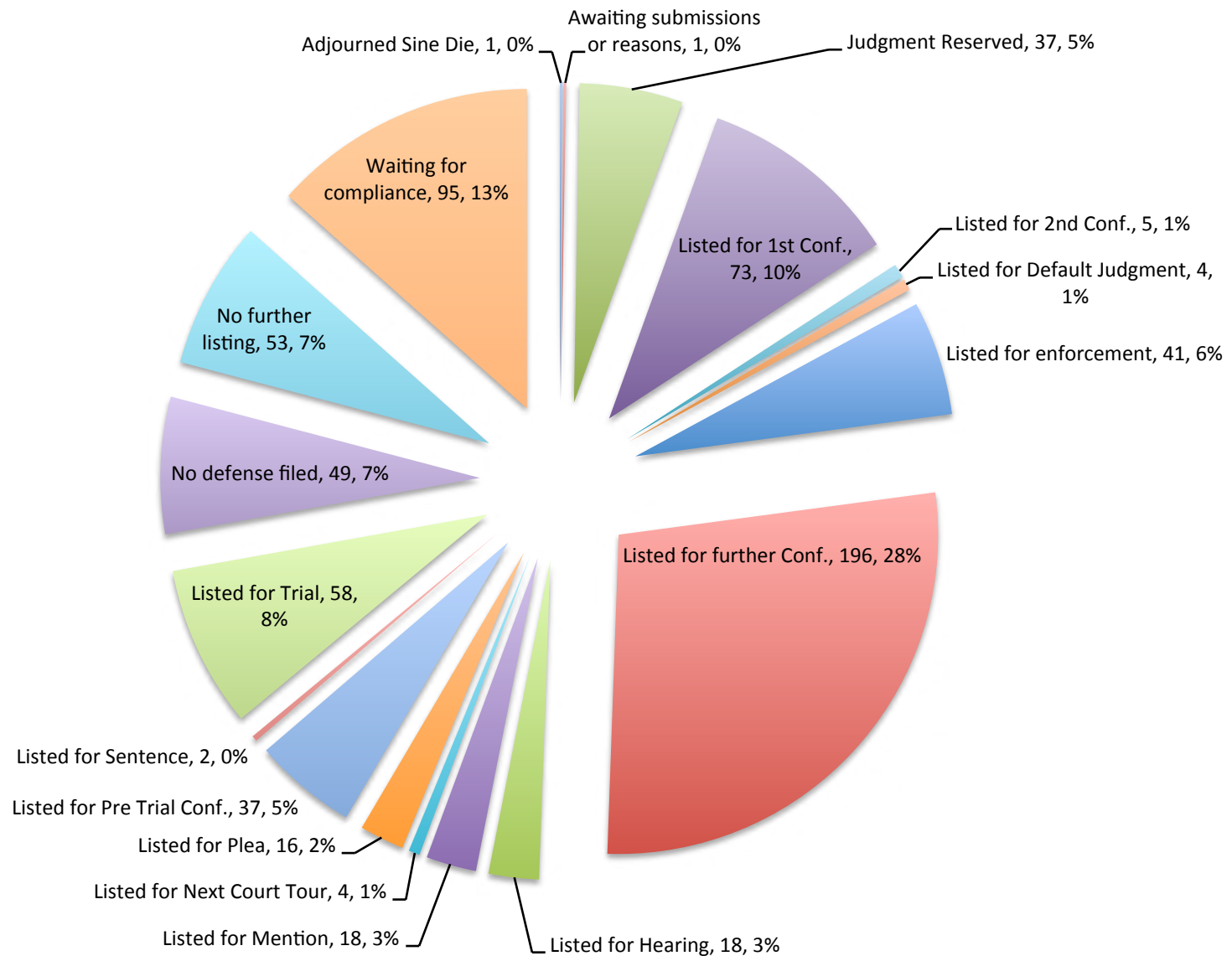
3. Overall pending as at end 2015



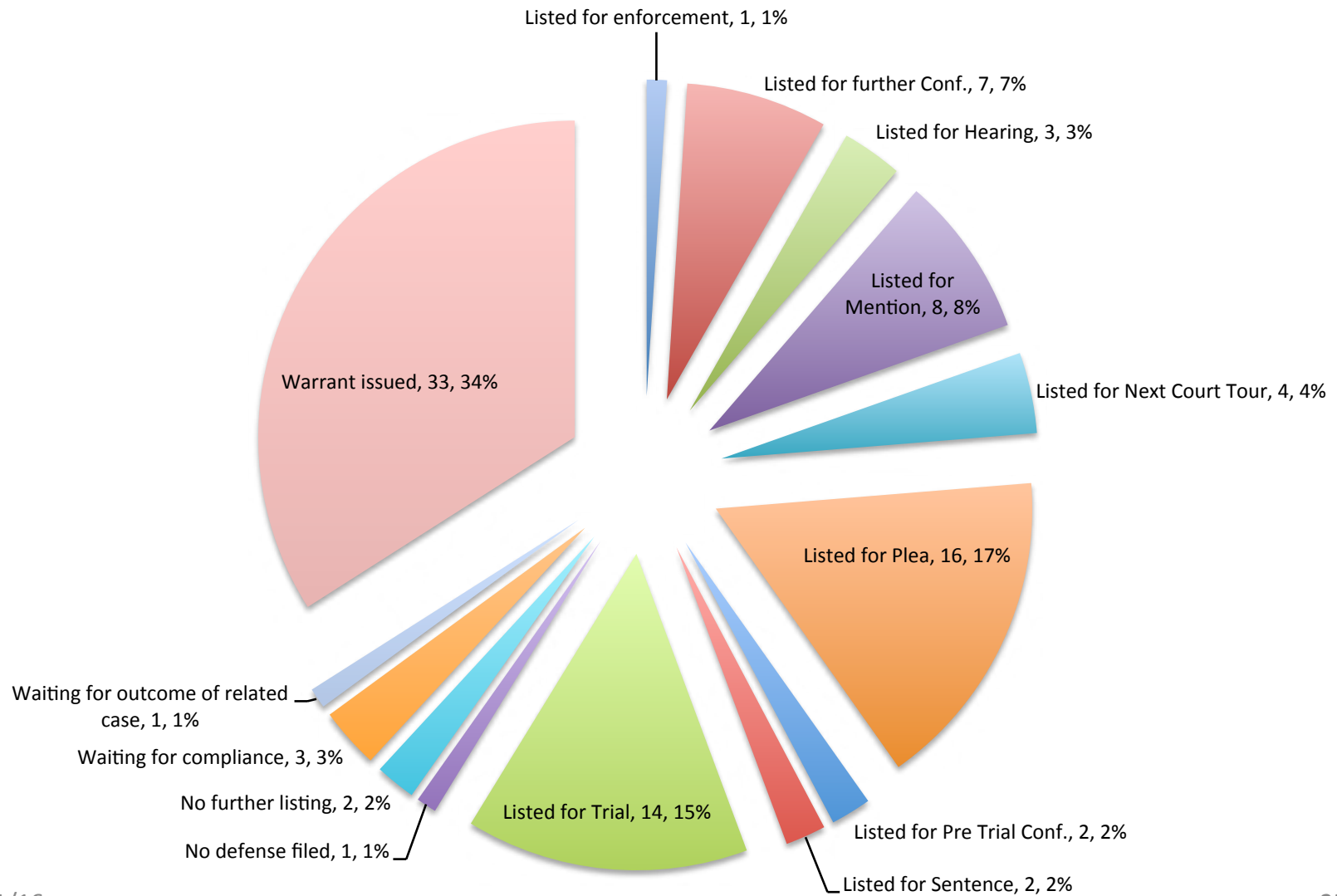
3a. SC by stage



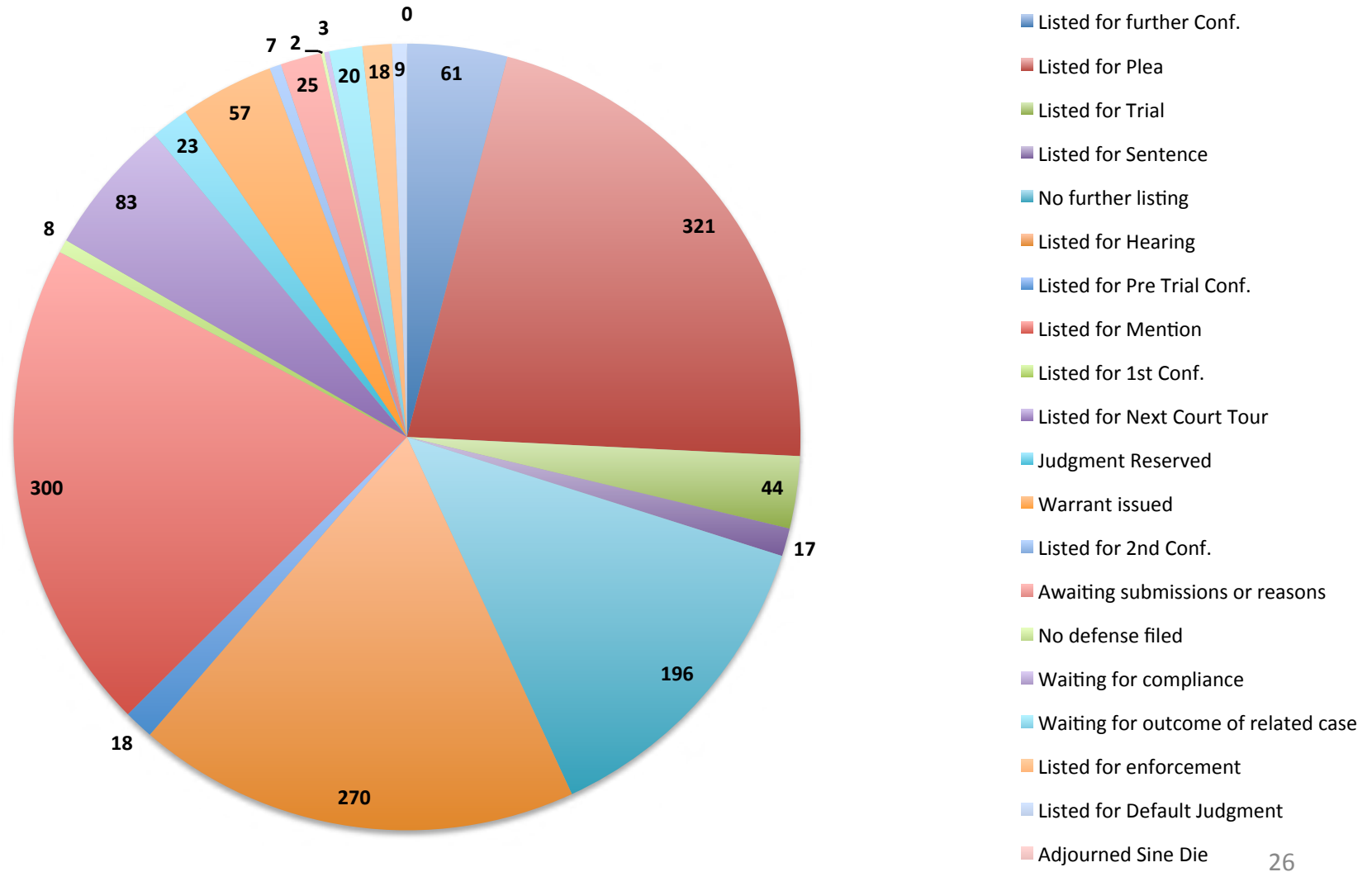
3a. SC Civil by stage



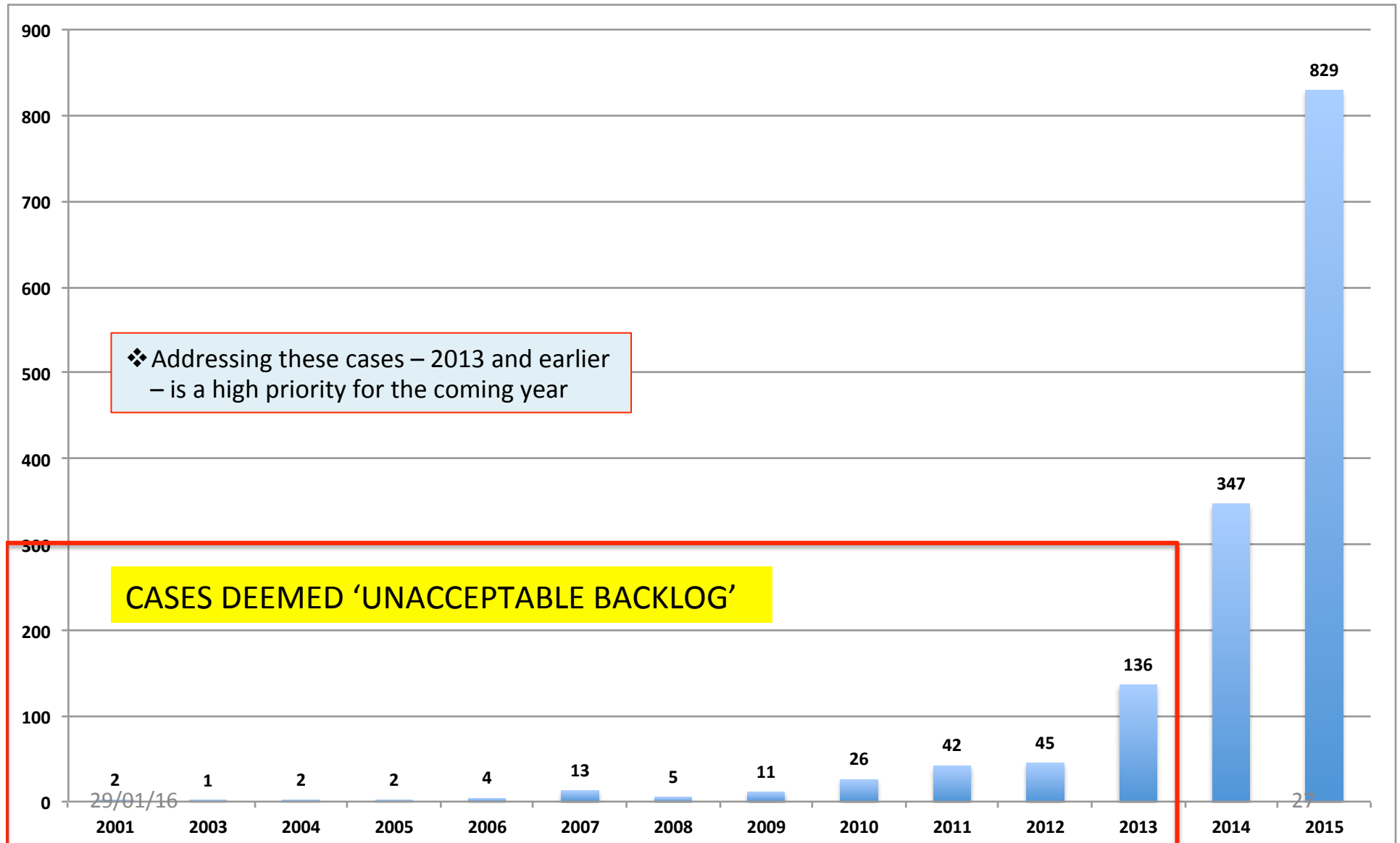
3a. SC Criminal by stage



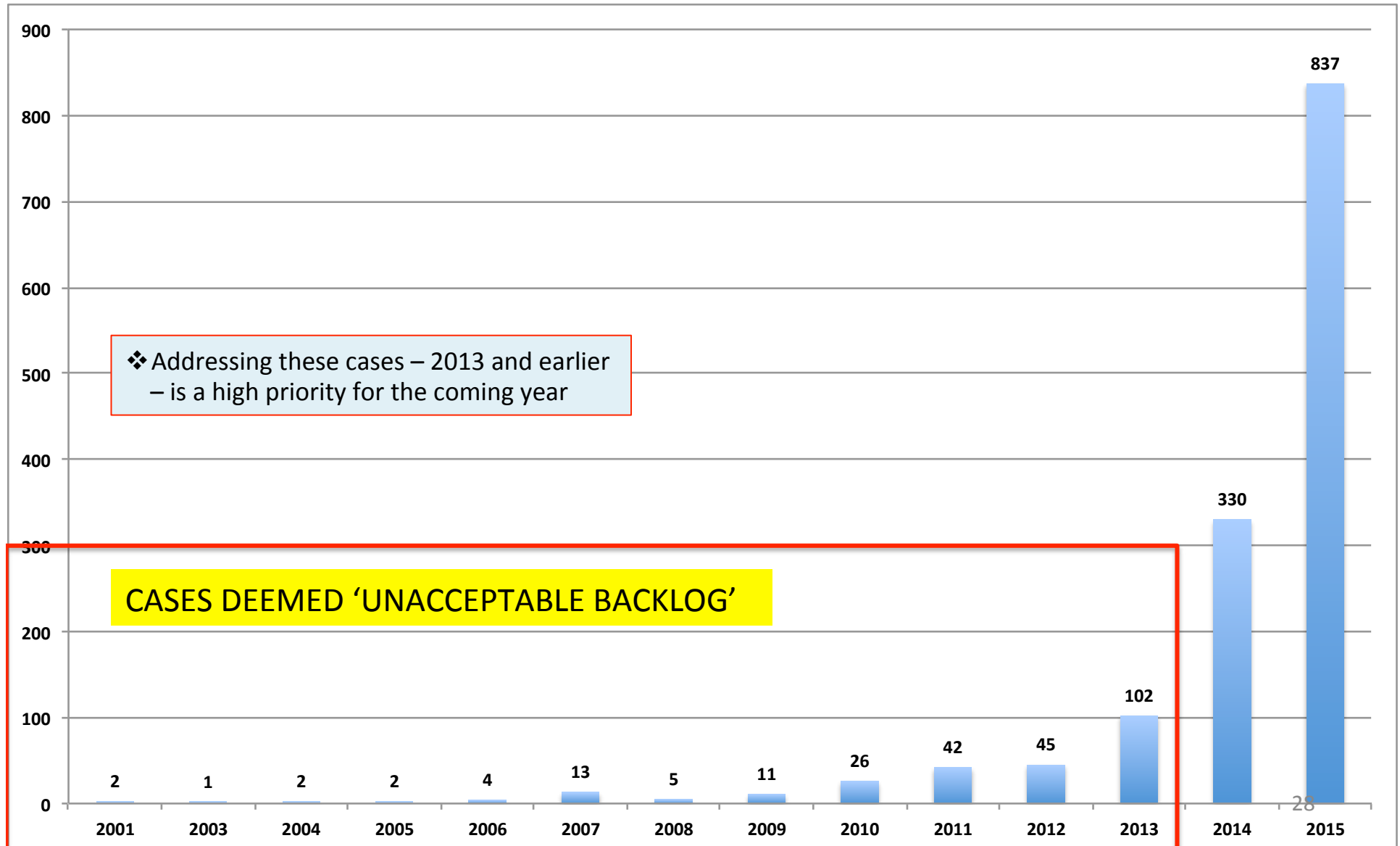
3a. MC by stage



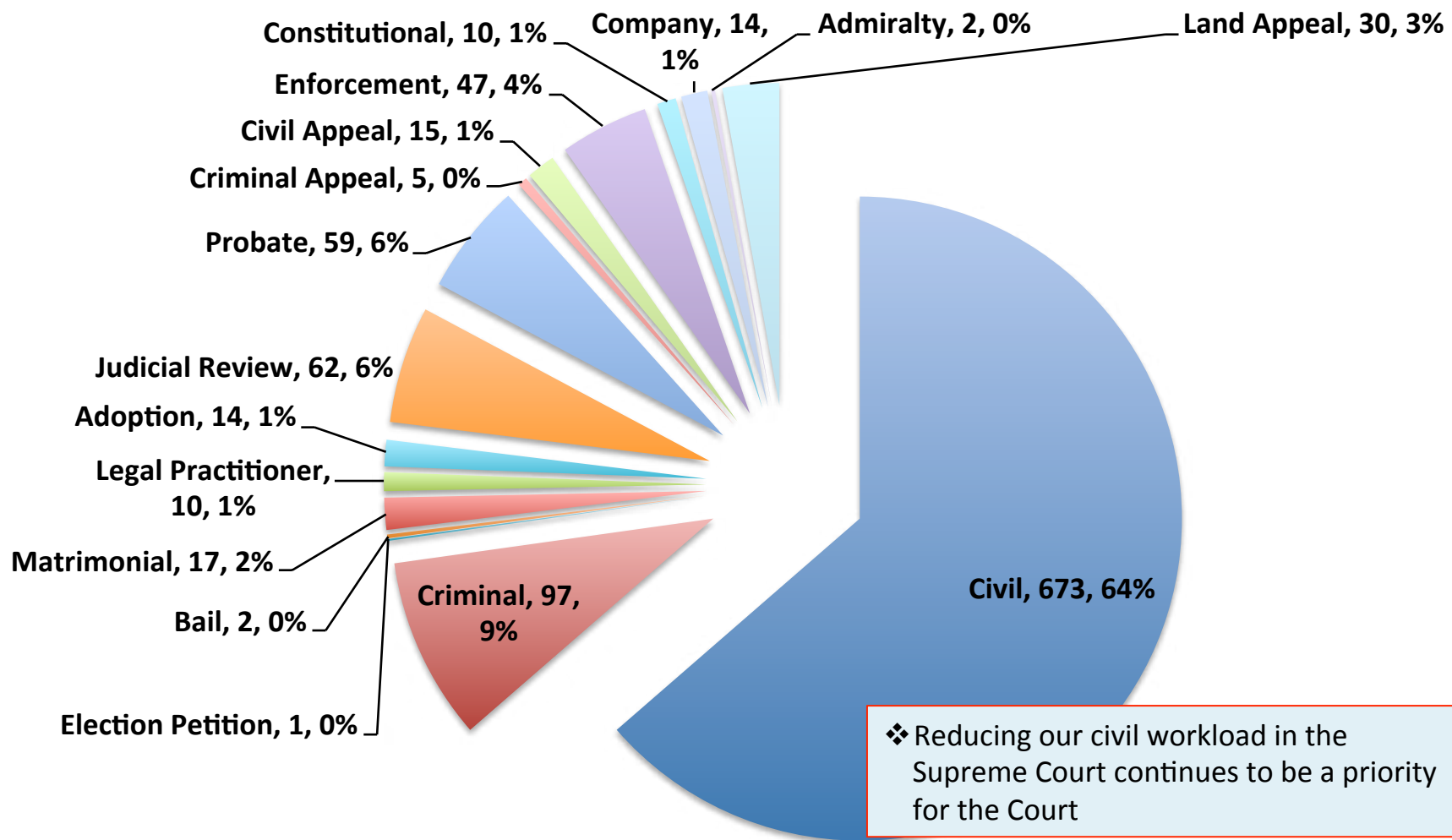
3b. SC Pending by age



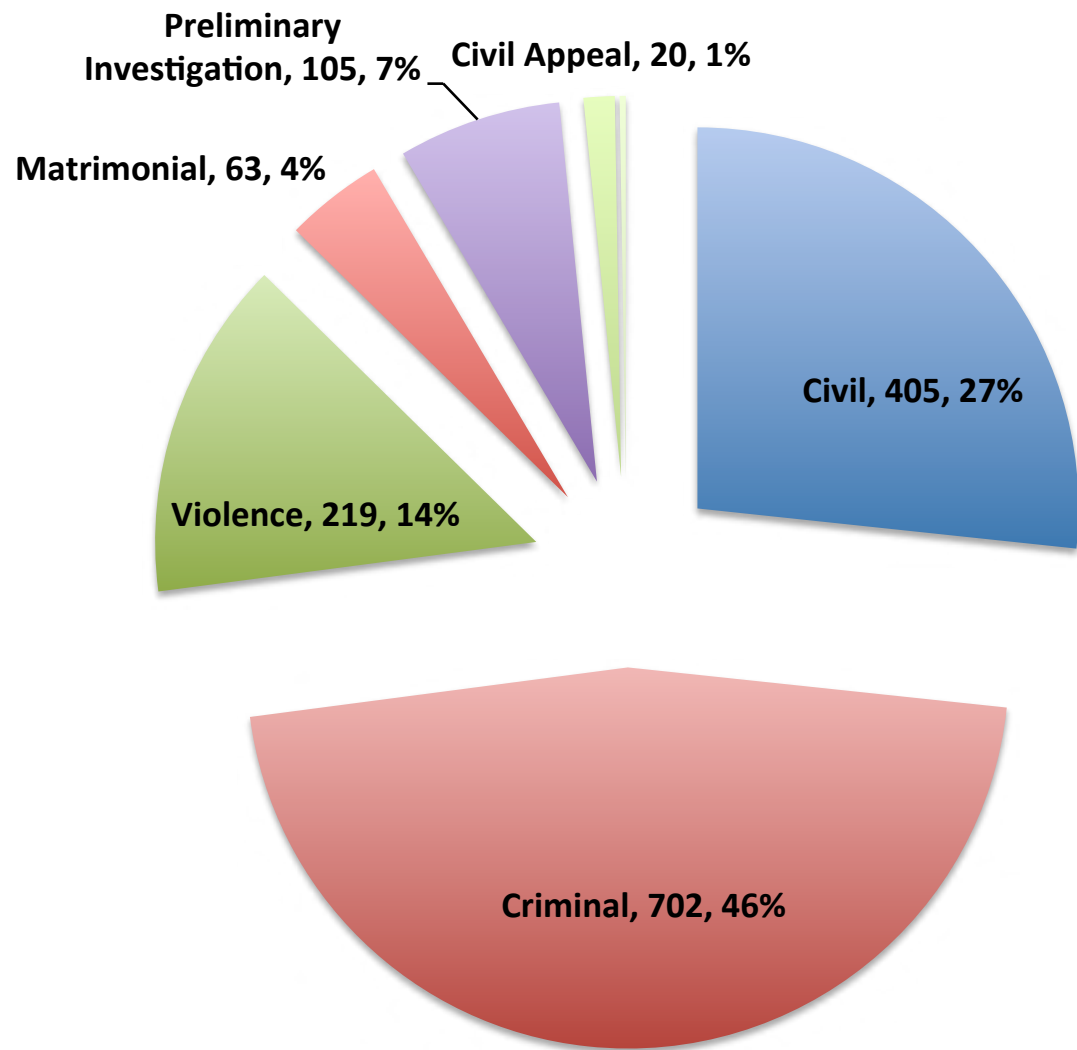
3b. MC Pending by age



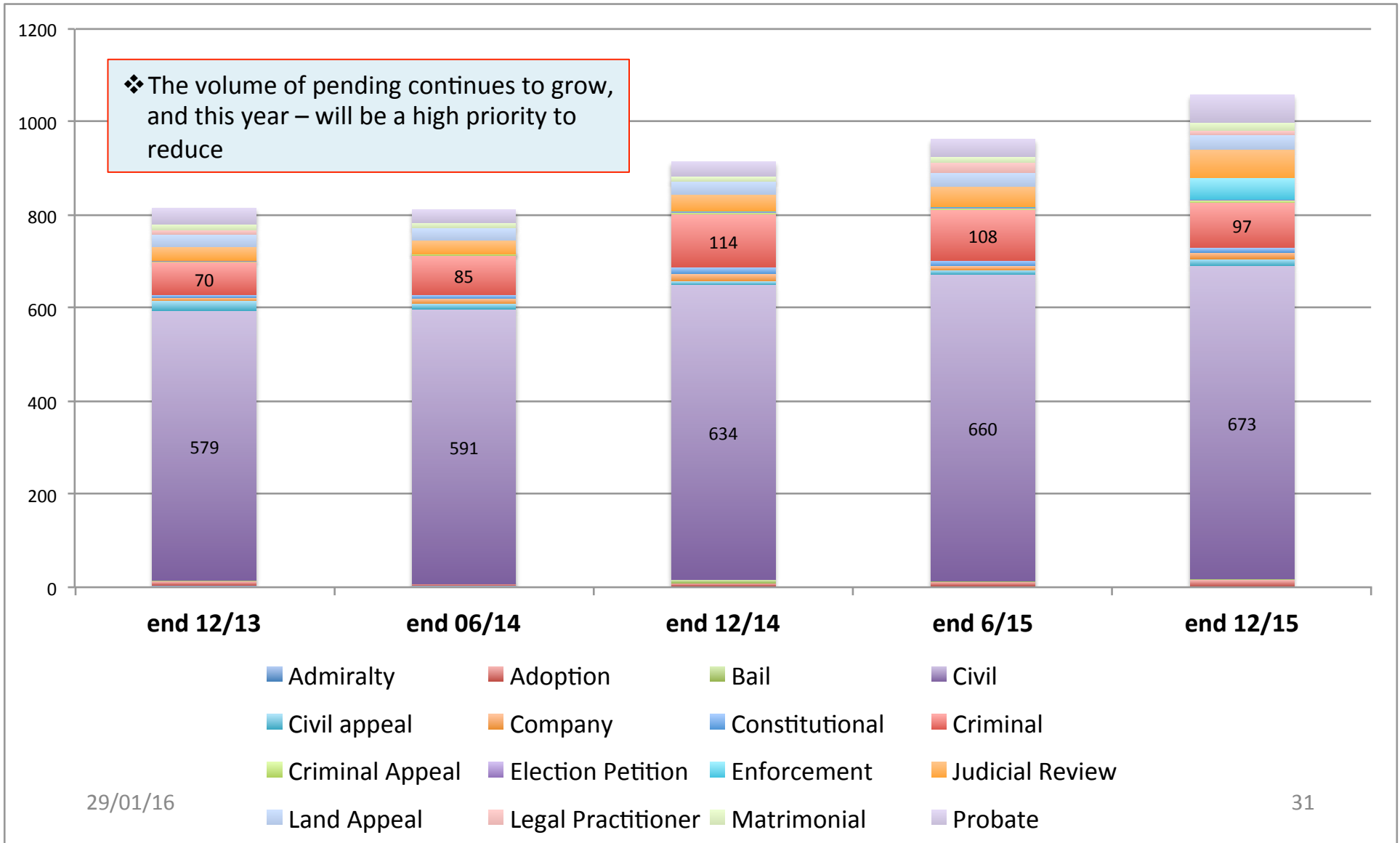
3c. SC by case type



3c. MC by case type



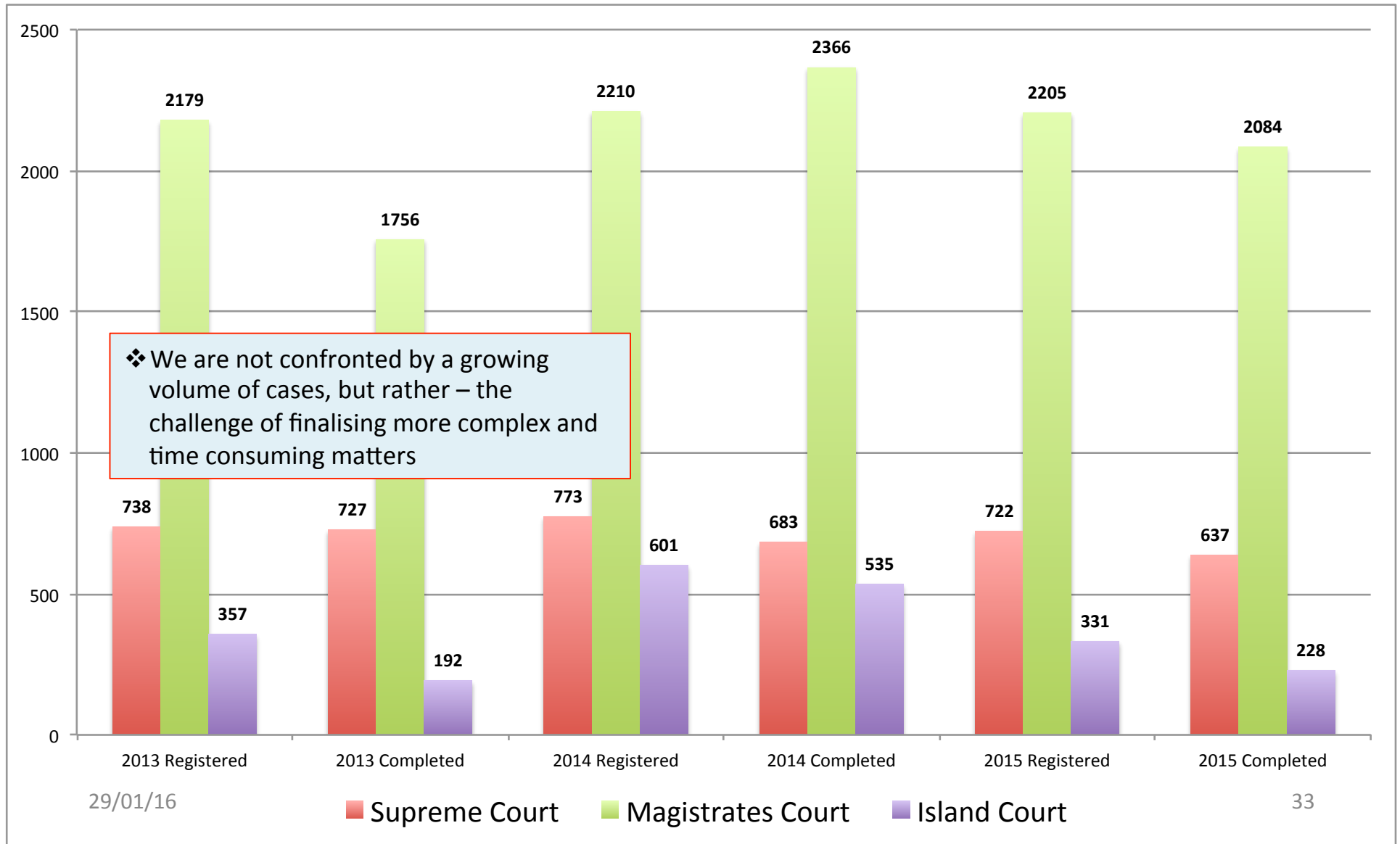
3d. SC Trend of Pending



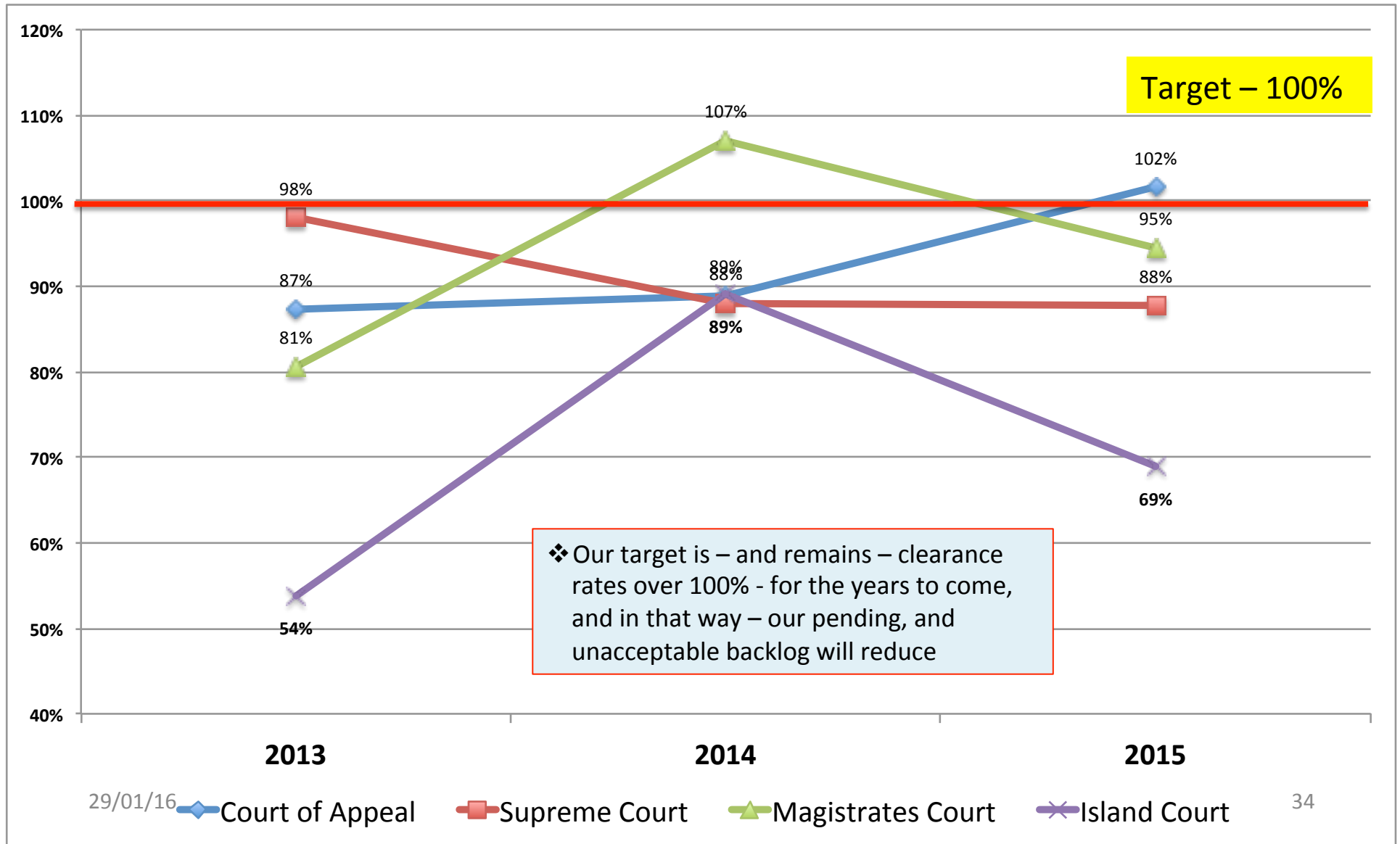
This section shows the trend of overall filings and disposals, and associated clearance rates for the SC/MC/IC – over the last three years

4 - TREND OF CLEARANCE RATES

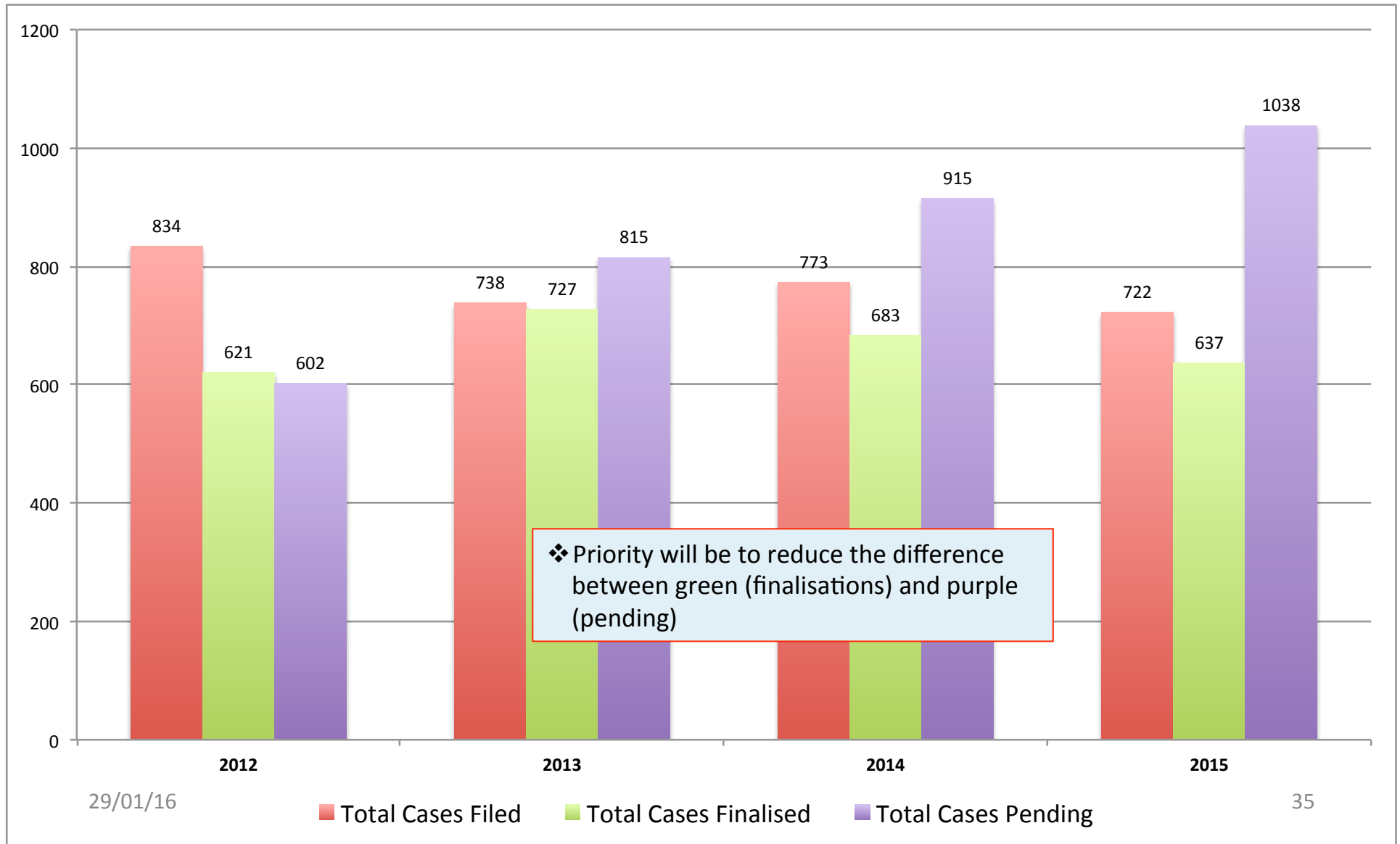
4. Overall case #s by years



4. Trend of clearance rates



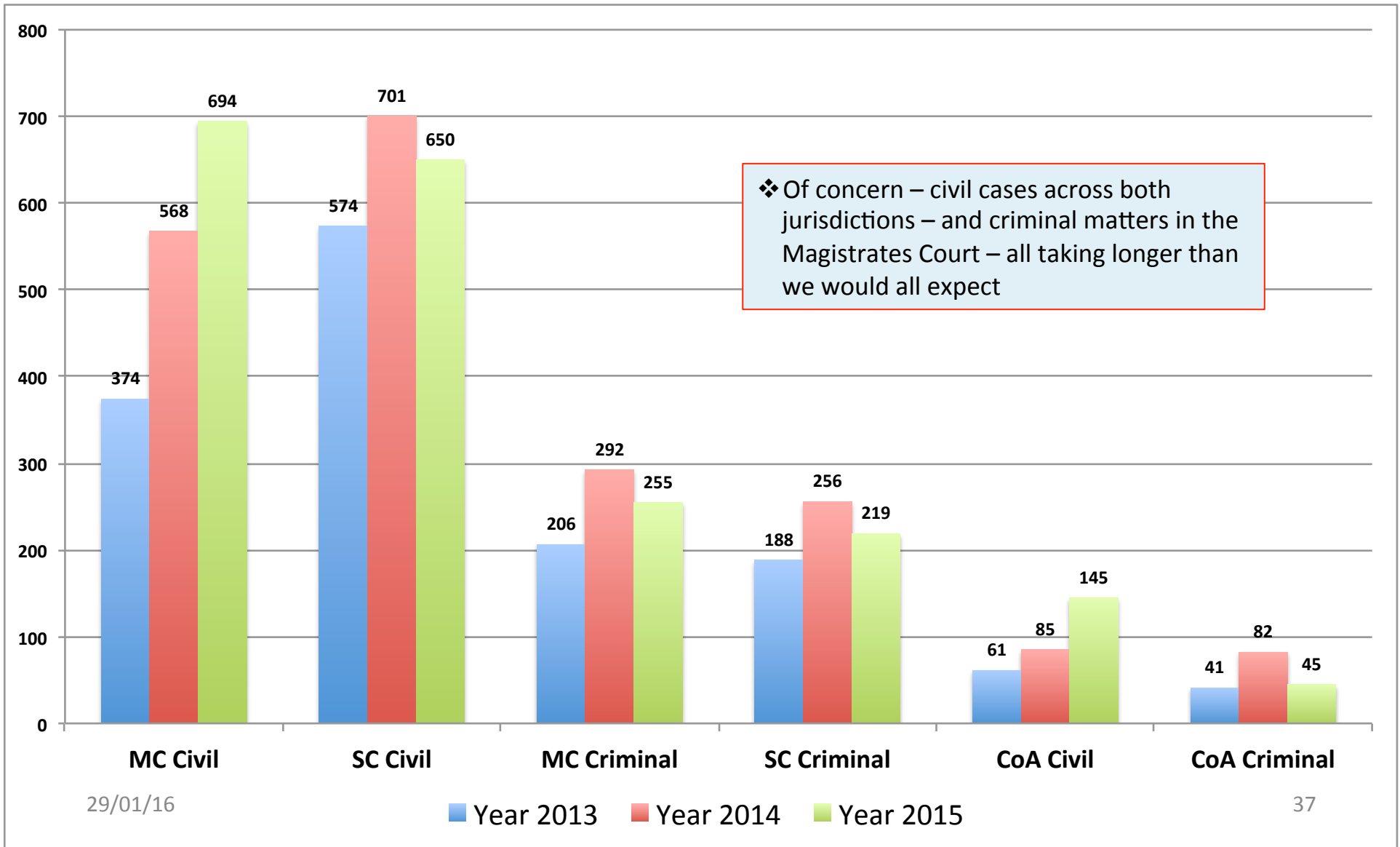
4. SC Trends over 4 years



This section shows the trend of average time to finalise the major case types in the Supreme Court and Magistrates Court over the last three years.

5 – TIMELINESS OF FINALISED CASES BY CASE TYPE BY JURISDICTION

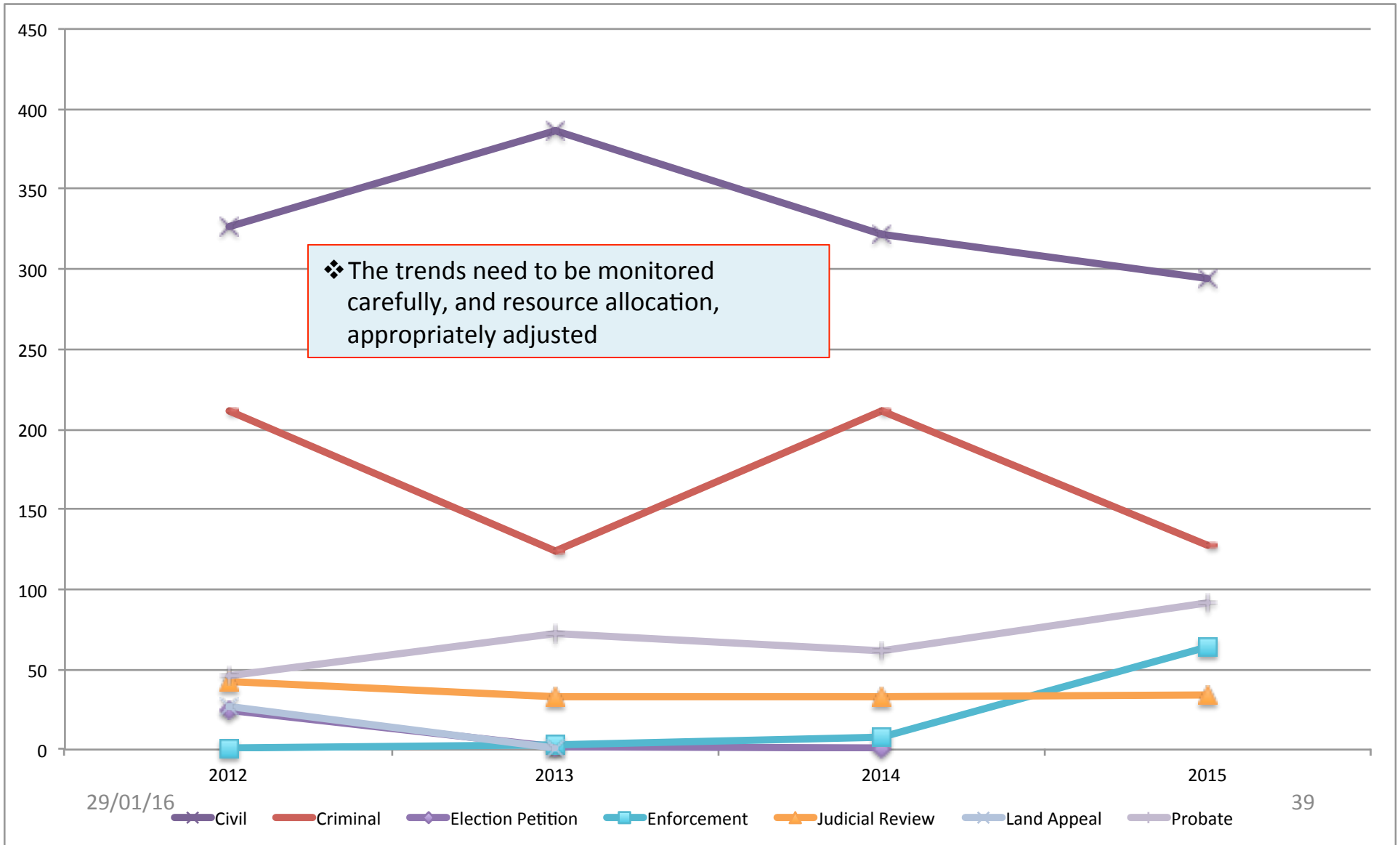
5. Average elapsed days to finalise



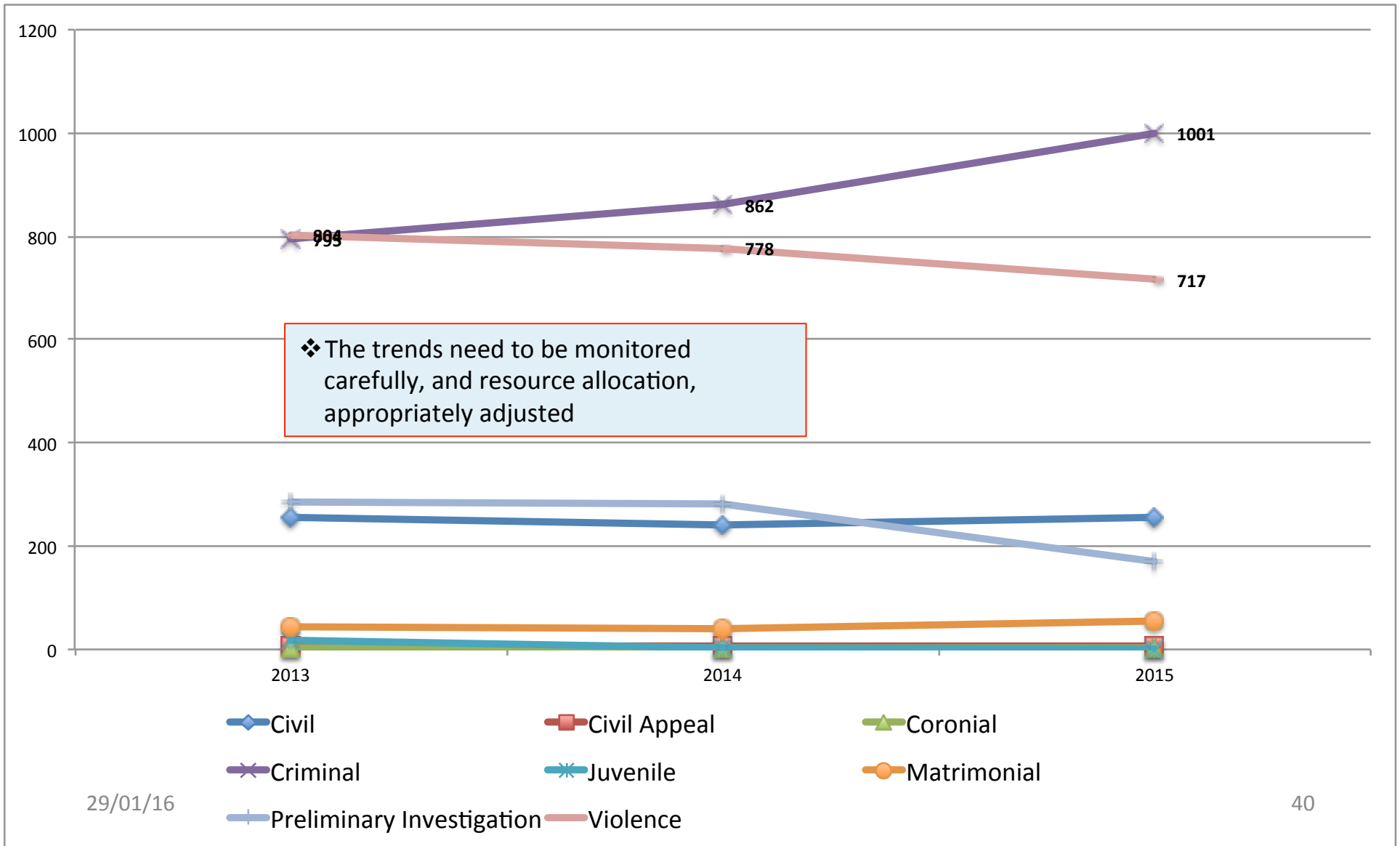
This section shows the trend of filings by major case types in the Supreme Court and Magistrates Court over the last three years.

6 – CASE TYPE TRENDS BY JURISDICTION

6. Supreme Court



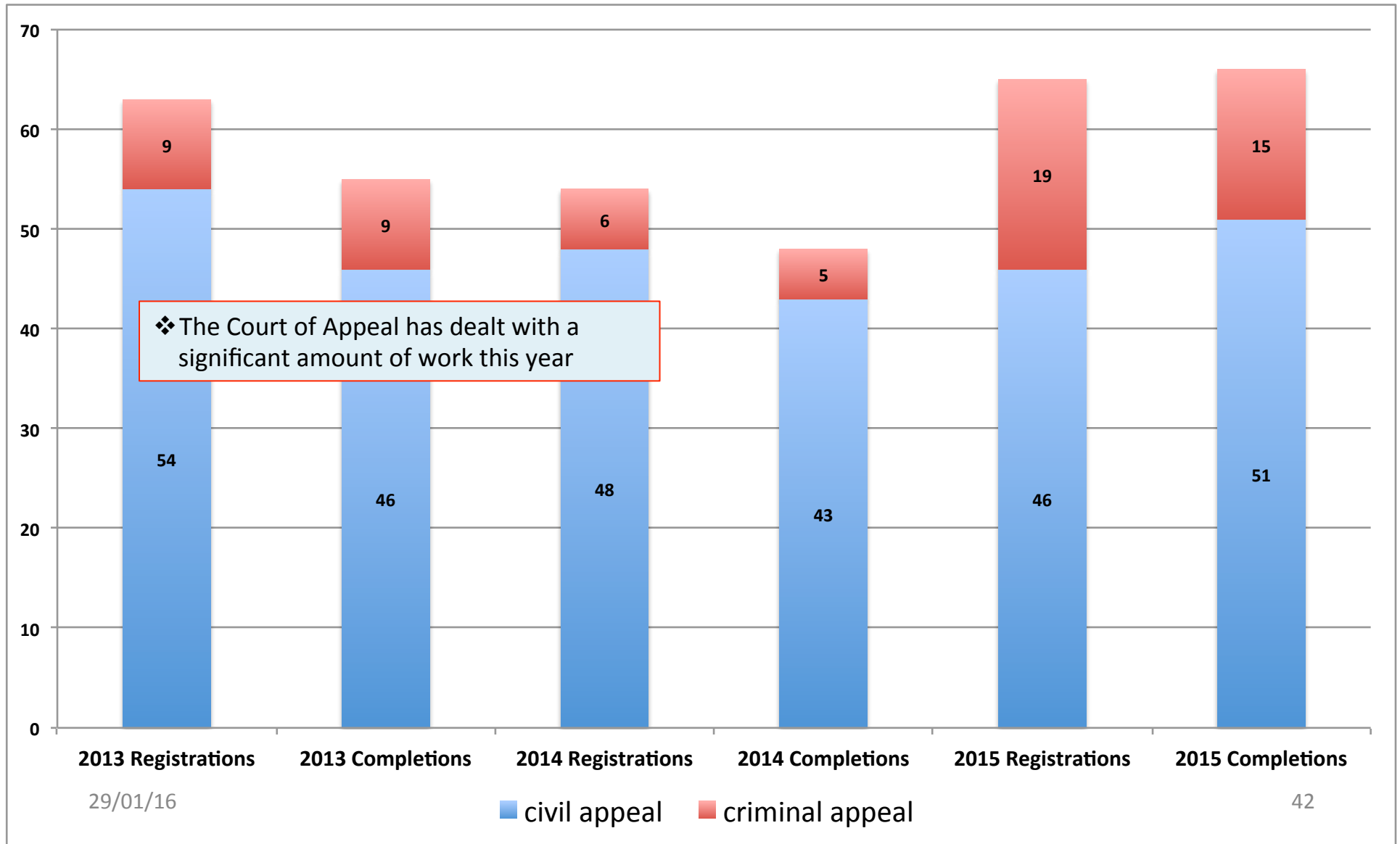
6. Magistrates Court



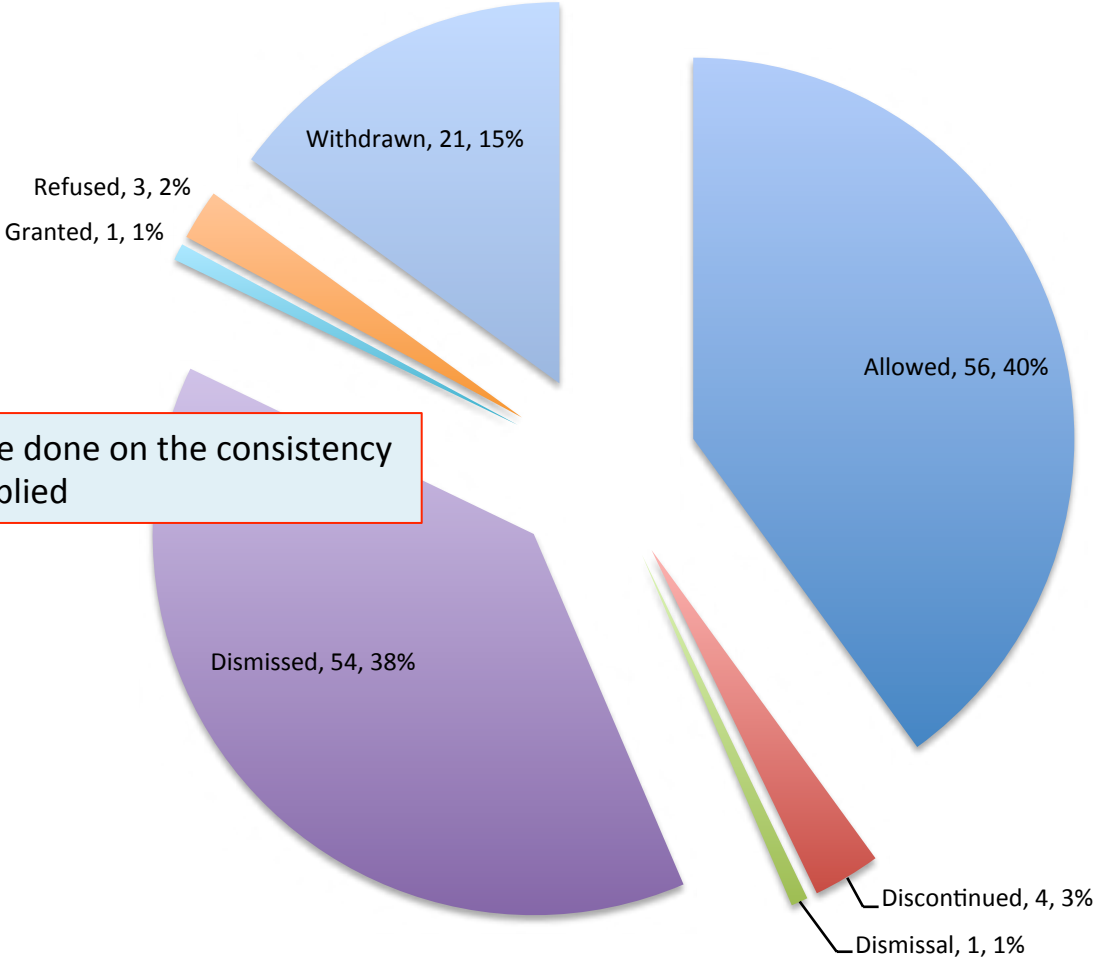
This section shows key indicators for the Court of Appeal, namely – yearly filings and disposals, and the means of outcome for civil and criminal appeals

7 – COURT OF APPEAL

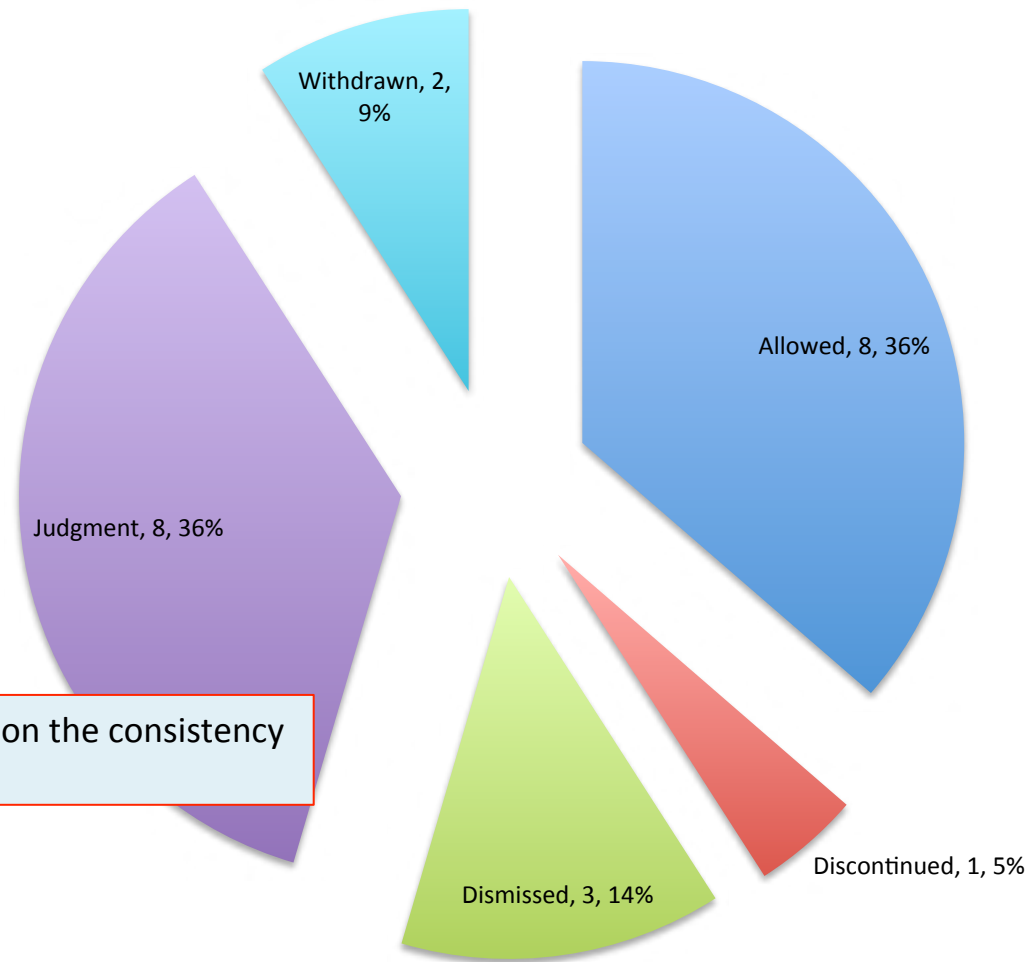
7a. Yearly filings and disposals



7b. Historical outcomes – Civil Appeals



7b. Historical outcomes – Criminal Appeals



❖ More work to be done on the consistency of outcomes applied