

**JERSEY LEGAL INFORMATION BOARD**

**Annual Report and Financial Statements**

**31 December 2008**

**ANNUAL REPORT AND FINANCIAL STATEMENTS  
31 DECEMBER 2008**

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# **JERSEY LEGAL INFORMATION BOARD (JLIB) OFFICERS AND PROFESSIONAL ADVISERS**

## **BOARD MEMBERS**

The Bailiff, Sir Philip Bailhache (Chairman)

William Bailhache QC

Carol Canavan (resigned 18 September 2008)

Michael de la Haye

Advocate Tim Herbert (appointed 18 September 2008)

James Lambert

Senator Philip Ozouf

Advocate Carl Parslow

Pam Staley

Neil Wells

Michael Wilkins

## **JLIB PROGRAMMME DIRECTOR**

Sara O'Donnell

## **ADVISER TO JLIB**

Professor Richard Susskind OBE

## ANNUAL REPORT FOR 2008

The Jersey Legal Information Board (JLIB) commenced its work in August 1998, and has since achieved significant advances. In August 2008, JLIB celebrated its tenth anniversary; the event was marked by a reception and presentation by Professor Richard Susskind OBE.

In 2008, JLIB completed the most recent phase in the development of its website, JLIB's flagship project. The work included creating a more cohesive and modern look and feel to the website, re-naming it as [jerseylaw.je](http://jerseylaw.je), and commencing the creation of an on-line library of legal texts. Also, the search facility was considerably enhanced, and new technologies employed, including RSS feeds. A new initiative to provide annotated versions of certain laws (with case notes and hyperlinks to Jersey Law Reports and Jersey Judgments) was progressed during the year, with the intention that an annotated version of the Trusts (Jersey) Law 1984 will be available on the website early in 2009. The annual update to the revised edition of the laws was published on the website in April 2008.

Such enhancements ensure that the website continues to remain the envy of other jurisdictions as well as a valuable resource for all who live and work in the Island. Following the launch of the newly developed website, a number of user forums took place in the Old Library, in order to advise users on how to make best use of the website and to receive feedback for further improvements. As a consequence, additional enhancements will be undertaken in 2009.

Whether in terms of adding content or developing its structure, the website project absorbs the majority of JLIB's resources, both financially and in relation to staff time. As a matter of record, it should be noted that the intellectual property within the software developed for the website is wholly owned by JLIB.

Installation of equipment for provision of wireless hot-spots in the Royal Court Building was completed in 2008, allowing users of the Courts to access the Internet free of charge, thus enabling them to work more effectively and efficiently whilst away from their offices. Further work continued in 2008 towards the establishment of an Institute of Law for the Island. This will provide training for the local professional legal examinations and will facilitate the re-establishment of a Law Library. It is anticipated that the Institute will open its doors to the first cohort of students in September 2009.

During 2008, the initiative to commence a project to integrate the Criminal Justice system, utilising Information Technology where appropriate, made only slow progress. This was due in part to the inability to identify a suitable sponsor for the project and changes in Home Affairs arising from the 2008 elections. However, all the agencies directly involved in Criminal Justice are committed to this project, and any further investment by any individual department in new IT will take into account compatibility with other operating platforms. This will ensure that the barriers to providing a fully integrated system will in future be considerably lowered.

In October 2008, JLIB was represented at the Ninth International Conference on Law via the Internet in Florence; as a consequence, JLIB joined the Free Access to Law Movement. The Movement is an international confederation of legal information institutes which seeks to make public legal information (principally, legislation and case law) freely available and easily accessible.

Since incorporation in 2004, JLIB has put procedures in place to ensure that it adheres to best practice and to ensure that its finances, accounts and administration are able to stand up to scrutiny, as well as being transparent. This has included the formulation of a code of best practice for its members to adhere to, as well as engaging external auditors (whose report is also contained in this document). JLIB is funded from both the public sector and the private sector. The contribution by Jersey law firms towards the funding of JLIB continues to be significant, and has ensured that JLIB is in a position to continue to develop the website and provide added value to its users. Close links with the Law Society of Jersey continue to be maintained with the appointment of two of its representatives to the Board. In addition, both representatives are ex officio members of the Executive Group.

JLIB would require a combined revenue and capital budget of approximately £400,000 per annum, in order to achieve all of its strategic aims, especially its aim to support Jersey's position as a leading business centre. Whilst it is difficult to undertake a cost-benefit analysis, the social benefits of JLIB's work are self-evident, particularly in relation to making the law and legal processes freely accessible to the public. Moreover, the extent to which the website continues to be consulted by a wide range of users testifies to its importance as a resource which is valued by the legal profession, as well as the wider public (including, for example, users in the financial services sector, both in and outside the Island).

The table below sets out some of the achievements made in 2008; with continued financial support, JLIB will be able to make further progress in the coming years.

## ANNUAL REPORT FOR 2008

Project	Achievements in 2008
Website	<ul style="list-style-type: none"> <li>• Continued the publication of Jersey’s customary and civil law</li> <li>• Continued on-line publication of revised Royal Court Rules</li> <li>• Continued on-line publication of all Practice Directions</li> <li>• Continued on-line publication of the Jersey and Guernsey Law Review</li> <li>• Continued on-line publication of past papers for the Advocates and Solicitors examinations, and other materials for law students</li> <li>• Continued on-line publication of Jersey law firms list</li> <li>• Updated the Citizen’s section based around life events</li> <li>• Completed new phase of development of the website</li> <li>• Commenced creation of on-line library of legal texts</li> <li>• Commenced annotation of Trusts (Jersey) Law 1984</li> </ul>
Legislation Revision	<ul style="list-style-type: none"> <li>• Continued on-line publication of Jersey’s legislation, as enacted</li> <li>• Continued on-line publication of Jersey’s legislation, as adopted</li> <li>• Continued on-line publication of revised legislation</li> </ul>
Case Law	<ul style="list-style-type: none"> <li>• Continued on-line publication of Jersey Law Reports (and index) for 1985 to 2007</li> <li>• Continued on-line publication of Jersey’s Unreported Judgments</li> </ul>
On-line Guidance	<ul style="list-style-type: none"> <li>• Prepared for the establishment of an Institute of Law</li> </ul>
Civil Justice	<ul style="list-style-type: none"> <li>• Initiated a project to introduce a mediation centre</li> <li>• Continued involvement with Jersey Accredited Mediators Association and the promotion of mediation as an alternative mode of dispute resolution</li> </ul>
Criminal Justice	<ul style="list-style-type: none"> <li>• Continued project with the Home Affairs Minister and Department for the further integration of the Criminal Justice system</li> </ul>
Land Registry	<ul style="list-style-type: none"> <li>• Considered possible reforms to the Jersey Land Registry system</li> </ul>
Research and Development	<ul style="list-style-type: none"> <li>• Continued to equip courts with digital recording and retrieval systems</li> <li>• Continued to provide video-conferencing facilities in a number of matters before the Courts, including delivery of reserved judgments and directions hearings before the Court of Appeal</li> <li>• Installed wireless hot-spots in the Royal Court Building</li> </ul>
Consultation	<ul style="list-style-type: none"> <li>• Continued collection of feedback received from users of the JLIB website</li> <li>• Continued to consult with users regarding the search facility and overall appearance of the website</li> <li>• Continued with the new LINK discussion forum on the website (developed to make it accessible to members of the public and more readily accessible generally)</li> </ul>
Programme Management/ Administration	<ul style="list-style-type: none"> <li>• Continued appointment of a part-time Programme Director to provide programme management leadership, and to oversee JLIB’s administration and finances</li> <li>• Continued the use of a code of best practice for members of the Jersey Legal Information Board</li> <li>• Continued to make use of an Executive Group to implement the strategy and policy of the Jersey Legal Information Board</li> </ul>

## **STATEMENT OF ACCOUNTING OFFICER'S RESPONSIBILITIES**

The Jersey Legal Information Board is not a States funded body under the Public Finances (Jersey) Law 2005. However, in 2008 the Board appointed a person to fulfil the functions of Accounting Officer with responsibility for preparing the Board's accounts and for transmitting them to the relevant authorities.

In preparing those financial statements the Accounting Officer:

- applies generally accepted accounting principles;
- selects suitable accounting policies and then applies them consistently;
- makes judgements and estimates that are reasonable and prudent; and
- generally, prepares the financial statements on the going concern basis.

The Accounting Officer is responsible for keeping proper accounting records that disclose with reasonable accuracy at any time the financial position of the Board, enabling them to ensure that the financial statements comply with best practice. The Accounting Officer is also responsible for safeguarding the assets of the Board, and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

## **STATEMENT ON INTERNAL CONTROL**

### **Scope of responsibility**

The Accounting Officer has responsibility for maintaining a sound system of internal control that supports the achievement of the Jersey Legal Information Board's policies, aims and objectives as set out by the members thereof, whilst safeguarding the public and other funding for which the Accounting Officer is responsible in accordance with the responsibilities assigned.

### **The purpose of the system of internal control**

The system of internal control is designed to manage risk to a reasonable level, rather than to eliminate all risk of failure to achieve policies, aims and objectives. It therefore only provides reasonable, and not absolute, assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Board's policies, aims and objectives; to evaluate the likelihood of those risks being realised; and to manage them efficiently, effectively and economically. The system of internal control has been in place during the financial year ended 31 December 2008 and will be maintained for subsequent financial years thereafter.

### **The risk and control framework**

#### *Risk Criteria and Evaluation*

The specific approach is tailored to fit the circumstances of each area, but risk management operates on consistent principles of identifying and analysing the management risks against objectives.

Risks are assessed for likelihood and potential impact in order to help determine priority risks for action. Accountability for management of individual risks is established as an essential part of the risk management policy.

#### *Risk Management Process*

Risks are assessed, managed and reported at strategic and project level. Over-arching threats to delivery are reported to the full Jersey Legal Information Board, which reviews progress of projects against plans set as part of the planning process on a twice yearly basis.

### **Review of effectiveness**

The Accounting Officer also has responsibility for reviewing the effectiveness of the system of internal control. The review of the system of internal control is informed by the work of an agreed auditing process and the executive management of the Jersey Legal Information Board, who have responsibility for the development and maintenance of the internal control framework, and comments made as a result of the agreed auditing process.

#### *Jersey Legal Information Board*

The full board of the Jersey Legal Information Board which is comprised of those members as set out on page 1, meets twice yearly to consider the strategic direction and projects of the Jersey Legal Information Board.

## **INDEPENDENT AUDITORS' REPORT TO THE MEMBERS OF JERSEY LEGAL INFORMATION BOARD**

We have audited the non statutory financial statements of Jersey Legal Information Board for the year ended 31 December 2008 which comprise the profit and loss account, the balance sheet, the statement of movement in total funds and the related notes 1 to 10. These financial statements have been prepared under the accounting policies set out therein.

This report is made solely to the Board's members, as a body, in accordance with our engagement letter. Our audit work has been undertaken so that we might state to the Board members those matters we are required to state to them in an auditors' report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the Board's members as a body, for our audit work, for this report, or for the opinions we have formed.

### **Respective responsibilities of directors and auditors**

The Board's responsibilities for preparing the non statutory financial statements in accordance with Accounting Standards (United Kingdom Generally Accepted Accounting Practice) are set out in the Statement of Accounting Officer's Responsibilities.

Our responsibility is to audit the non statutory financial statements in accordance with relevant legal and regulatory requirements and International Standards on Auditing (UK and Ireland).

We report to you our opinion as to whether the non statutory financial statements give a true and fair view and are properly prepared in accordance with applicable laws. We also report to you if, in our opinion, the Annual Report is not consistent with the financial statements, if the Board has not kept proper accounting records or if we have not received all the information and explanations we require for our audit.

We read the Annual Report for the above year and consider the implications for our report if we become aware of any apparent misstatements or material inconsistencies with the financial statements.

### **Basis of audit opinion**

We conducted our audit in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the financial statements. It also includes an assessment of the significant estimates and judgments made by the Board in the preparation of the financial statements, and of whether the accounting policies are appropriate to the Board's circumstances, consistently applied and adequately disclosed.

We planned and performed our audit so as to obtain all the information and explanations which we considered necessary in order to provide us with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or other irregularity or error. In forming our opinion we also evaluated the overall adequacy of the presentation of information in the financial statements.

**Opinion**

In our opinion the financial statements give a true and fair view, in accordance with United Kingdom Generally Accepted Accounting Practice, of the state of the Board's affairs as at 31 December 2008 and of its loss for the year then ended.

Date

**Deloitte LLP**  
Chartered Accountants  
St Helier, Jersey

**PROFIT AND LOSS ACCOUNT**  
**1 January 2008 to 31 December 2008**

	Notes	1 January 2008 to 31 December 2008	1 January 2007 to 31 December 2007
		£	£
<b>INCOME</b>	2		
Website usage subscriptions		114,998	105,450
Bank interest		11,114	2,511
		<hr/> 126,112	<hr/> 107,961
		<hr/>	<hr/>
<b>EXPENDITURE</b>			
Website	9	104,727	163,288
Legislation revision		3,001	-
Case law		1,777	10,210
On-line guidance		8,000	9,340
Civil justice		-	762
Criminal justice		770	-
Land registry		-	-
Programme management and administration		61,926	61,743
Audit fee		2,850	5,000
		<hr/> 183,050	<hr/> 250,343
		<hr/>	<hr/>
<b>Retained loss for the financial year, transferred to accumulated deficit</b>	6	<hr/> (56,938)	<hr/> (142,382)
		<hr/>	<hr/>

All activities are derived from continuing operations.

**BALANCE SHEET**  
**31 December 2008**

	Notes	31 December 2008 £	31 December 2007 £
<b>CURRENT ASSETS</b>			
Cash at bank	3	464,167	364,997
		<hr/>	<hr/>
		464,167	364,997
<b>CREDITORS: amounts falling due within one year</b>			
	4	(8,240)	(9,108)
		<hr/>	<hr/>
		(8,240)	(9,108)
<b>NET CURRENT ASSETS</b>			
		<hr/>	<hr/>
		455,927	355,889
<b>CAPITAL AND RESERVES</b>			
Reserves	5	842,520	685,544
Accumulated deficit	6	(386,593)	(329,655)
<b>NET FUNDS</b>			
		<hr/>	<hr/>
		455,927	355,889
		<hr/>	<hr/>

These financial statements were approved by the Board of the Jersey Legal Information Board on 29 May 2009.  
Signed on behalf of the Board.

James Lambert

**STATEMENT OF MOVEMENT IN TOTAL FUNDS**  
**1 January 2008 to 31 December 2008**

	<b>31 December 2008</b>	<b>31 December 2007</b>
	<b>£</b>	<b>£</b>
Loss for the year	(56,938)	(142,382)
Funding received	156,976	255,913
	<hr/>	<hr/>
<b>Net addition to net funds</b>	100,038	113,531
Opening net funds	355,889	242,358
	<hr/>	<hr/>
<b>Closing net funds</b>	455,927	355,889
	<hr/> <hr/>	<hr/> <hr/>

## NOTES TO THE FINANCIAL STATEMENTS

1 January 2008 to 31 December 2008

### 1. INCORPORATION

The Jersey Legal Information Board was incorporated pursuant to the Jersey Legal Information Board (Incorporation) Law 2004, which law was registered by the Royal Court of Jersey on 27 August 2004.

### 2. ACCOUNTING POLICIES

The financial statements have been prepared in accordance with accounting standards applicable in the United Kingdom. The particular accounting policies adopted are described below.

#### Accounting convention

The financial statements are prepared under the historical cost convention.

#### Income

Income is comprised of website usage subscriptions and bank interest. The subscription income is recognised over the period during which the benefit for such subscriptions are derived. Income received in advance is treated as deferred income and released to the income and expenditure account during the period of account to which it relates.

#### Expenditure

Expenses are accounted for on an accruals basis.

#### Going concern

A cash flow forecast for the 12 months following the date of signing has been produced and reviewed by the Board. The Board has no fixed term borrowing and is not reliant on short term borrowings. The Board is in a net asset position at the year end and as such will be able to meet its liabilities as they fall. Consequently, the members have a reasonable expectation that the Board has adequate resources to continue in operational existence for the foreseeable future. Accordingly, the Board continues to adopt the going concern basis in preparing these financial statements.

### 3. CASH AT BANK

	31 December 2008	31 December 2007
	£	£
Cash at bank	464,167	364,997

### 4. CREDITORS: AMOUNTS FALLING DUE WITHIN ONE YEAR

	31 December 2008	31 December 2007
	£	£
Accruals	5,059	3,826
Amount due to Treasury	331	282
Audit fee	2,850	5,000
	8,240	9,108

**NOTES TO THE FINANCIAL STATEMENTS**  
**1 January 2008 to 31 December 2008**

**5. RESERVES**

	<b>31 December 2008</b>	<b>31 December 2007</b>
	<b>£</b>	<b>£</b>
Balance brought forward	685,544	429,631
Transfer from Judicial Greffe	59,976	55,913
Transfer from Viscount's Department (general)	100,000	100,000
Transfer from Viscount's Department (Institute of Law)	-	100,000
Balance carried forward	<u>842,520</u>	<u>685,544</u>

During the year, funding was received from the Judicial Greffe and the Viscount's Department in the form of capital contributions. Of the amount received from the Viscount's Department in 2007, £100,000 was earmarked for developing the Institute of Law; this amount (less £8,000 spent under the on-line guidance project for developing the Institute of Law) was transferred to the Institute of Law on 8 April 2009. Otherwise there are no restrictions attaching the use or distribution of the reserves.

**6. ACCUMULATED DEFICIT**

	<b>31 December 2008</b>	<b>31 December 2007</b>
	<b>£</b>	<b>£</b>
Balance brought forward	(329,655)	(187,273)
Deficit retained for the period	(56,938)	(142,382)
Balance carried forward	<u>(386,593)</u>	<u>(329,655)</u>

**7. TAXATION STATUS**

The Jersey tax authorities have confirmed that the Jersey Legal Information Board is a zero rate tax corporate with effect from 2009 year of assessment and that no tax issues arise for the years up to 2008 year of assessment.

**8. RELATED PARTY TRANSACTIONS**

A number of Board members are also members of law firms that use the services of the Jersey Legal Information Board. Total revenue for the year in relation to these firms was £26,500 (£16,000 in 2007). As at the year end, £nil was due to the Board (£nil in 2007). All services provided by the Jersey Legal Information Board are provided on an arms length basis.

**9. INTELLECTUAL PROPERTY**

The intellectual property within the software developed for the Jersey Legal Information Board website is wholly owned by the Jersey Legal Information Board.

**10. ULTIMATE CONTROLLING PARTY**

In the opinion of the Board members, there is no one individual who controls the Board.