

Vanuatu
Supreme Court
Magistrates Court
Island Court

2016 – A Reflection

Version 2

Key Messages

- Supreme Court
 - SC **filings** has steadily fallen from 761 in 2014 to 739 in 2015, and 687 in 2016... a drop of 7% this year
 - SC **disposals** have steadily fallen 674 in 2014 to 634 in 2015 to 607 in 2016 - despite more judicial resources
 - **Pending** has steadily grown from approx. 800 at the end of 2013 to now 1230 cases
 - **PDR** has grown from approx. 1.2 to 2.0 – a very worrying sign
 - Potential 600 cases in excess of ideal position – equating to a lot of judicial resources and/or improvements in case management handling of cases
 - **Clearance rate** (naturally) below 100% - 88% for the 2016 calendar year
 - **Timeliness** for CRIMINAL cases – still good at an average of 150 days – but CIVIL cases approximately 840 days
- Magistrates Court
 - MC **filings** dropped from 2324 in 2015 to 2135 in 2016 – a decrease of 8%
 - MC **disposals** have fallen 2244 to 1983 – a drop of approximately 9%
 - **Pending** has grown from approx. 1440 to 1570
 - **PDR** is steadily growing and now sits at 0.8
 - Potential 6-800 cases in excess of ideal position – similar concerns as for the SC
 - **Clearance rate** was 93%
 - **Timeliness** for CRIMINAL – higher than SC at 193 days
- Island Court
 - IC **filings** increased from 337 in 2015 to 681 in 2016 – a sharp increase
 - IC **disposals** have fallen 319 to 437 – a very solid increase
 - **Pending** has grown from approx. 360 to 604
 - **PDR** is steadily growing and now sits at 1.4
 - Potential 150-160 cases in excess of ideal position – similar concerns as for the SC
 - **Clearance rate** was very low at 64%

2016 Scorecard

Indicator	Supreme Court	Magistrates Court	Island Court	Court of Appeal
Filings	687 ↘	2135 ↘	681 ↗	69 →
Disposals	607 ↘	1983 ↘	437 ↗	69 →
Clearance Rate	88%	93%	64%	100%
Pending	1230 ↗	1570 ↗	593 ↗	17 →
PDR	2.0	0.8	1.4	0.2
PDR (Ideal)	1.0	0.5	1.0	0.2
Unacceptable Backlog	623	578	156	3
Disposals/JO	67 ↘	220 ↘	NA	NA
NFLs	127	263	NA	NA
Judgment Reserved	42	15	NA	NA
Old Cases (>= 2013)	335	210	108	0
# of JOs	9	9	NA	NA

Overall thoughts

- Some overall worrying signs
 - Not making in-roads into Pending, and Age of Pending naturally growing
 - Judicial output – as calculated by disposals/full time JO – continues to fall from 2012/2013
 - Overall # of NFLs a worrying concern
 - Reserved Judgments – especially in SC – still not down at acceptable levels
 - Overall position - it wont be solved by simply adding more judicial officers... each jurisdiction needs its own ‘game changer’

PRINT

Refreshed 01/01/2017

Registered Cases

Case Type

Year Registered

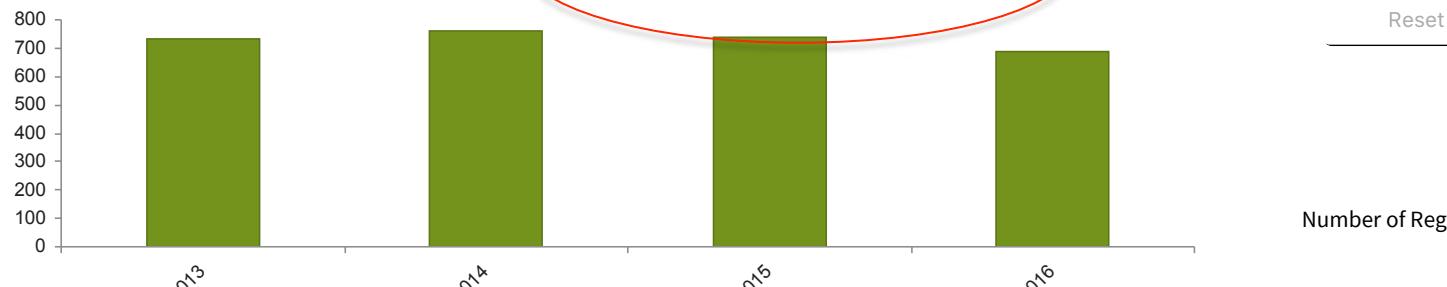
Select Location: All

Select Judicial Officer: All

Select Jurisdiction: Supreme Court

View Detail

Reset



Showing The Number of Cases Per Year

Number of Registered Cases by Jurisdiction



Showing the decline in filings in the SC over the last few years

Number of Registered Cases by Case Type

Case Type	Number of Cases
Civil	2,113
Criminal	928
Probate	373
Judicial Review	186
Bail	160
Adoption	143

Registered

Open

Closed

PRINT

Open Cases

Refreshed 01/01/2017

Case Type

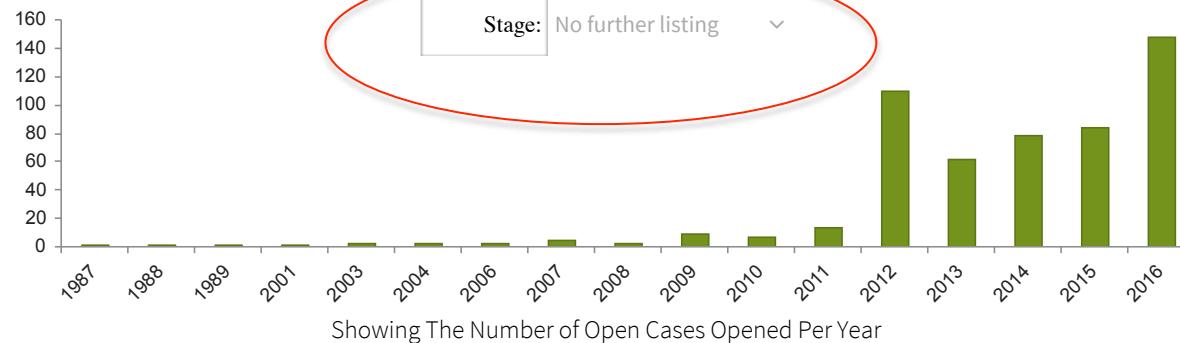
Select Location: All

Select Judicial Officer: All

Year Opened

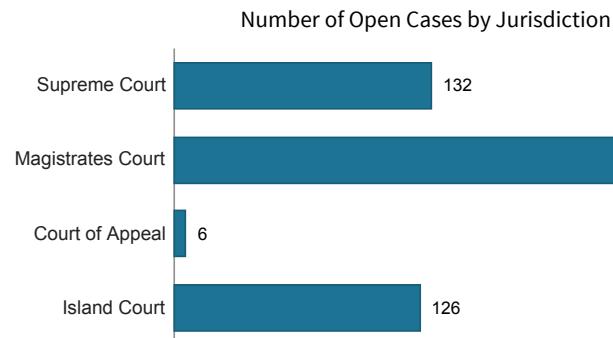
Select Jurisdiction: All

View Detail



Average Time Open
1,034 days

Number of Open Cases
527



Number of Open Cases by Case Type

Case Type	Number of Cases
Civil	254
Civil Appeal	20
Constitutional	1
Criminal	91
Criminal Appeal	4

Showing the extent of the No Future Listing by jurisdiction

PRINT

Refreshed 01/01/2017

Closed Cases

Case Type

2016

Select Location: All

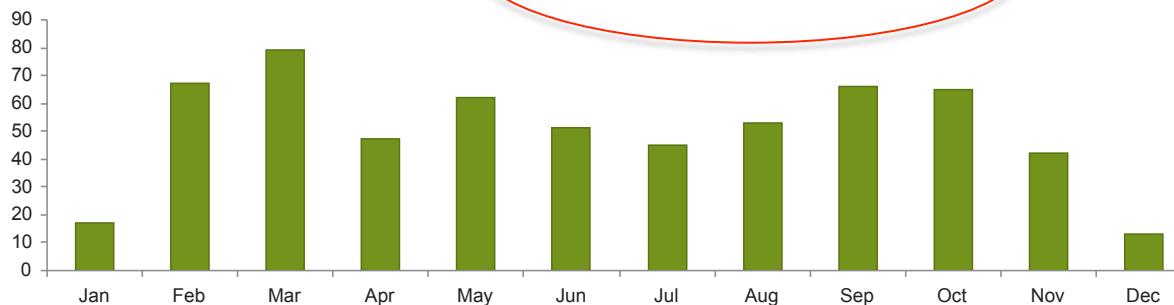
Select Judicial Officer: All

Select Jurisdiction: Supreme Court

View Outcomes

View Detail

Reset



Average Case Duration

477 days

Number of Closed Cases

607

Average Case Duration by Jurisdiction



Average Case Duration by Case Type

Case Type	Average Case Duration
Civil	838 days
Civil Appeal	471 days
Company	167 days
Constitutional	791 days
Criminal	150 days
Criminal Appeal	127 days

Showing the disposals/closed cases for the SC for 2016 – and average age of duration

of Cases

Average Case Duration

Open

Closed

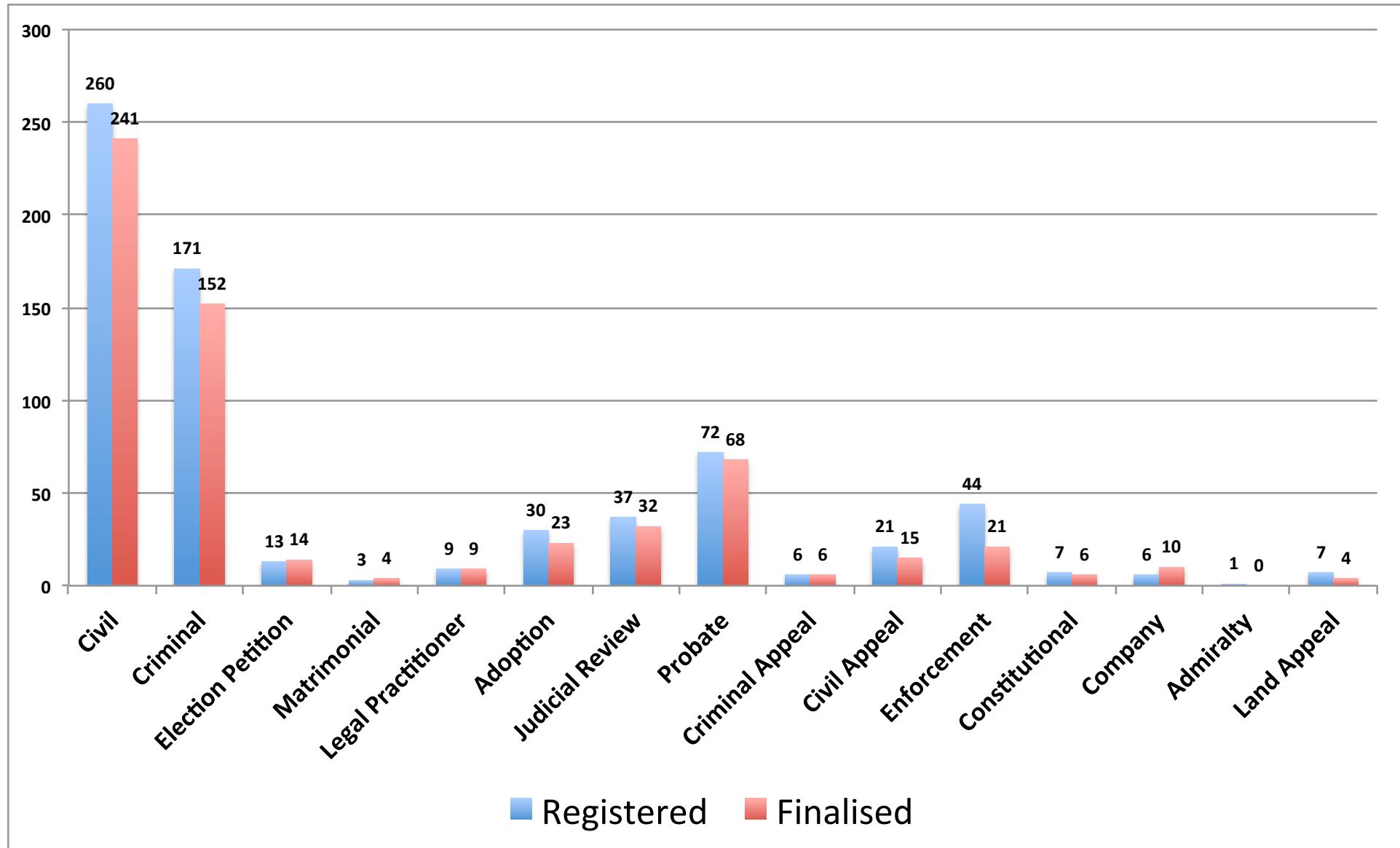
Index

1. Cases
 - a. Case type by jurisdiction – registered, finalised
 - b. Month by jurisdiction – registered, finalised
 - c. Case type by jurisdiction by location
2. Method of disposal by jurisdiction by case type
3. Pending
 - a. Pending by jurisdiction by stage
 - b. Pending by jurisdiction by age
 - c. Pending by jurisdiction by case type
4. Clearance rates
 - a. Trend of clearance rates by jurisdiction
5. Timeliness
 - a. Timeliness of cases disposed by jurisdiction by case type
6. Filing trends by jurisdiction by case type
7. Court of Appeal
 - a. Yearly registrations and finalisations by case type
 - b. Outcomes over 4 years by case type

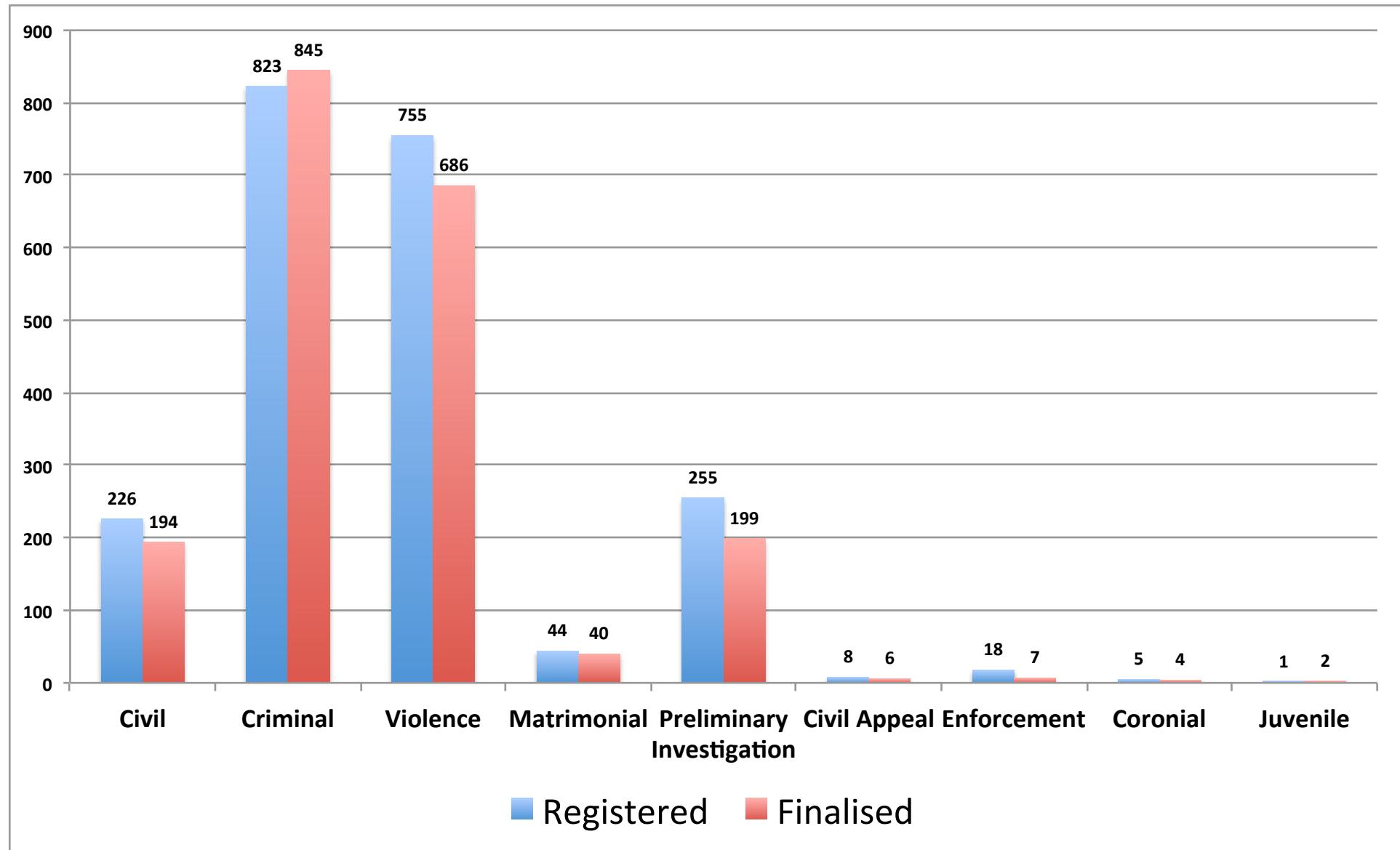
This section shows cases registered and finalised – by jurisdiction, then case type, location and month of filing. Where appropriate, clearance rate has been shown – that is – the number of cases finalised by the number of cases registered. A clearance rate of 100% represents a ‘good year’, anything greater, represents a reduction in pending cases, and anything below 100% means pending #s will have growing during the year.

1. CASES

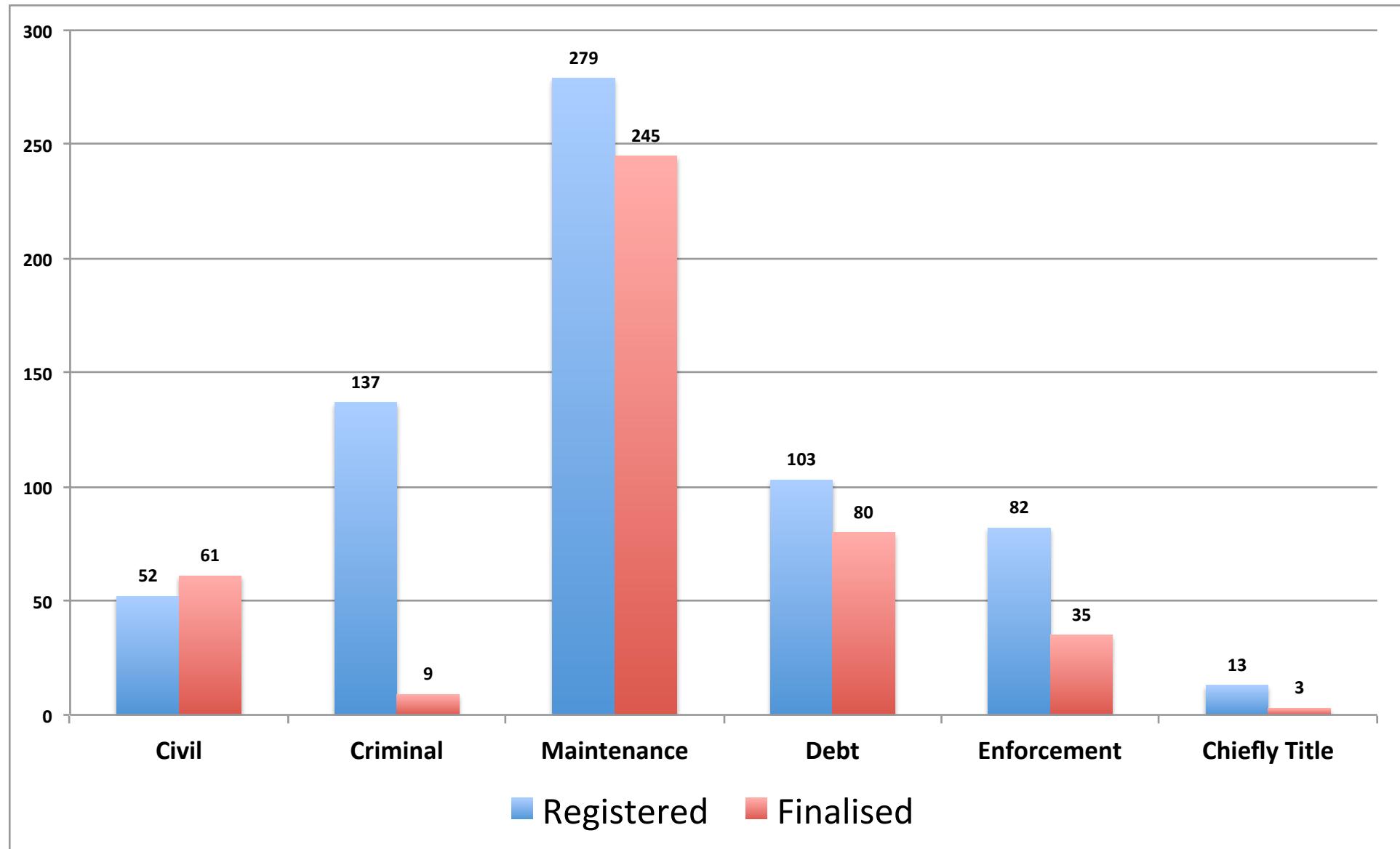
1a. SC by case type - 2016



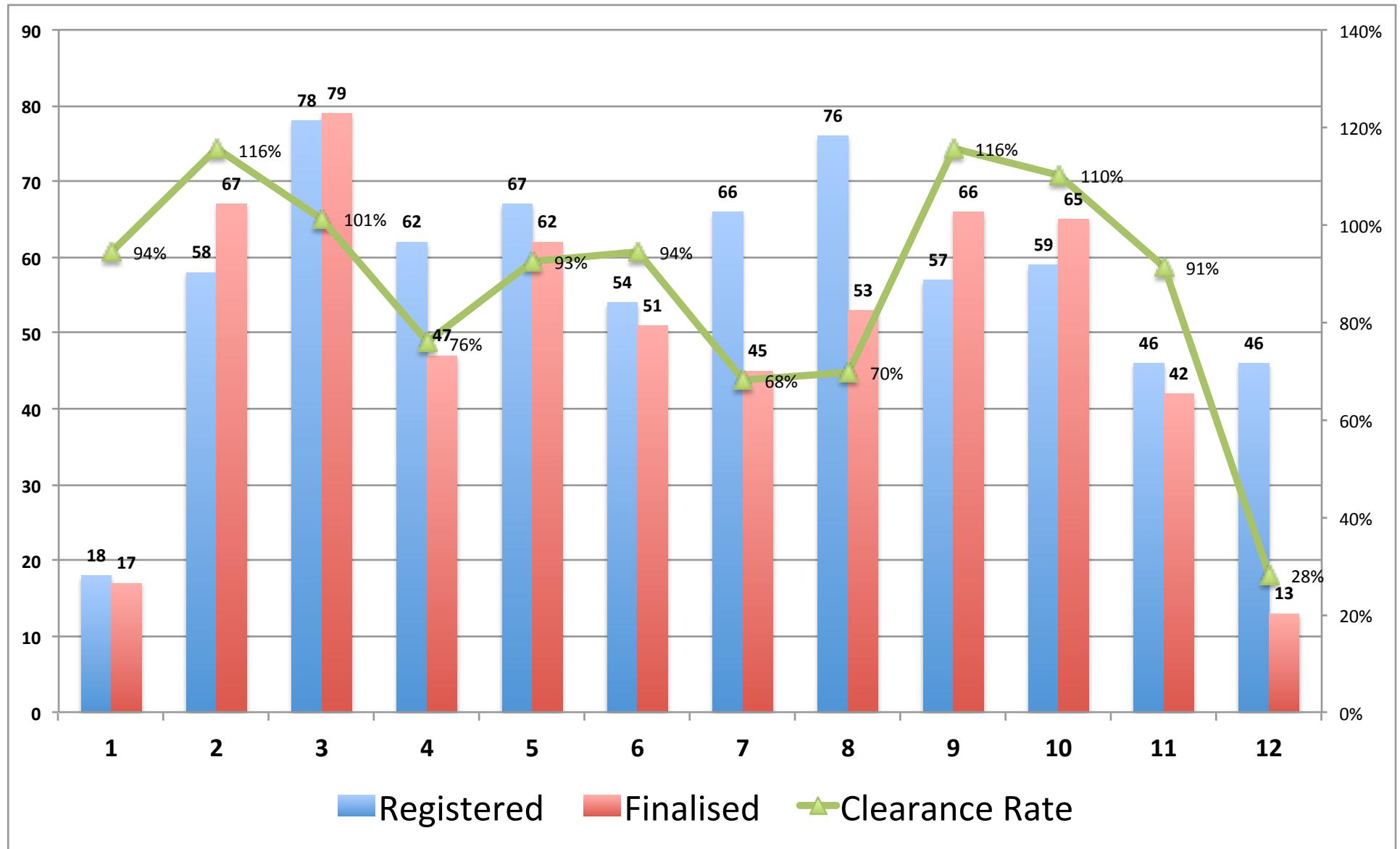
1a. MC by case type - 2016



1a. IC by case type - 2016



1b. SC by month - 2016



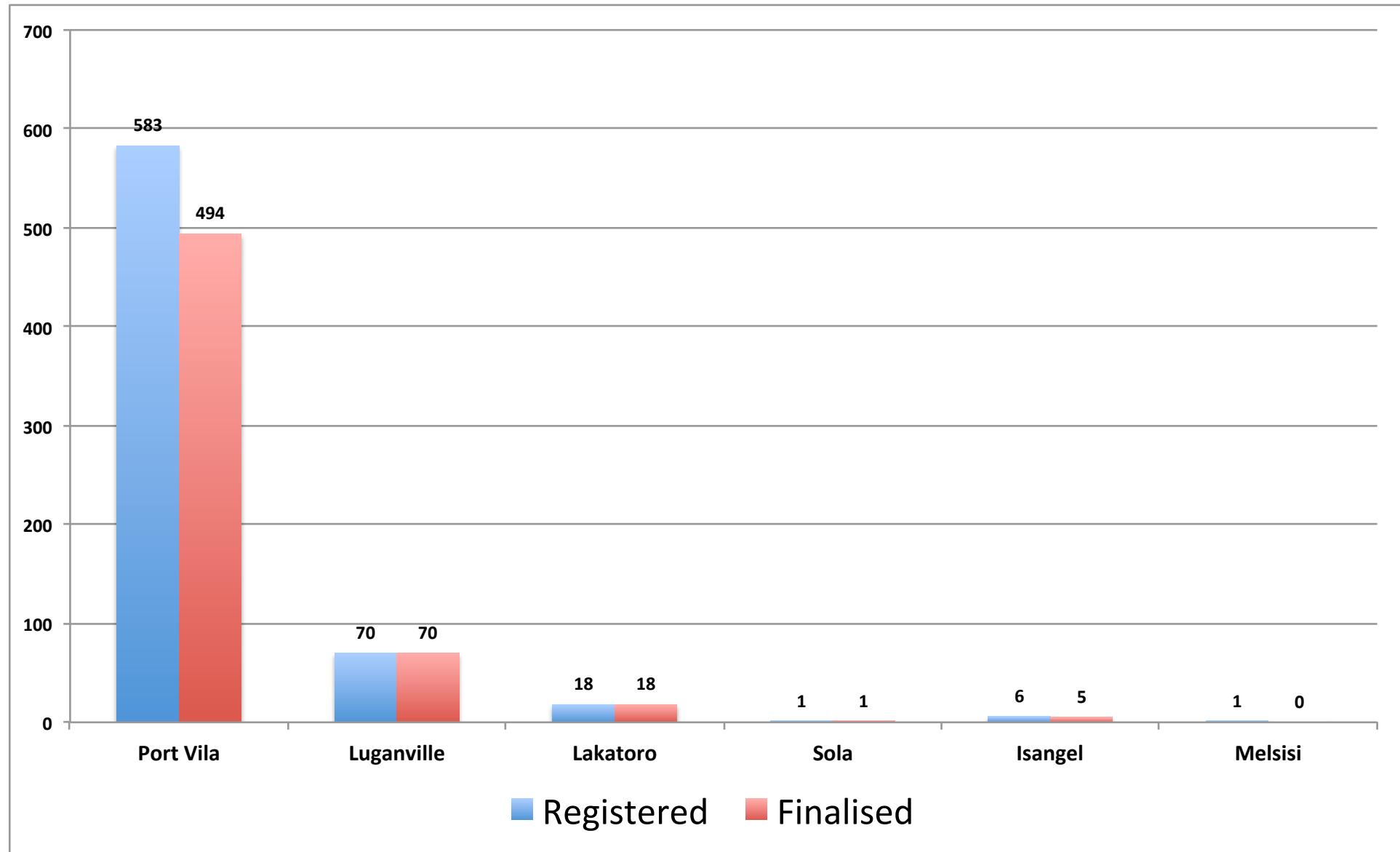
1b. MC by month - 2016



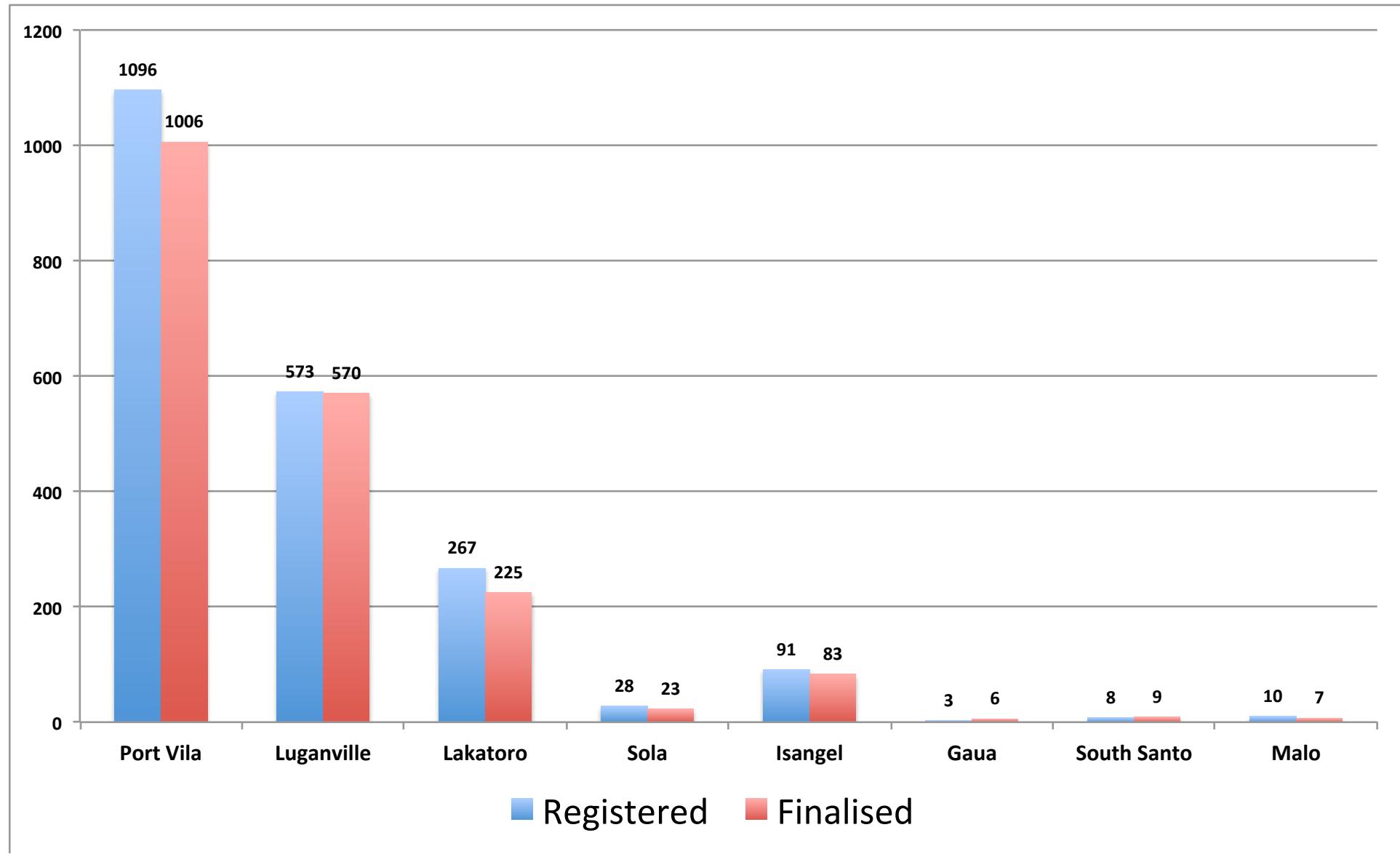
1b. IC by month - 2016



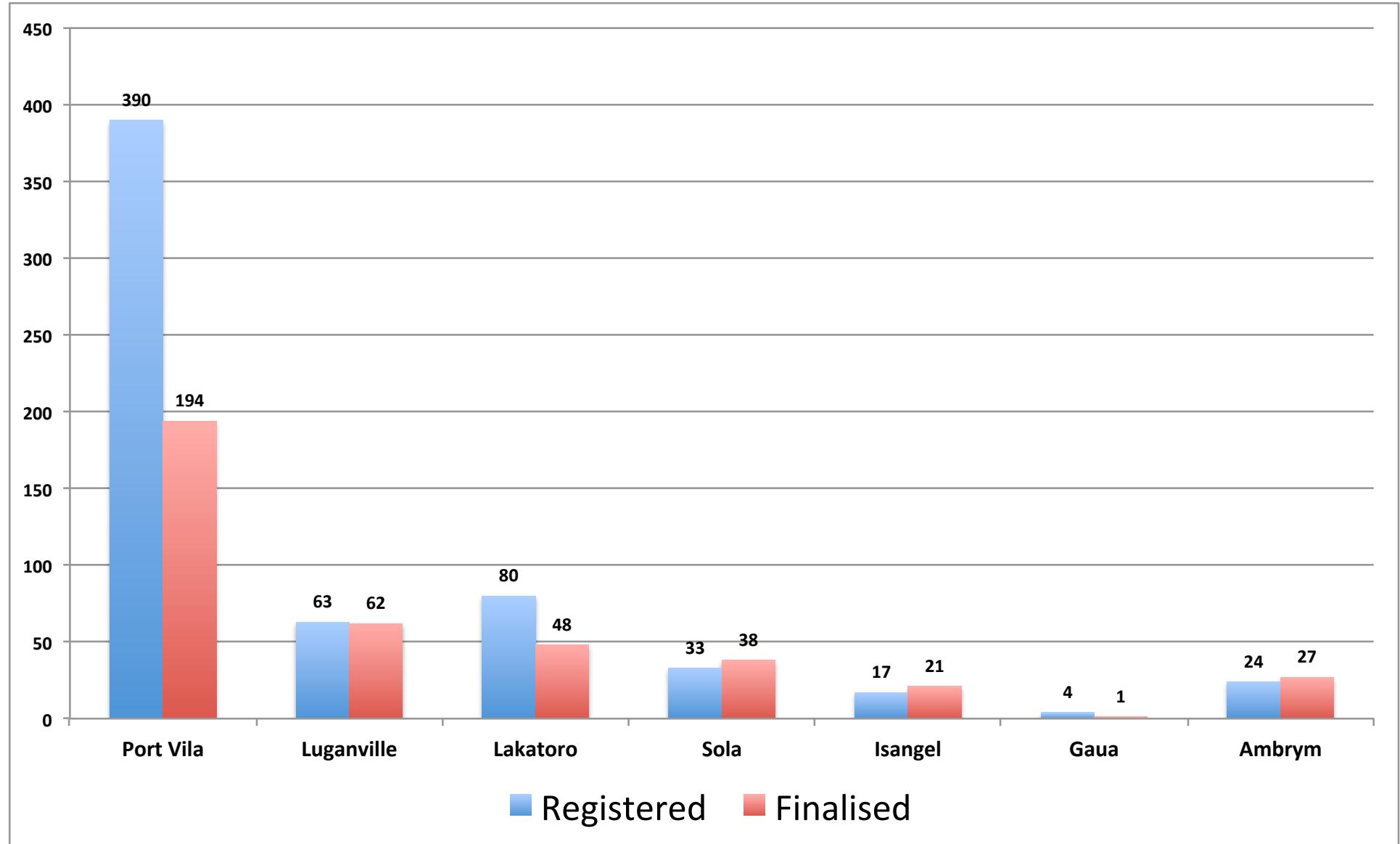
1c. SC by location - 2016



1c. MC by location - 2016

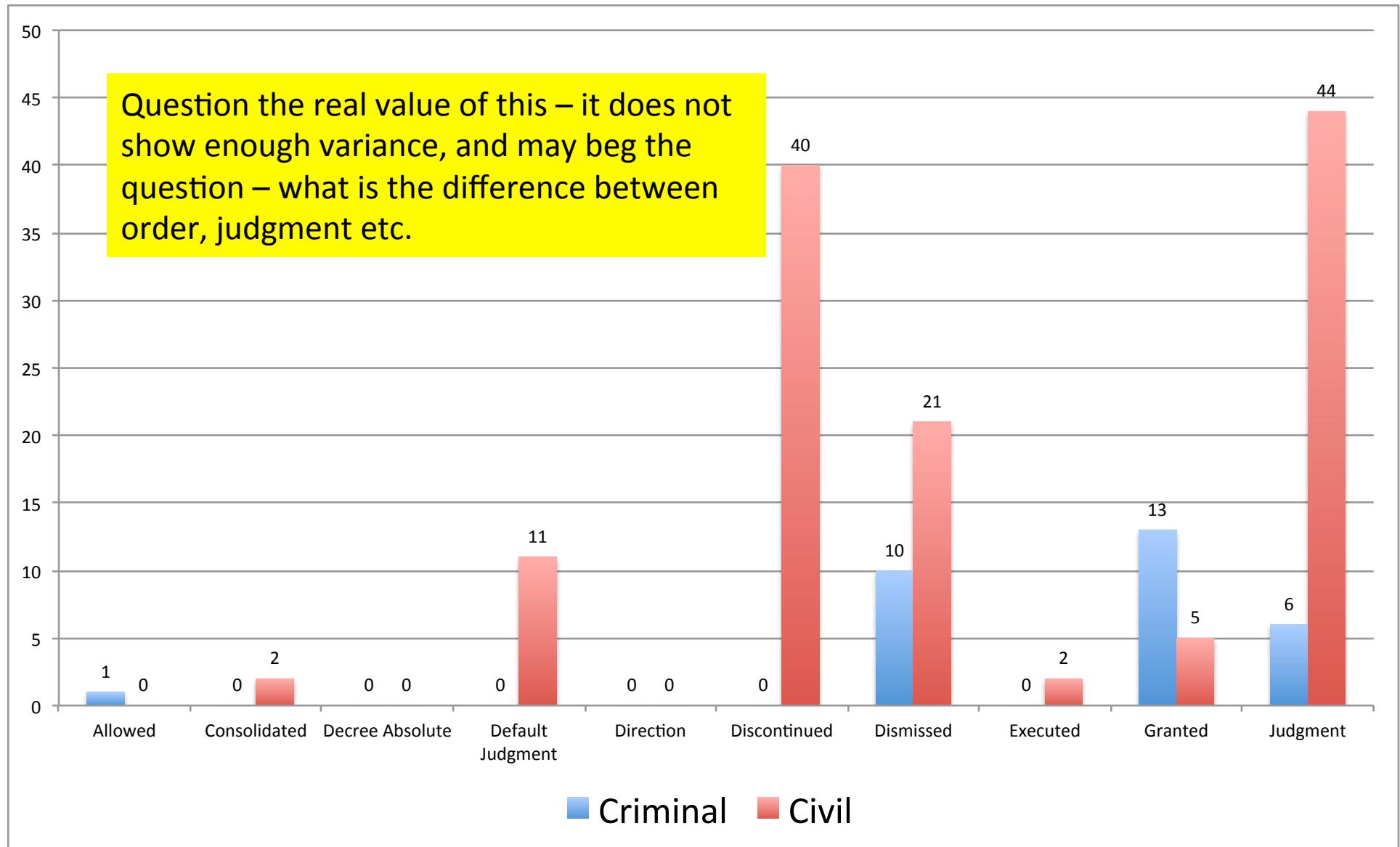


1c. IC by location - 2016

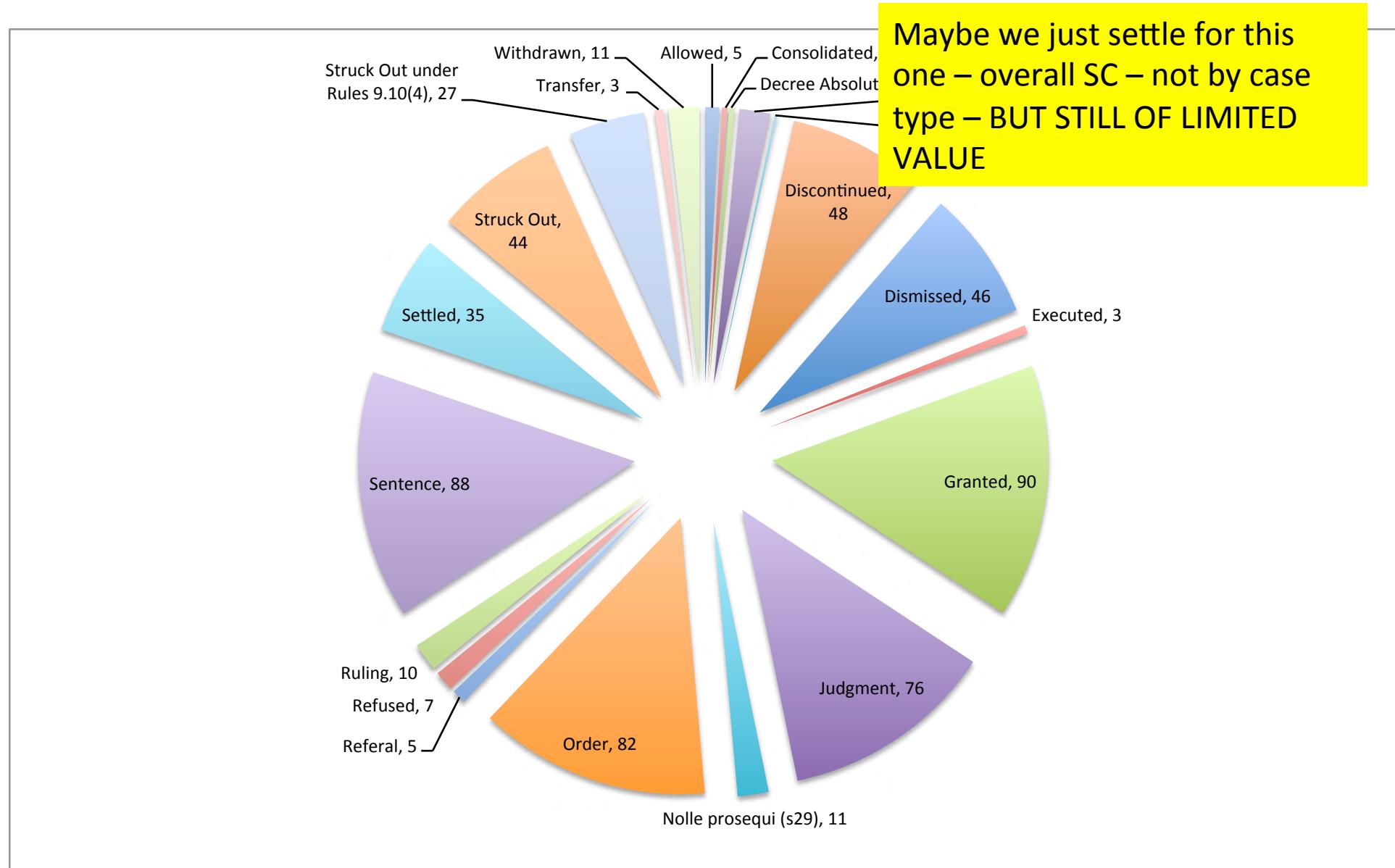


2. OUTCOMES

2. SC Outcomes



2. Overall SC outcomes



2. MC Case type outcomes by location

YEAR CLOSING	2016	▼
Jurisdiction	Magistrates Court	▼
Case Type	Violence	▼

Of interest – the variance in #/% of cases discontinued in Vila versus elsewhere (for Protection Order matters)

2. MC Case type outcomes by location

YEAR CLOSING	2016	▼		
Jurisdiction	Magistrates Court	▼		
Case Type	Criminal	▼		
Count of YEAR CLOSING	Column Labels	▼		
Row Labels	Lakatoro	Luganville Port Vila Grand Total		
Committed		7	7	
Discontinued			1	1
Dismissed	13	9	47	69
Dismissed (s127)	2		7	9
Granted	1			1
Judgment		1	1	2
Nolle prosequi (s29)	4		4	8
Order	8	72	89	169
Ruling	1			1
Sentence	51	106	70	227
Withdrawn	12	2	6	20
Withdrawn (s129)	9	81	161	251
Grand Total	108	271	386	765

Showing the small # of matters being dismissed due to non attendance by prosecution (s127)

2. SC Civil Outcomes & duration



2. SC Criminal Outcomes & duration

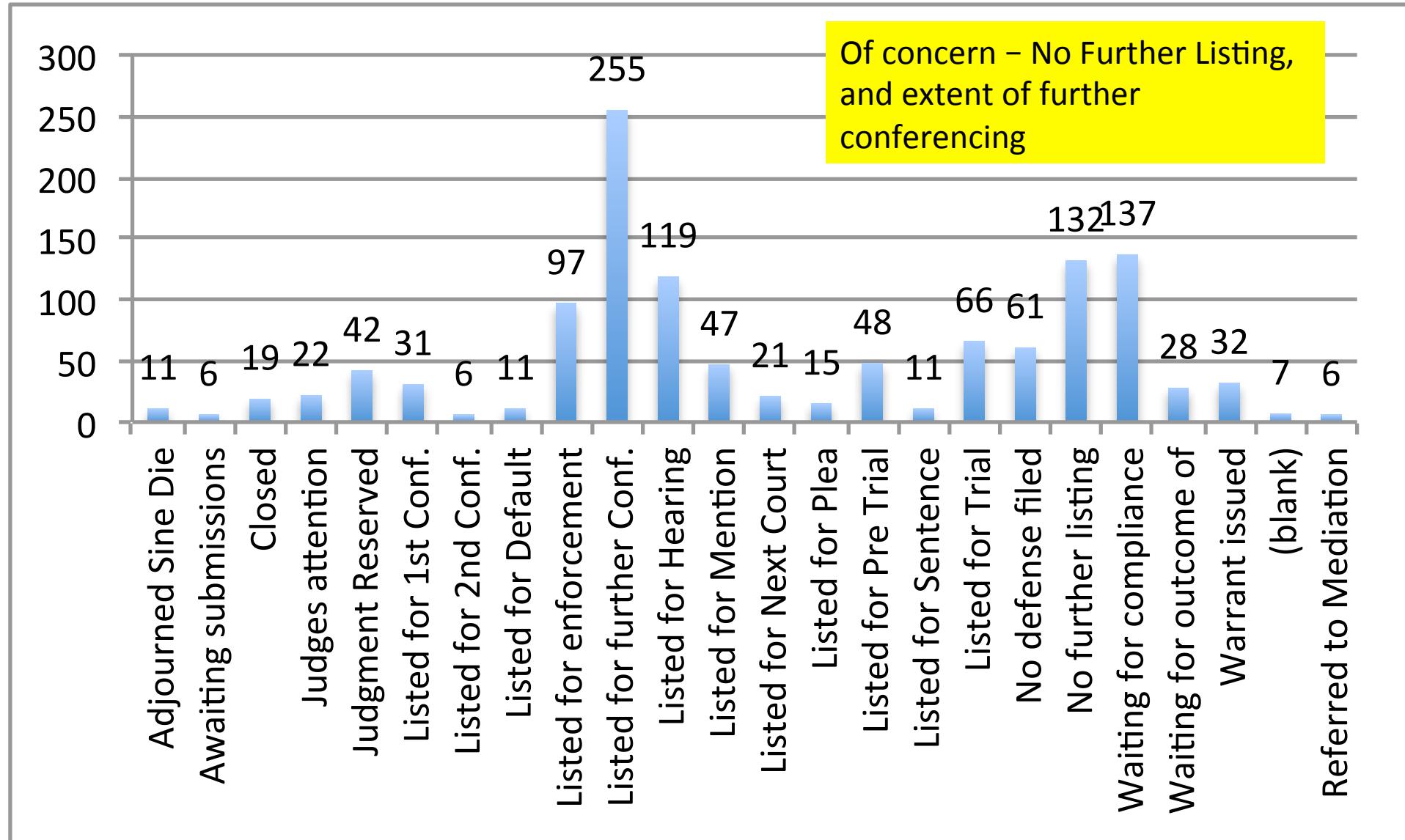
Highlights the inconsistency in outcomes used



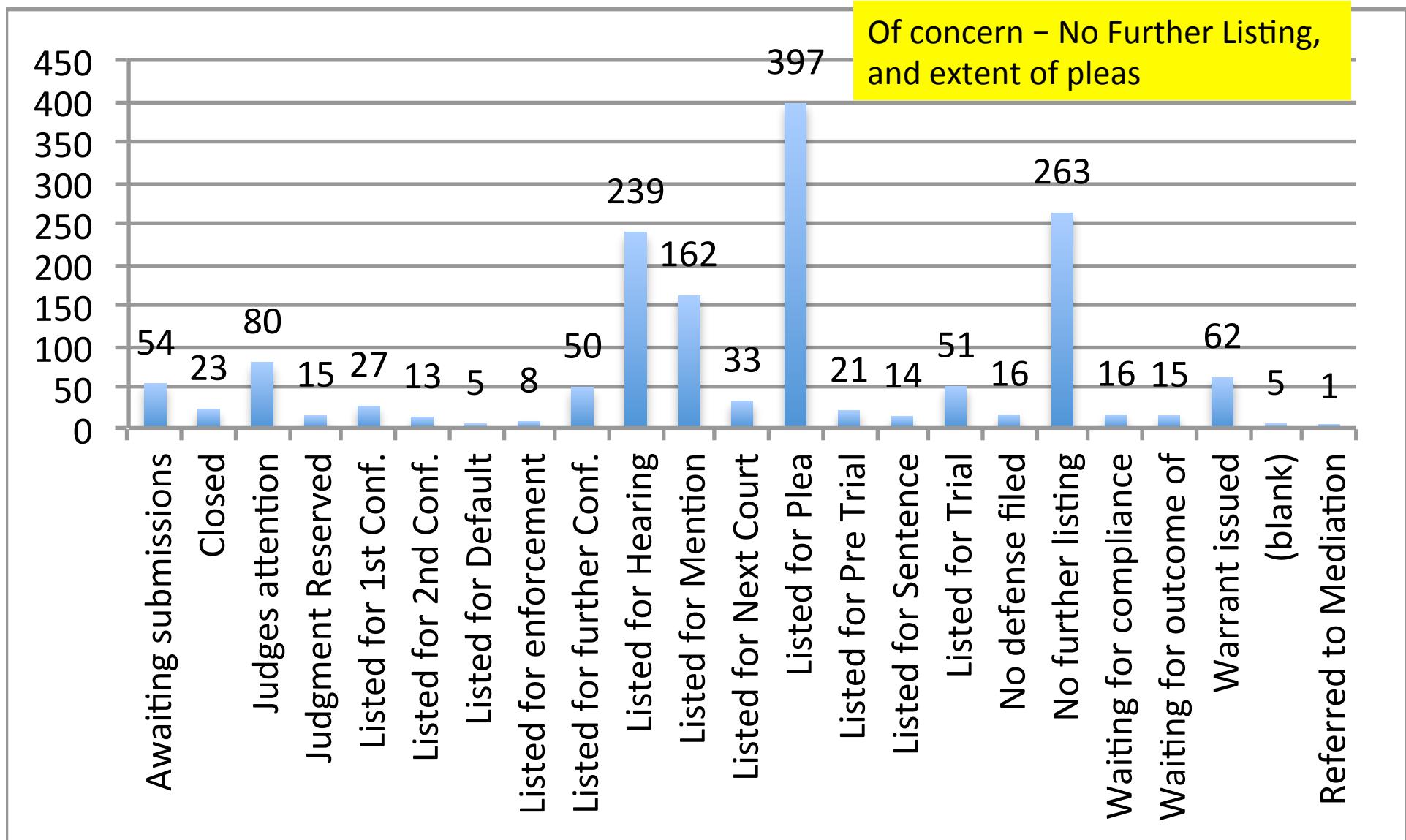
NOT SURE WE SHOULD USE PENDING for
IC – their data needs a little more checking
before showing pending numbers

3 - PENDING

3a. SC by stage



3a. MC by stage



PRINT

Open Cases

Refreshed 01/01/2017

Case Type

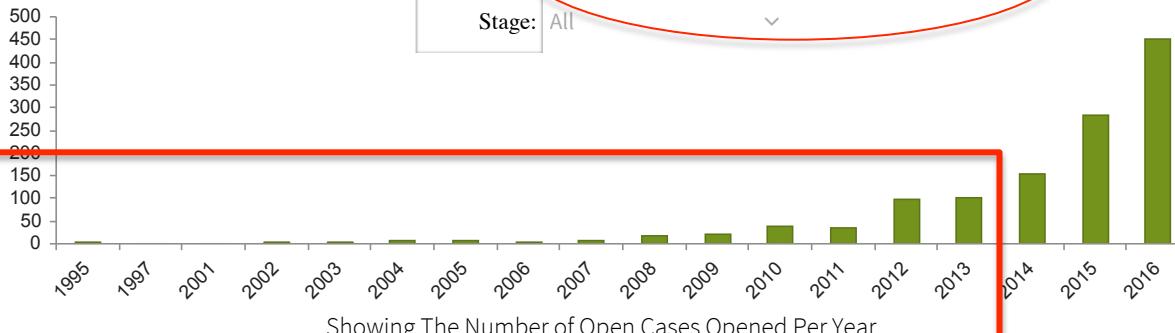
Select Location: All

Select Judicial Officer: All

Year Opened

Select Jurisdiction: Supreme Court

View Detail



Average Time Open
863 days

Number of Open Cases
1,230

Number of Open Cases by Jurisdiction

CASES DEEMED 'UNACCEPTABLE BACKLOG'
- 2013 or older

Number of Open Cases by Case Type

Case Type	Number of Cases
Civil	717
Criminal	127
Enforcement	87
Probate	73
Judicial Review	64
Land Appeal	49

Number of Cases

Average Open Time

Registered

Open

Closed

PRINT

Open Cases

Refreshed 01/01/2017

Case Type

Select Location: All

Select Judicial Officer: All

Year Opened

Select Jurisdiction: Magistrates Court

View Detail

800

700

600

500

400

300

200

100

0

Stage: All

2001 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016

Showing The Number of Open Cases Opened Per Year

Average Time Open
587 days

Number of Open Cases
1,570

Number of Open Cases by Jurisdiction

**CASES DEEMED 'UNACCEPTABLE BACKLOG'
- 2014 or older**

Number of Open Cases by Case Type

Case Type	Number of Cases
Civil	717
Criminal	127
Enforcement	87
Probate	73
Judicial Review	64
Land Appeal	49

Number of Cases

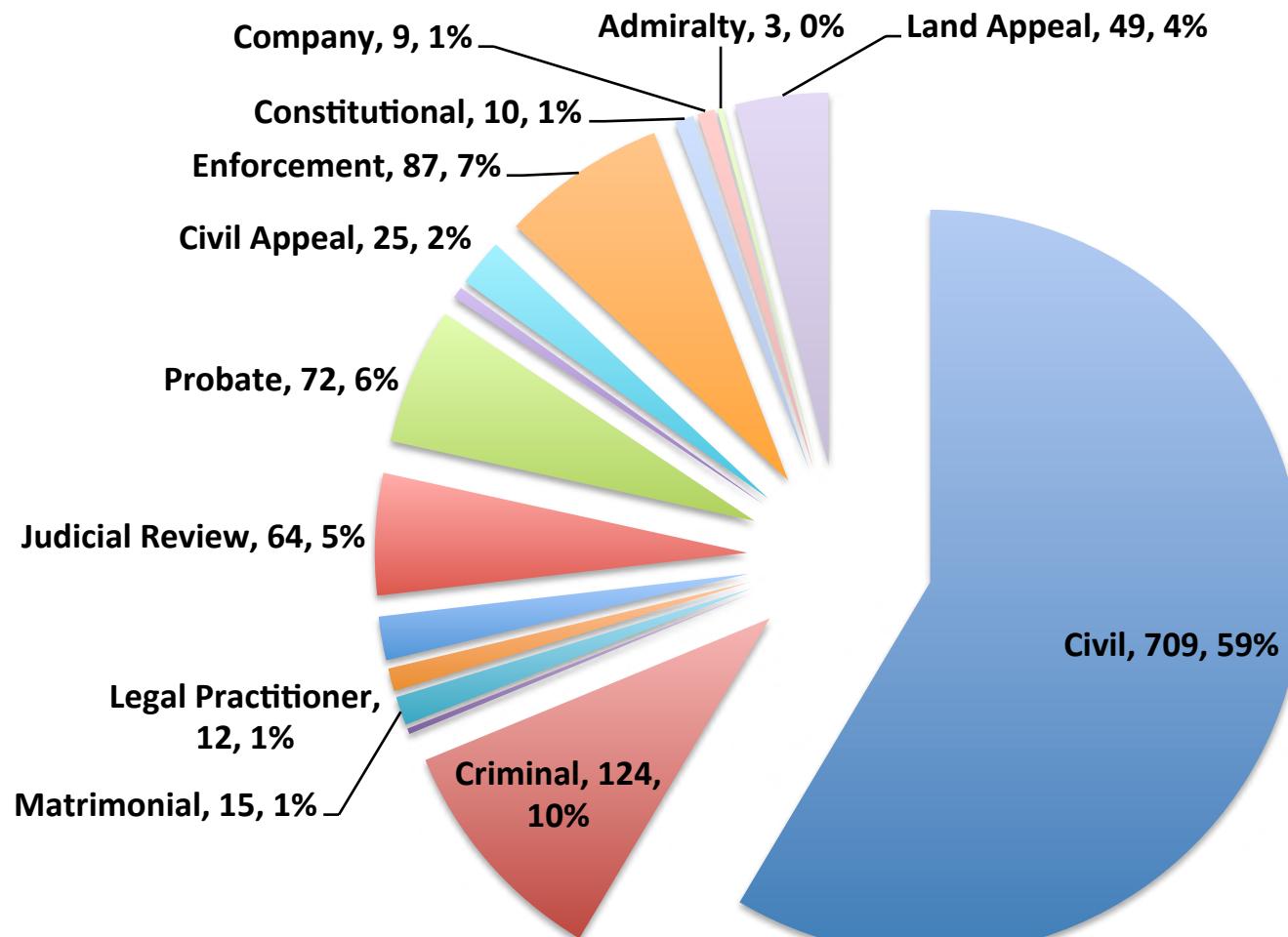
Average Open Time

Registered

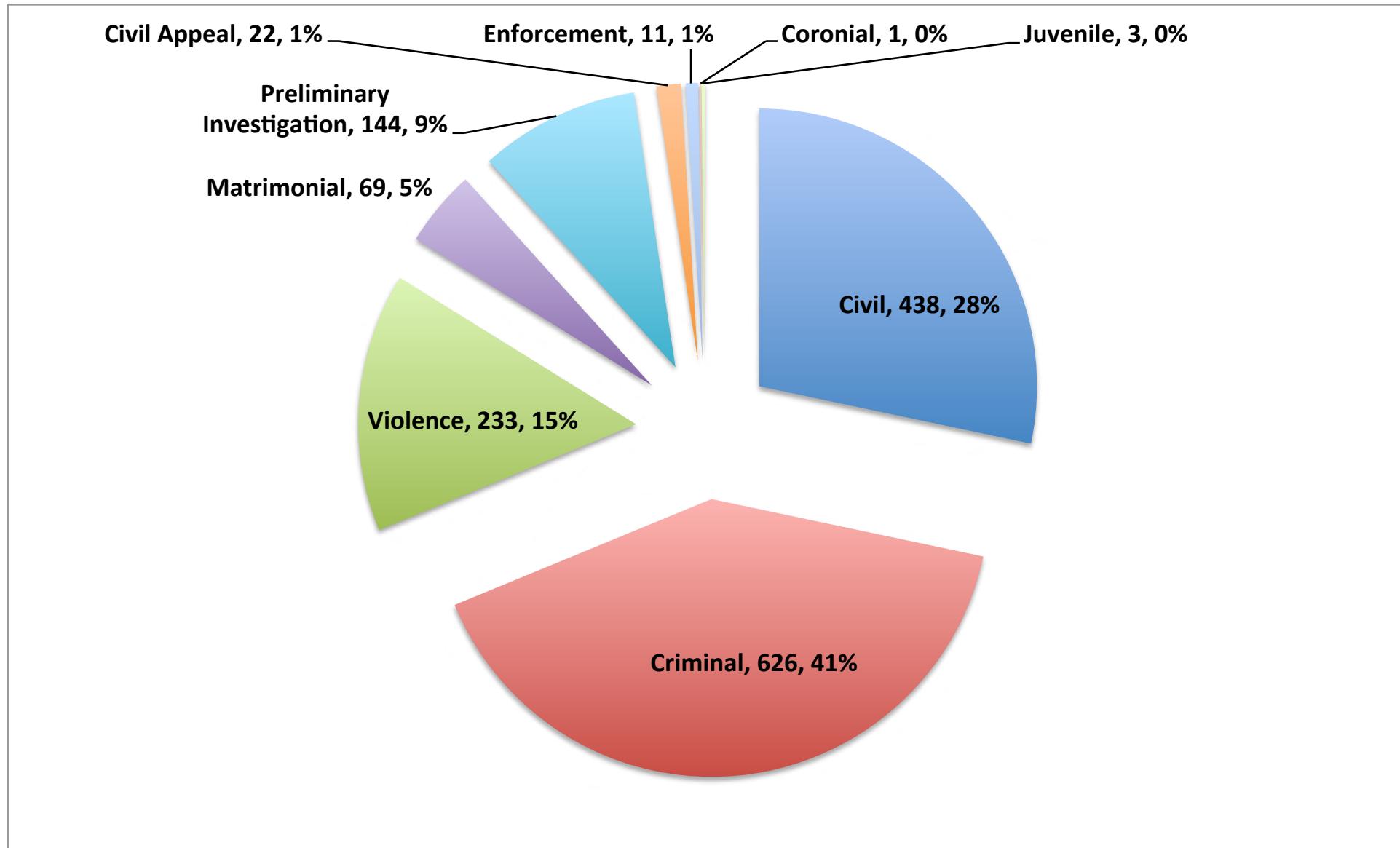
Open

Closed

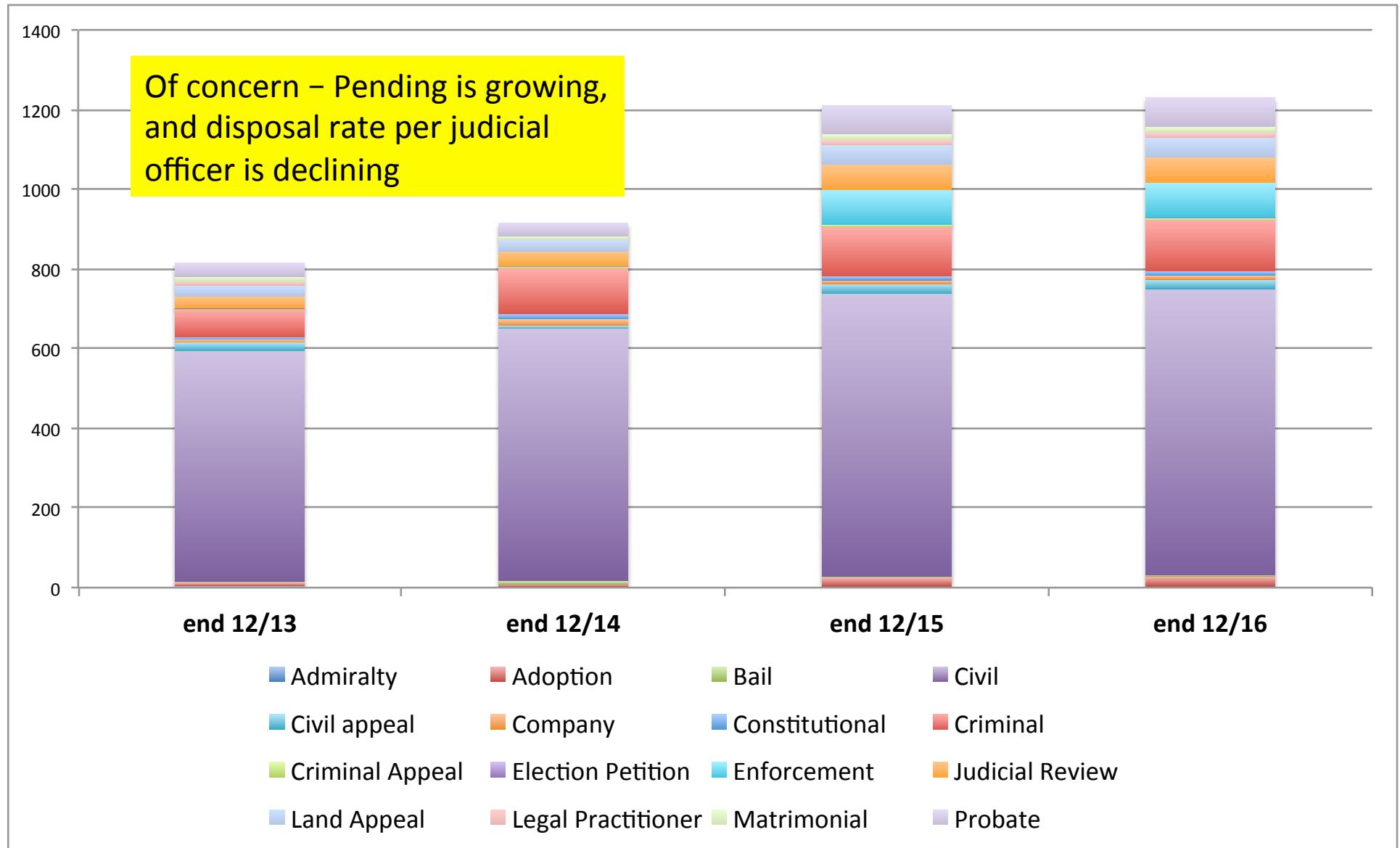
3c. Pending SC by case type



3c. Pending MC by case type

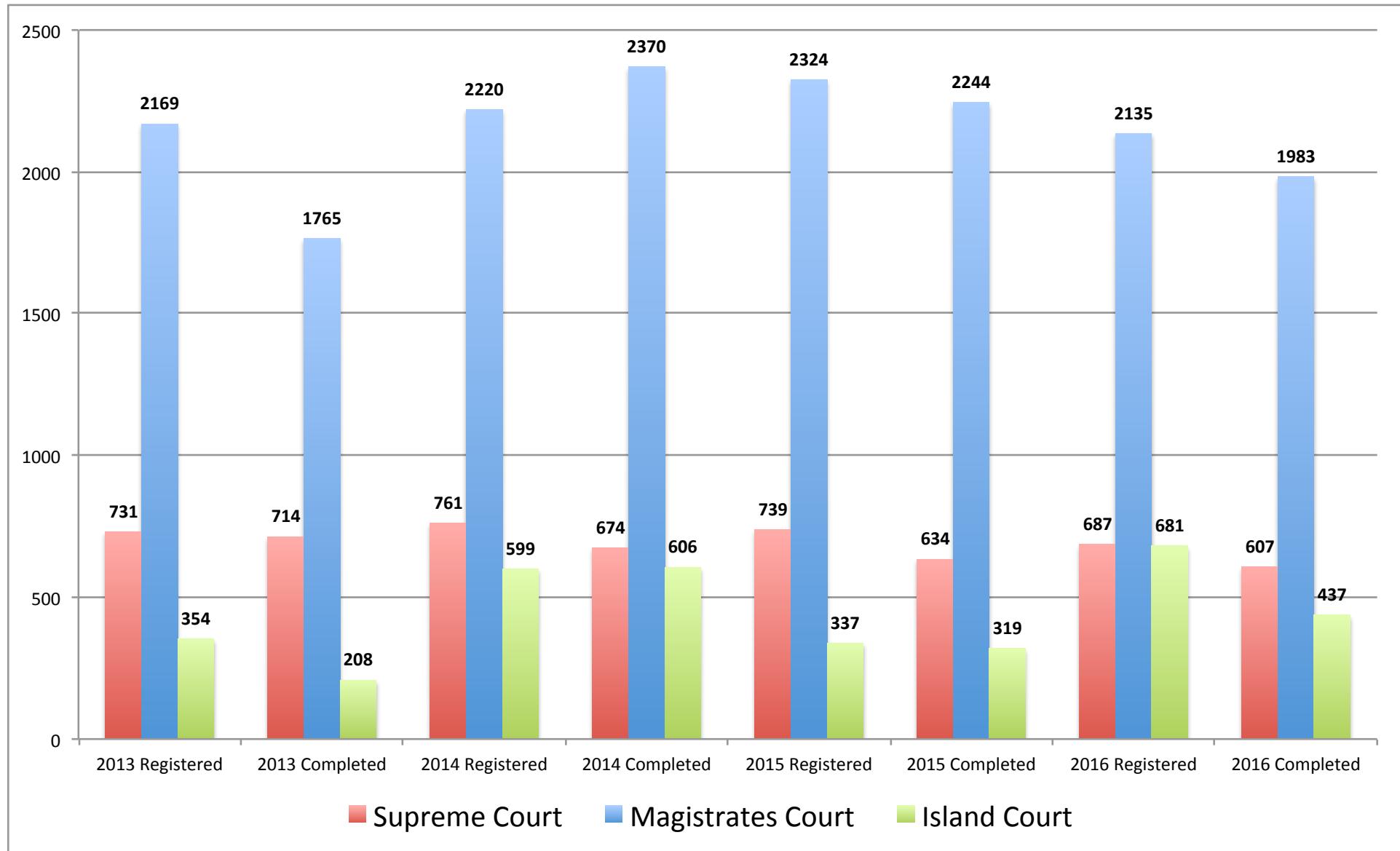


3d. SC tracking pending

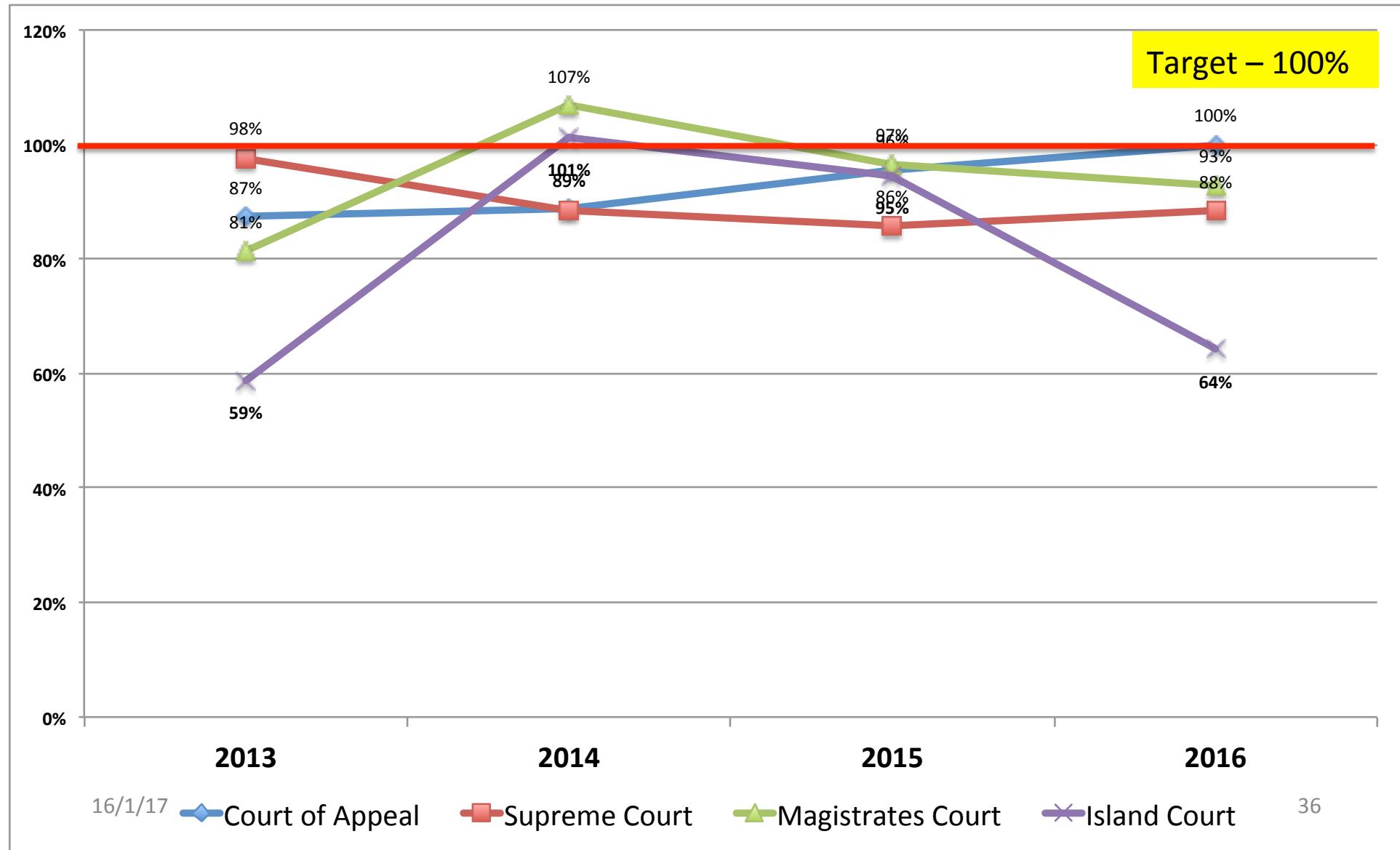


4 - TREND OF CLEARANCE RATES

6. Overall case #s by years



4. Trend of clearance rates

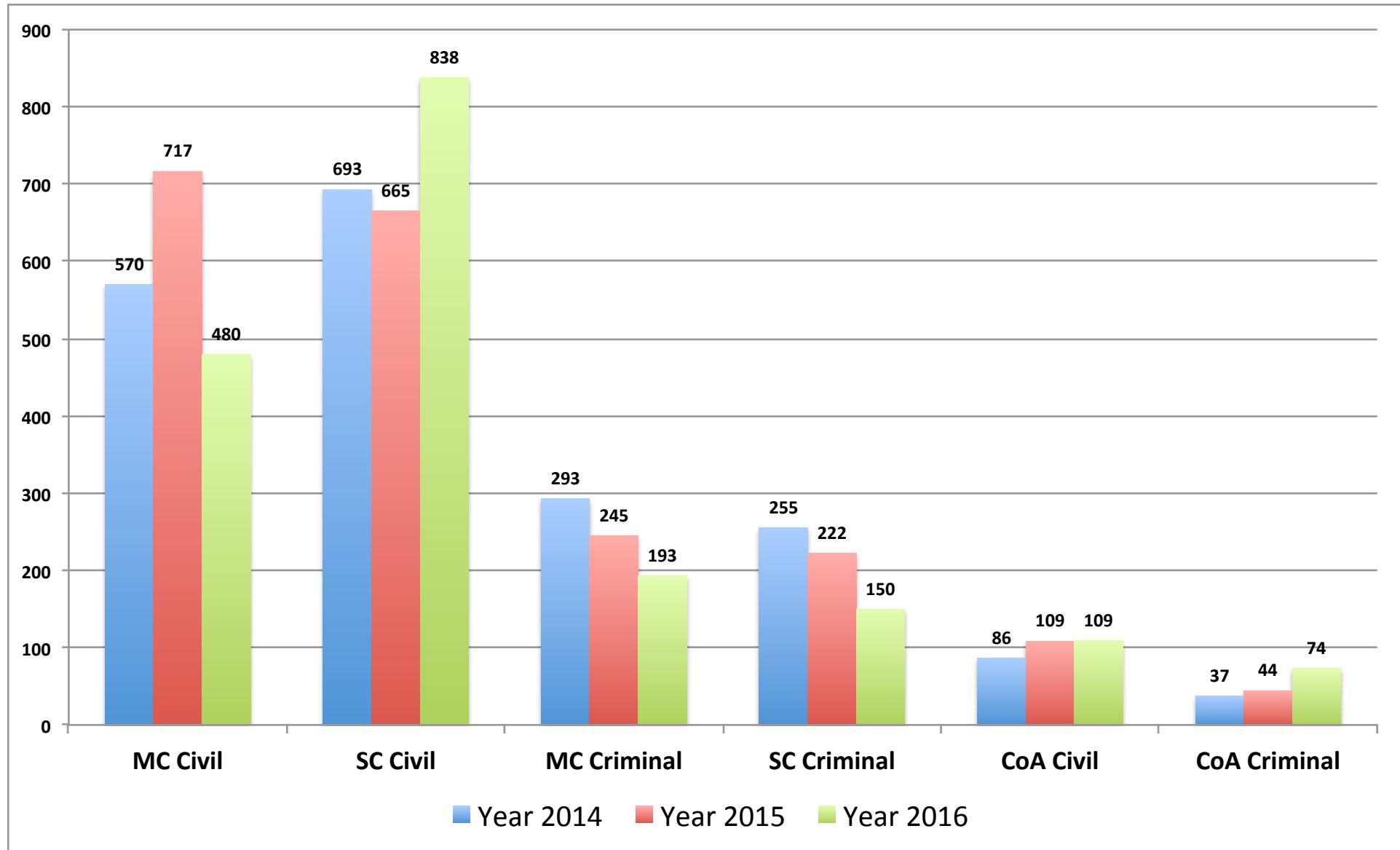


Have yet to do percentile analysis e.g. 90% of cases finishing within 'x' days

Have also focussed on the main case types for averages

5 – TIMELINESS OF FINALISED CASES BY CASE TYPE BY JURISDICTION

5. Average elapsed days to finalise



6 – CASE FILE TRENDS BY JURISDICTION

Shows declining Civil #s in SC, while Criminal #s fluctuate

Registered Cases

PRINT

Refreshed 01/01/2017

Civil
Year Registered

Select Location: All
Select Jurisdiction: Supreme Court

Select Judicial Officer: All

[View Detail](#)

[Reset](#)



Number of Registered Cases

2,113

Showing The Number of Civil Cases Per Year

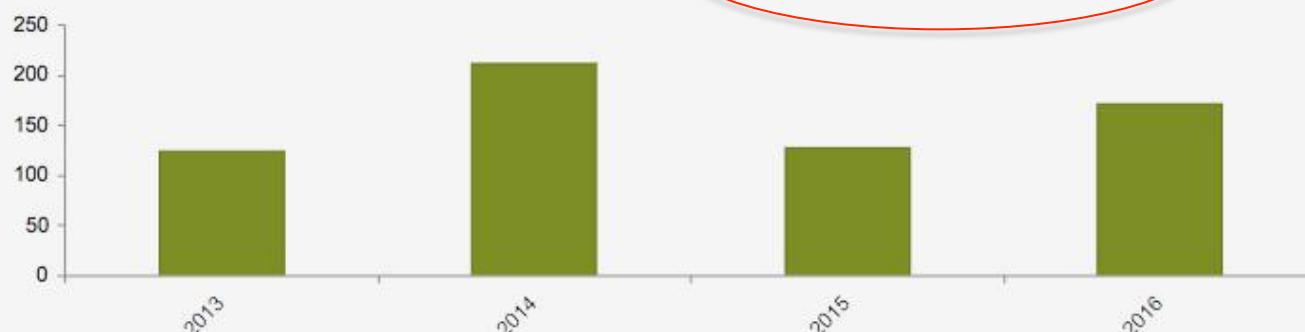
Criminal
Year Registered

Select Location: All
Select Jurisdiction: Supreme Court

Select Judicial Officer: All

[View Detail](#)

[Reset](#)



Number of Registered Cases

928

Showing The Number of Criminal Cases Per Year

Shows constant Violence #s in MC, while Criminal #s down this year

Registered Cases

Refreshed 01/01/2017

PRINT

Violence

Select Location: All

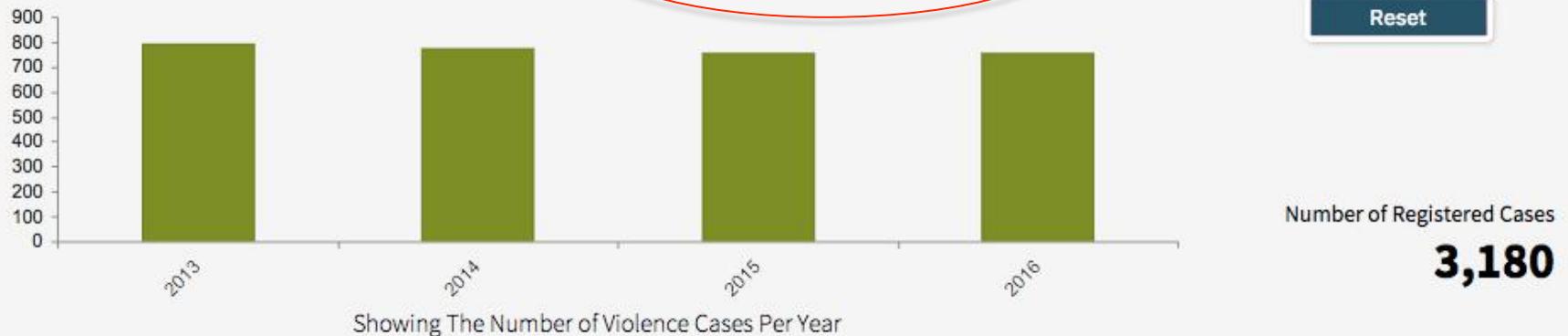
Select Judicial Officer: All

Year Registered

Select Jurisdiction: Magistrates Court

View Detail

Reset



Criminal

Select Location: All

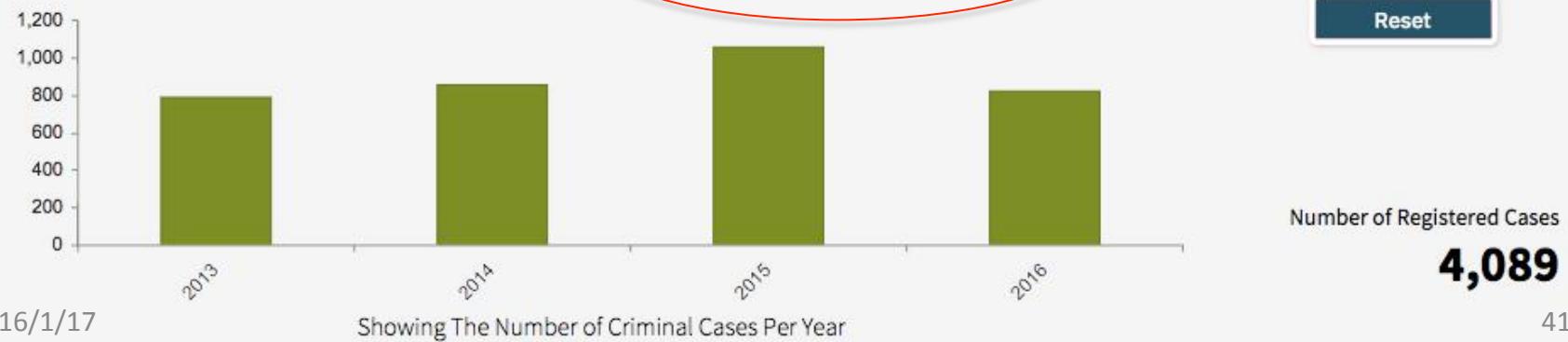
Select Judicial Officer: All

Year Registered

Select Jurisdiction: Magistrates Court

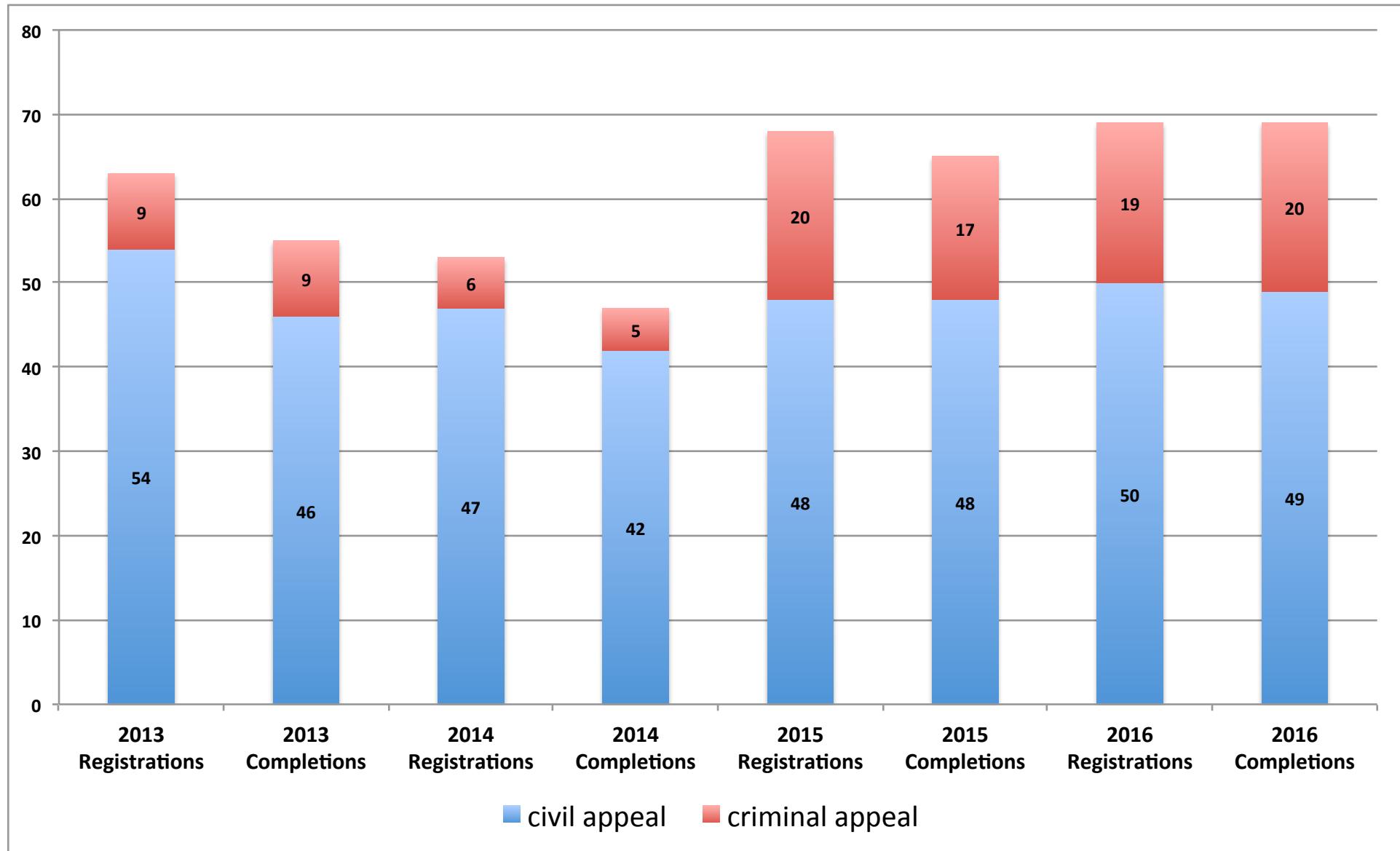
View Detail

Reset



7 – COURT OF APPEAL

7a. Yearly filings and disposals



7b. Historical outcomes - Civil

NEED TO QUICKLY UPDATE
WITH CONSISTENT OUTCOMES
E.G. JUST USE – WITHDRAWN,
DISMISSED, ALLOWED

CIVIL	2013	2014	2015	2016	Grand Total
Allowed	16	18	21	8	63
Discontinued				1	1
Dismissed	17	17	19	8	61
Judgment				21	21
Order				2	2
Refused		1	2	3	6
Struck Out				3	3
Withdrawn	13	6	6	3	28
Grand Total	46	42	48	49	185

7b. Historical outcomes - Criminal

NEED TO QUICKLY UPDATE
WITH CONSISTENT OUTCOMES
E.G. JUST USE – WITHDRAWN,
DISMISSED, ALLOWED

CRIMINAL	2013	2014	2015	2016	Grand Total
Allowed	5	2	6	3	16
Discontinued				1	1
Dismissed	2	1	3	4	10
Granted			1		1
Judgment		1		8	9
Order				1	1
Refused			3	2	5
Struck Out				1	1
Withdrawn	2	1	4		7
Grand Total	9	5	17	20	51