

# Comité des Connétables

Minutes of the meeting held on  
**Monday 8<sup>th</sup> December 2014**  
at the Public Hall, St Martin.

## **Present:**

Connétable de St Clément - L. Norman, Chairman  
Connétable de St Pierre - J. M. Refault, Vice Chairman  
Connétable de St Laurent - Mrs D. W. Mezbourian  
Connétable de Ste Marie - Mrs J. Gallichan (not present for items 9 - 13 inclusive)  
Connétable de St Ouën - M. J. Paddock  
Connétable de St Brélade - S. W. Pallett  
Connétable de St Martin - M. P. S. Le Troquer  
Connétable de St Sauveur - Mrs S. A. Le Sueur-Rennard  
Connétable de St Jean - C. H. Taylor  
Connétable de la Trinité - P. B. Le Sueur

Apologies for absence were received from the Connétable de St Héliér - A. S. Crowcroft and the Connétable de Grouville - J. E. Le Maistre.

In attendance:

Mrs S. R. de Gruchy, Secretary

## **Non-exempt (public) under proposed Freedom of Information (Jersey) Law 2011**

Minutes

1. The minutes of the meeting held on 17<sup>th</sup> November 2014, having been previously circulated, were taken as read and were confirmed.

Connétables –  
oath of office

2. Arising from minute no. 3 of 17<sup>th</sup> November 2014, the Comité noted that the oath of the Connétable included (in translation) “*attending the States whenever required to do so*” which was similar to that in the oath of office of Senators and Deputies which read “*that you will attend the meetings of the States whenever you are called upon to do so*”.

Comité des  
Connétables –  
representatives  
on various  
groups

3. The Comité, with reference to its minute no. 6 of 17<sup>th</sup> November 2014, noted various pieces of work which were in progress and agreed that the following should also be considered:

a) Parish website and e-government developments including the options for incorporating the Honorary Police website functionality – the Connétables of St Brélade and St Mary to report in due course.

b) Planning and Building (Jersey) Law 2002 and the listing of Parish churches – the Connétables of St Martin, St Ouen, Grouville and Trinity to liaise with the Ecclesiastical Court officers and report in due course.

Dogs (Jersey)  
Law 1961 –  
setting of  
licence fee)

4. The Comité received the Senior Legal Adviser, Law Officers’ Department, and discussed a briefing paper on the Dogs (Jersey) Law 1961 (the “1961 Law”) and the process by which the licence fee should be set. Article 2 of the 1961 Law provided that the States should, by Regulations, fix the duty which was paid annually on a dog licence but as amendments to the law were being drafted by the Legislation Advisory Panel the Comité’s view was sought as to whether an amendment should be made so that the duty was fixed by Order and, if so, on whose Order. The Comité, mindful that the 1961 Law provided for sums received for licences to be credited to the General Account of the

Parish, agreed that the Comité des Connétables should fix the duty by Order.

Rehabilitation  
of Offenders  
(Jersey) Law  
2001

5. The Comité discussed with the Senior Legal Adviser, Law Officers' Department, a briefing paper concerning the election of the Procureurs du Bien Public and, given their role as a trustee of the Parish, whether it would be appropriate to confirm by a criminal record office (CRO) check whether a candidate was suitable to hold that office. The case of *Re Le Brun* (1954) (248 Ex. 382) indicated the Royal Court retained a discretion whether or not to administer the oath to a newly elected Procureur du Bien Public who had criminal convictions.

The Comité was reminded that the Rehabilitation of Offenders (Jersey) Law 2001 and subordinate legislation made provision for offences to be deemed "spent" after a certain length of time but also provided that in certain situations it was appropriate for details of these "spent" convictions to be disclosed. Whilst the Regulations permitted disclosure in relation to various financial services and to assess the suitability of the person for appointment as a member of the Honorary Police there was no provision in respect of the office of Procureur du Bien Public. The Comité agreed that it would wish CRO checks to be permitted, including of spent convictions, for candidates for election as Procureur du Bien Public.

The Comité further agreed that, given the responsibility of the Connétable as head of the Parish, including in relation to the efficient and effective policing of the parish, there should likewise be provision for CRO checks to be permitted, including of spent convictions, for candidates for election as Connétable.

The Comité requested the Law Draftsman to prepare the necessary amendments to legislation to give effect to this decision. The Comité was mindful that the next election of Procureurs du Bien Public would be in September 2015 and hoped that the amendments might be in force prior to those elections.

draft Loi (201-)  
(Amendement)  
au sujet des  
assemblées  
paroissiales

6. The Comité discussed with the Senior Legal Adviser, Law Officers' Department, the draft Loi (201-) (Amendement) au sujet des assemblées paroissiales and report which would amend the number of persons required to request the holding of a Parish Assembly and the timescale within which such a request must be met. The Comité recalled that the Rectors had been consulted and supported the amendments in relation to Ecclesiastical Assemblies. Following discussion, the Comité approved the draft Loi (201-) (Amendement) au sujet des assemblées paroissiales and report and requested that it be lodged "au Greffe" for debate by the States.

In accordance with the provisions of Article 16 of the Human Rights (Jersey) Law 2000 the Chairman of the Comité des Connétables made a statement that in his view the provisions of the draft Loi (201-) (Amendement) au sujet des assemblées paroissiales were compatible with the Convention Rights. The Senior Legal Adviser was thanked for attending and withdrew.

Freedom of  
Information  
(Jersey) Law  
2011

7. The Comité, with reference to its minute no. 7 of 17<sup>th</sup> November 2014, considered a briefing paper on the Freedom of Information (Jersey) Law 2011 (FOI) and:

a) noted that the States Assembly had approved subordinate legislation which would bring the Parishes under the FOI Law with effect from 1<sup>st</sup> September 2015 (P.154/2014 Draft Freedom Of Information (Schedule 1 to Law) (Amendment No. 2) (Jersey) Regulations 201-) and set the cost limit for Parishes at £200, calculated at a rate of £40 per hour which equated to 5 hours (P.155/2014 Draft Freedom of Information (Costs) (Jersey) Regulations 201-);

b) recalled that FOI Legal Workshop training was provided for Connétables and Parish Secretaries on 2<sup>nd</sup> December 2014, with further training to be arranged in 2015;

c) discussed the process by which FOI requests would be handled for the parishes and agreed the principle of a central FOI unit to log requests and forward these to the relevant parish(es); and that if a request was sent direct to a parish it should be notified to the central unit; and

d) agreed to clarify the various “bodies” and “entities” relating to the parishes and the implications for each of FOI including the need for training for officers and staff and the resources required to be able to respond to requests.

draft Public Elections (Amendment No. 5) (Jersey) Regulations 201-

8. The Comité, with reference to its minute no. 8 of 17<sup>th</sup> November 2014, approved the draft Public Elections (Amendment No. 5) (Jersey) Regulations 201-, and report, which, pursuant to Articles 7(2) and 72 of the Public Elections (Jersey) Law 2002, prescribed an amended form for the Annual Statement to be sent to every unit of dwelling accommodation to gather names to update the electoral register and agreed that the draft should be lodged “au Greffe” for debate by the States.

The Comité further agreed that the Annual Statement should remind persons that they would be guilty of an offence and liable to a fine not exceeding level 3 on the standard scale if they knowingly made a false declaration, or gave false information, for the purposes of the Public Elections (Jersey) Law 2002.

Honorary Police and SOJP – policing plans

9. The Comité, with reference to its minute no. 14 of 17<sup>th</sup> November 2014, noted that a contribution from the Honorary Police had been included in the States of Jersey Police Force Annual Policing Plan for 2015. The contribution acknowledged the changes to the organisational structure of the policing services in Jersey in the last year but confirmed that there had been no change to the commitment of each Connétable, who was still responsible for the efficient and effective policing of the Parish, to provide community policing to meet the specific needs of the parishioners. In delivering this service the Honorary Police worked closely with the States of Jersey Police (SOJP) and looked forward to a continuing strengthening of that working relationship to both enhance the role of the Honorary Police and enable the SOJP to work with a key partner in delivering community policing for the benefit of Jersey.

Arising from this the Comité noted that Connétables had completed, or were currently drafting, the policing plan for their Honorary Police.

States of Jersey Police – community policing model

10. The Comité received the Chief Inspector - Operations Support, States of Jersey Police, who had specific responsibility for community engagement and discussed with him the proposed changes to the community policing model. The Chairman and Vice Chairman of the Comité des Chefs de Police were in attendance.

The Comité noted that primary responsibility for community policing and Parish liaison would be moved from the shifts to the Operational Support Unit to provide a centralised and more co-ordinated community policing model. This would provide a greater opportunity for more consistent and collaborative working with the Honorary Police; increased accessibility and corporate knowledge of community issues and co-ordination of efforts; greater consistency of community and problem-solving initiatives and single points of contact and improved lines of communication between Honorary Police, Parish representatives and other stakeholders. The Operational Support Unit would be supplemented with a detective capacity focused on community issues.

Firearms (Jersey) Law 2000 – shooting clubs

11. The Comité received the Chief Inspector - Operations Support, States of Jersey Police (SOJP), who explained how the SOJP was continuing to develop its engagement with, and understanding of, local shooting clubs to ensure it was better complying with its responsibility under Article 15(5) of the Firearms (Jersey) Law 2000. The emphasis was on better engagement and two-way communication, rather than enforcement, so as

to ensure there were trusted and reliable means by which to promptly communicate concerns and queries. The Chairman and Vice Chairman of the Comité des Chefs de Police were in attendance.

Honorary  
Police –  
monitoring of  
CCTV

12. The Comité, with the Chief Inspector - Operations Support, States of Jersey Police (SOJP) and the Chairman and Vice Chairman of the Comité des Chefs de Police in attendance, received a report from the Chairman on his meeting with these officers to discuss the use of civilian personnel, including those who were members of the Honorary Police, to monitor CCTV at Police Headquarters. SOJP valued the assistance given by those who were members of the Honorary Police but understood that they were elected by parishioners to serve their parish and could not assist when rostered on duty and that all assistance was provided solely in a civilian capacity.

The officers were thanked for attending and then withdrew from the meeting.

Next meeting

13. The Connétable of St Martin was thanked for his hospitality and the Comité noted the next meeting would be on 12<sup>th</sup> January 2015.

Chairman .....*L Norman*..... Date .....12/01/2015.....