

STATES OF JERSEY



REVIEW OF THE ROLES OF THE BAILIFF, ATTORNEY GENERAL AND SOLICITOR GENERAL: TERMS OF REFERENCE (P.44/2009) – AMENDMENT

**Lodged au Greffe on 21st April 2009
by the Deputy of St. Martin**

STATES GREFFE

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At the end of paragraph (b) after the word “accordingly” insert the words “except the Review shall be undertaken by a Chairman and 4 independent members and not by a Chairman and 2 independent members as set out on page 4 of the said Report”.

DEPUTY OF ST. MARTIN

REPORT

On 4th February 2009, the States adopted my proposition P.5/2009, as amended, and agreed for the Council of Ministers, after consultation with the Privileges and Procedures Committee, to approve the process for the appointment of the Chairman and members of the Panel to conduct the review.

As can be seen on page 4 of its report, the Council of Ministers is proposing that the Panel should consist of a Chairman with 2 suitable independent respected members of the Jersey community.

No reason has been given as to why the Council of Ministers is seeking to appoint just 2 independent respected members. I believe the Panel would have more balance if it was increased by 2 more members.

In 1996 an independent review on the Police Services in Jersey was conducted under the Chairmanship of Sir Cecil Clothier. The Panel consisted of the Chairman and 4 respected members of the Jersey community.

In 1999 an independent review of the Machinery of Government was conducted under the Chairmanship of Sir Cecil Clothier. Originally his Panel consisted of 3 non-local members and 5 local members. However, following a successful amendment lodged by Senator Syvret, P.20/1999, the number of local members was increased to 6.

I do not believe it is necessary for membership of the proposed review to be as large as that of the 1999 review; however one Chairman and 2 Panel members would be too few, and should any of the Panel members for various reasons be unable to complete the review, the Panel might also be unable to complete the review.

I do not believe restricting the number to 2 is because the Council of Ministers is unable to find suitable people, and I was surprised that it was proposed to conduct a review with such a small Panel.

I believe it would be more appropriate for the Panel to comprise a Chairman and 4 members. I note that it is proposed that the 2 members will be from the Jersey community; an additional 2 members would enable the possibility of membership being extended to suitable people from a wider field.

Financial and manpower implications

I do not believe that the additional number will have any significant financial or manpower implications for the States.