

# STATES OF JERSEY



## DRAFT CROWN ADVOCATES (AMENDMENT) (JERSEY) LAW 201-

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Lodged au Greffe on 24th February 2015  
by the Chief Minister

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STATES GREFFE





Jersey

## **DRAFT CROWN ADVOCATES (AMENDMENT) (JERSEY) LAW 201-**

### **European Convention on Human Rights**

In accordance with the provisions of Article 16 of the Human Rights (Jersey) Law 2000, the Deputy Chief Minister has made the following statement –

In the view of the Deputy Chief Minister, the provisions of the Draft Crown Advocates (Amendment) (Jersey) Law 201- are compatible with the Convention Rights.

Signed: **Senator A.K.F. Green, M.B.E.**

*Deputy Chief Minister*

Dated: 23rd February 2015

## REPORT

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The Crown Advocates (Jersey) Law 1987 (“the principal Law”) provides H.M. Attorney General with the power to appoint Advocates, for a definite or indefinite period, to discharge the Attorney’s functions before any proceedings before a Jersey Court. The Attorney may also terminate any such appointment.

However, Articles 1(1) and 1(3) of the principal Law require the Bailiff’s consent before the Attorney General makes or terminates any such appointment.

The Legislation Advisory Panel, having consulted with the Attorney General and the Bailiff, has advised the Chief Minister to implement the recommendation of the *Review of the Roles of the Crown Officers* (the “Carswell Review”) to remove the Bailiff’s veto under the principal Law in respect of the appointment of Crown Advocates. Consequentially, the draft Law also removes the Bailiff’s veto in respect of terminating the appointment of any Crown Advocate.

### **Financial and manpower implications**

There are no financial or manpower implications for the States arising from the adoption of this draft Law.

### **Human Rights**

No human rights notes are annexed because the Law Officers’ Department has indicated that the draft Law does not give rise to any human rights issues.

## **Explanatory Note**

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This Law amends the Crown Advocates (Jersey) Law 1987. The amendment has the effect that the Attorney General, when appointing a Crown Advocate or terminating the appointment of a Crown Advocate, is no longer required to obtain the agreement of the Bailiff to the appointment or termination.





Jersey

## **DRAFT CROWN ADVOCATES (AMENDMENT) (JERSEY) LAW 201-**

**A LAW** to amend the Crown Advocates (Jersey) Law 1987

*Adopted by the States* [date to be inserted]

*Sanctioned by Order of Her Majesty in Council* [date to be inserted]

*Registered by the Royal Court* [date to be inserted]

**THE STATES**, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law –

### **1 Article 1 of the Crown Advocates (Jersey) Law 1987 amended**

In paragraphs (1) and (3) of Article 1 of the Crown Advocates (Jersey) Law 1987<sup>1</sup>, the words “, with the approval of the Bailiff,” shall be deleted.

### **2 Citation and commencement**

This Law may be cited as the Crown Advocates (Amendment) (Jersey) Law 201- and shall come into force on the day after it is registered.

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<sup>1</sup> *chapter 07.280*