

3.3 Deputy J.A. Hilton of St. Helier of the Chairman of the Comité des Connétables regarding the declaration of convictions by candidates for the position of Connétable:

Following the recent removal of policing powers from the Connétables, will the Comité be bringing an amendment to legislation to make it a requirement for candidates for the position of Connétable to declare convictions at a nomination meeting to mirror the requirements for Senators and Deputies?

Connétable J.L.S. Gallichan of Trinity (Chairman, Comité des Connétables):

The very short answer is yes, however I will attempt to do a little bit more than that. The committee wrote to the Attorney General in June 2014 seeking advice on the steps that could be taken. The committee is looking to bring forward legislation but pending that all Connétables will undergo a full C.R.O. (Criminal Records Office) check. This is done, as it was in the past. This is not obligatory also for States Members, such as Deputies and Senators, so we will be, but unfortunately I do not think there is a timescale to get the legislation in place for this election in October.

Deputy J.A. Hilton:

No further questions, Sir.

3.3.1 Deputy M. Tadier:

Would the Chairman confirm that there is no nationality requirement to be able to stand for Constable and, on that basis, if there are to be criminal background checks how will those records be processed for those seeking election in the future, who are not of British nationality?

The Connétable of Trinity:

At the present time, obviously if we have a C.R.O. check, those that are not British nationalities have to go to their consulate abroad sometimes to obviously seek that. But the only problem I would say that they have to ... I am sure the Connétables realise, apart from St. Helier, you have to reside in the Parish where you wish to be Connétable. Hopefully, before all these problems happen, there will be legislation in place that will cover these things in future.

3.3.2 Deputy M.R. Higgins of St. Helier:

I think the Chairman of the Constables ducked the question really. The question was: if a person of foreign nationality applies to become the Constable, they will have to live in the Parish obviously to do that, what happens then if you cannot get a criminal record check? That is what the question is about because many states do not supply the information; that is one of the problems we have. Jersey people will have to comply with the check and it can be done but people coming from numerous other countries, there is no way of getting those records, so what is the Chairman going to do in this circumstance?

Senator L.J. Farnham:

I wonder if I may seek clarification. I understood one had to be a British national to sit in the States Assembly.

The Connétable of Trinity:

The other thing which the Connétables are thinking is the Deputies and the Senators make a voluntary declaration, so there is no reason why the Connétables in future could not do that, so that would apply to that as well, but hopefully the law will change, or these States will change, this will... we will all be equal, the Connétables and the Deputies and the Senators

will be on the same level of declaration. At the present time we do not do that but to cover ourselves, which we have been doing before, because formerly we were police officers, we had C.R.O. checks carried out on ourselves so that was guaranteed whereas a person making a voluntary declaration could forget to say something, and how do you prove that?

3.3.3 Deputy G.P. Southern:

Does the Committee of Connétables have under discussion the prospect of standing separately for the States and thereby joining the Deputies and Senators in having to take that oath?

The Connétable of Trinity:

That has not been discussed by us.

3.3.4 Deputy J.A. Hilton:

I believe the Constable of Trinity said in his earlier answer that he could not bring the amendment before the next election. Could he just confirm for me that the Connétables will all voluntarily declare any convictions at the time of nomination?

The Connétable of Trinity:

It would be a voluntary one, I agree. I think that we could in fact talk to the Connétables and if they have to give a voluntary one, that will be fine.