

**WRITTEN QUESTION TO H.M. ATTORNEY GENERAL  
BY DEPUTY M.R. HIGGINS OF ST. HELIER  
ANSWER TO BE TABLED ON TUESDAY 17th NOVEMBER 2015**

**Question**

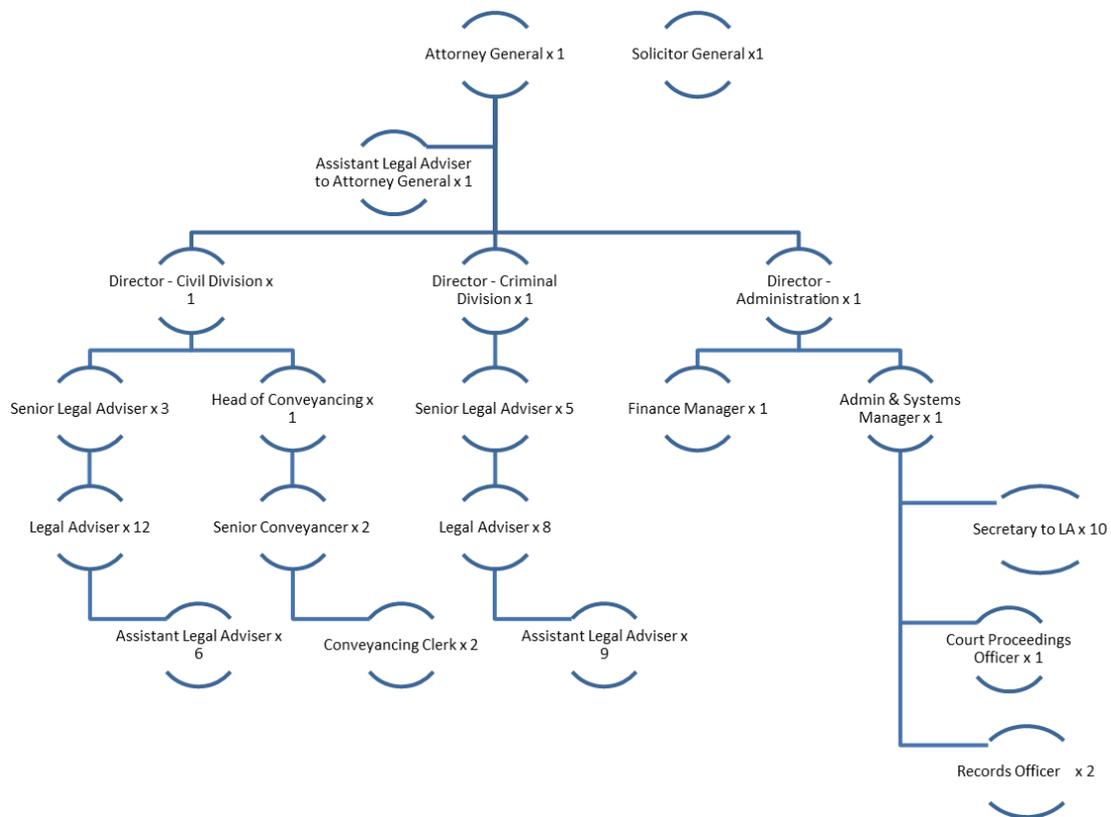
Will H.M. Attorney General -

- (a) provide Members with an organization chart for the Law Officers' Department and explain the number of lawyers and other staff it has and what their duties and/or functions are;
- (b) explain how many of his staff are engaged in giving advice to States departments when the Ministers responsible for those departments are threatened with legal action and in defending civil actions that are brought before the courts;
- (c) explain how many of his staff are engaged in giving advice to States Departments when departments are dealing with cases with a view to recommending that a prosecution be considered, and prosecuting those same people in the criminal courts;
- (d) explain how many Crown Advocates have been employed each and every year since 1st January 2010 up to the present date by the Law Officers' department and state for what purposes and explain how much they have been paid during this period.

**Answer**

*(a) provide Members with an organization chart for the Law Officers' Department and explain the number of lawyers and other staff it has and what their duties and/or functions are;*

Organisational chart for the Law Officers' Department



The Civil Division of the Law Officers' Department currently has 22 staff who have a professional legal qualification. Of those, 16 are Legal Advisers (including one Principal and three Senior Legal Advisers), who, under the authority of the Law Officers, provide the full range of civil legal services to Ministers, States Members, States Departments, and certain public authorities. There are also six Assistant Legal Advisers whose role, as their job title suggests, is to assist the Legal Advisers in the performance of their functions. The duties and functions of those who work in the Criminal Division are set out in the answers to (c) and (d). The Director of Administration is the Accounting Officer for the Department and leads finance and administrative support.

*(b) explain how many of his staff are engaged in giving advice to States departments when the Ministers responsible for those departments are threatened with legal action and in defending civil actions that are brought before the courts;*

Advice to States Departments and Ministers who are threatened with civil legal action or who are defending civil legal actions is provided either by the Law Officers themselves or, on their behalf, by Legal Advisers in the Civil Division. The number of Legal Advisers in the Civil Division engaged in such work necessarily varies from time to time with the number of cases in progress.

*(c) explain how many of his staff are engaged in giving advice to States Departments when departments are dealing with cases with a view to recommending that a prosecution be considered, and prosecuting those same people in the criminal courts;*

Most of the Legal Advisers in the Criminal Division, including the Crown Advocates, in addition to their other duties of preparing and presenting cases for prosecution in the Magistrate's Court and the Royal Court, provide advice upon request to the States of Jersey Police, Customs and Immigration and other States Departments when those agencies seek advice from the Law Officers' Department in relation to potential prosecutions.

It is not entirely clear what is meant by “*prosecuting those same people*”, but if this is a reference to the prosecution of States’ Departments or individuals employed by States’ Departments, then the Law Officers’ Department does consider and advise on such cases. Arrangements may be put in place to address potential conflicts and, when appropriate, independent legal advice may be sought.

*(d) explain how many Crown Advocates have been employed each and every year since 1st January 2010 up to the present date by the Law Officers’ department and state for what purposes and explain how much they have been paid during this period.*

The number of Crown Advocates employed by the Law Officers’ Department since 1<sup>st</sup> January 2010 is as follows:

January 2010:	3
January 2011:	4
January 2012:	5
January 2013:	6
January 2014:	6
January 2015:	6

The total amount which the Department paid to the Crown Advocates above between 1<sup>st</sup> January 2010 and 31<sup>st</sup> October 2015 is £3,216,183.

The work which the Crown Advocates perform includes providing advice to the States of Jersey Police, Customs and Immigration and other States’ Departments in relation to potential prosecutions, preparing and presenting cases in the Royal Court and the Court of Appeal, responding to requests for mutual legal assistance from foreign jurisdictions and conducting such other work as required by the Department.