

**WRITTEN QUESTION TO THE CHIEF MINISTER
BY DEPUTY R. LABEY OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 13TH SEPTEMBER 2016**

Question

What progress has been made to implement each of the following recommendations made by the Carswell Review of 2010 into "The Roles of the Crown Officers" and, if a decision has been taken not to implement any of the recommendations, how and when was that position adopted and by whom?

- (a) Procedures should be adopted to minimise the possibility of conflict arising from the advisory and prosecuting functions of H.M. Attorney General.
- (b) Ministers and government departments should disclose to Scrutiny panels legal advice received by them where it is possible to do so. If that is not possible, or if Scrutiny panels cannot obtain reasonably prompt advice from the Law Officers, they should be free to obtain independent advice.
- (c) H.M. Attorney General should continue to act as titular head of the Honorary Police until an appropriate substitute has been obtained.

Answer

- (a) The procedures referred to are a matter for the HM Attorney General. This question should therefore be directed to HM Attorney General.
- (b) The provision of legal advice is a matter for HM Attorney General. This question should therefore be directed to HM Attorney General.
- (c) It is important to recognise that, in the context of paragraphs 6.28 to 6.30 of the Review, it is clear that it did not recommend that the Attorney General should be replaced as the titular head of the honorary police. In particular, the Review made it clear that there was no difficulty in principle with the Attorney General continuing in his role in respect of the honorary police, including in relation to disciplinary matters. In this case there was, therefore, no recommendation to implement.