
STATES OF JERSEY



JERSEY LAW COMMISSION: APPOINTMENT OF COMMISSIONERS

Presented to the States on 20th January 2021
by the Chief Minister

STATES GREFFE

REPORT

The purpose of this report is to advise States Members of the nomination of a number of new Law Commissioners, in accordance with the procedure for appointments established in P.205/2009.

The States, by Act dated 30th July 1996, adopted a Proposition of the Legislation Committee and approved the establishment of a Jersey Law Commission.

The Commission was established to carry out research and conduct consultations with a view to identifying anomalies in Jersey legislation, as well as obsolete or redundant legislation, and making recommendations to simplify and modernise the law of Jersey.

The Commission is an independent body that works in close consultation with the Legislation Advisory Panel.

A number of Law Commissioners have recently completed their terms of office, and there is therefore a requirement for additional Commissioners to be appointed.

The duties of Law Commissioners are as follows:

- To attend monthly meetings of the Jersey Law Commission
- To review and comment upon consultation papers commissioned by the Commission
- To help determine the nature and scope of topics regarding law reform to be undertaken by the Commission, and where appropriate to take on the role of Topic Commissioner to oversee the appointment of a Topic Practitioner and the work of the Topic Practitioner in developing a report on the topic in question.
- To be prepared to discuss the Commission's conclusions in relation to a topic and present to the Legislation Advisory Panel, when invited to do so.
- To contribute to and review the JLC's annual report.

A recruitment process was commenced in late 2020 to recruit new Commissioners and five candidates were interviewed. The following four candidates have been successful and duly recommended for appointment by the Commission.

The Chair of the Legislation Advisory Panel, having been consulted, is pleased to endorse these appointments.

These appointments will be for a period of 5 years, and will be effective two weeks following the date of presentation of this Report to the States, in accordance with the procedure established in P.205/2009.

Candidates

Emma German

Advocate German is previously an employee and now a consultant with Carey Olsen, where she has worked since 2005. She holds a LLM from King's College, London and was admitted a solicitor in England & Wales in 2010. Earlier this year she was awarded a LLM, with Distinction, from the Institute of Law, Jersey where her subject was the enforceability of smart contracts. Advocate German has a particular interest in the application of technological developments to Jersey law and legal practice.

Andrew Le Sueur

Professor Le Sueur is presently Executive Dean, Faculty of Humanities, University of Essex, a post he has held since 2017. He remains Professor of Constitutional Justice, School of Law, University of Essex. He graduated with a LLB, First Class Honours, from the London School of Economics in 1986 and was called to the English bar in 1987. Since 1988 he has held a succession of academic positions at English Universities, as well as been an adviser to House of Lords and House of Commons Committees. Professor Le Sueur was previously a Jersey Law Commissioner, for a single term of office, between 2013 and 2018.

Matthew Swan

Advocate Swan is a graduate of the University of Cambridge, where he read history. He was admitted a solicitor in England & Wales in 1995 and became an advocate of the Royal Court in 1999. He was a partner at Ogier, specialising in finance related work, for 15 years until December 2015 and is now a consultant to Maples and Calder, Jersey. Advocate Swan is presently a member of the Police Complaints Authority and a Commissioner, Jersey Gambling Commission. He is also an adviser to Jersey Citizens Advice.

Steven Pallot

Advocate Pallot was called to the English bar in 1978 and became an advocate of the Royal Court in 1983. Apart from an almost nine year period in private practice, his career has been in public service, first at both the States and Judicial Greffe and, latterly and for the bulk of his professional career, in the Law Officers' Department, retiring in 2017 as Senior Legal Adviser. He thus has an excellent knowledge of Jersey's constitutional position and the inner workings of government. He remains a consultant to the Department. He has worked closely with the Law Draftsman's department for a number of years.