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# STATES OF JERSEY



## THE LAW SOCIETY OF JERSEY DISCIPLINARY PANEL: APPOINTMENT OF LAY MEMBERS

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Presented to the States on 5th June 2024  
by the Minister for Justice and Home Affairs

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STATES GREFFE

## REPORT

### Background

The Law Society of Jersey Law 2005 came into force on 1st January 2007, in order to provide for the administration and disciplinary control of advocates and solicitors of the Royal Court. It was amended with effect from 2nd August 2018 to provide for the recognition of legal services bodies and to extend disciplinary control to legal services bodies.

One of the principal objectives of the Society is to promote high standards of professional conduct among practitioners, and to this end, the Law makes provision for the appointment of a Disciplinary Panel to consider and adjudicate upon complaints against members of the legal profession and legal services bodies.

In accordance with Article 18(1) of the Law, the Disciplinary Panel shall consist of “not less than 7 and not more than 15 fit and proper persons as lay members.” Complaints against legal practitioners are submitted to the President of the Law Society and, in those cases where the President is satisfied that a complaint establishes a *prima facie* case of misconduct, the matter will be referred to a disciplinary committee.

In accordance with Article 18 (2) of the Law, lay members of the Disciplinary Panel are appointed by the Minister on the recommendation of the Jersey Appointments Commission, and subject to consultation with the Law Society, by the process set out in Article 2 of the States of Jersey (Appointment Procedures) (Jersey) Law 2018. This requires the Minister to, at least 2 weeks before approving the appointment, present notice to the States of the intention to make the appointments.

Consequent to Ministerial responsibility for justice being delegated by the Chief Minister to the Minister for Justice and Home Affairs in September 2023, appointments are to be made by the Minister for Justice and Home Affairs.

The Disciplinary Panel is currently comprised of only 3 lay members, all of whom are serving their first term of office. It is therefore necessary and appropriate to appoint additional lay members to ensure that at least the minimum complement of lay members is maintained.

The details of the current membership are set out below.

Mrs. Mary Curtis  
Ms. Sara Gascoigne  
Mr. Nick Cameron

The above lay members were appointed, pursuant to [R-4/2020](#), for a 5 year term of office on 3rd February 2020 under Ministerial Decision MD-C-2020-0007

### Appointments Process

The recruitment process and composition of the appointments panel for new lay members was previously approved in November 2019 by the Jersey Appointments Commission. It was determined that the Appointments Commission did not need to

participate in the recruitment process itself, provided that the agreed process was followed.

The Appointments Commission has subsequently completed an audit and signed off the appointment process off as being fair, efficient and conducted in accordance with best practice principles and procedure.

The positions were advertised as follows:

- Bailiwick Express – placement on job opportunities (29.3.23 for three weeks) plus website presence for one month.
- Chamber of Commerce – feature in weekly newsletter (on two occasions) and placement on website for one month (commencing 31.3.23).
- Law Society – feature in fortnightly newsletter (on two occasions) and job vacancy facility on website (31.3.23 for one month).

The closing date for applications was 29th April 2023.

As all advertisements were available online, they included a link to an Information Pack, obviating the need for potential applicants to request further information, which may have represented a barrier to application.

Formal applications were received from five individuals, all of whom were subsequently interviewed by the appointments panel on 15th August 2023.

The members of the appointments panel were Mr Douglas Melville (Channel Islands Financial Ombudsman), Advocate Matthew Swan (Viscount of the Royal Court of Jersey), and Mr Neville Benbow (Chief Executive Officer, The Law Society of Jersey).

### **Appointment of Lay Members to the Disciplinary Panel**

The appointments panel recommends that the following individuals be appointed as lay members of the Law Society of Jersey Disciplinary Panel.

- Mr Clive de la Cour
- Mrs Anne King
- Mr Peter Derrick
- Mr Paul Leary

### **Recommendation**

The Minister for Justice and Home Affairs is pleased to recommend the appointment of these persons as lay members of the Disciplinary Panel of The Law Society of Jersey. The work of the Disciplinary Panel can be time-consuming and complex, and the Chief Minister believes that the States is fortunate to have individuals with the relevant mix of skills and experience who are prepared to undertake this work in an honorary capacity.

Subject to approval of these appointments, the lay members will serve for a period of 5 years, with their term of office commencing from the date of appointment by the States. Biographies for the candidates are provided in the attached **Appendix**.

It is desirable that these Members be appointed because the Society is currently below the membership parameters set out in Article 18(1) of the Law. These appointments will increase the number of lay members to 7 (the minimum under the Law) which is

currently considered sufficient to cope with demand on the services of members of the Disciplinary Panel.

**Financial and staffing implications**

Administrative support to the Disciplinary Panel is provided by The Law Society of Jersey. The lay members work in an honorary capacity and, therefore, there are no financial or manpower implications for the Government of Jersey.

**APPENDIX****Mr. Clive de la Cour**

Mr Clive de la Cour recently retired as Chairman of the Rossborough Group of companies, after a highly successful forty five year career as an insurance underwriter and broker in Jersey. Mr de la Cour is a Chartered Insurance Broker and Associate of the Chartered Insurance Institute. He has been Honorary President of Glanville Residential Home since 2020.

**Mrs. Anne King**

Mrs Anne King is Operations Director of the Jersey Office of the Information Commissioner, where she is responsible for operational planning and organisational performance and the successful implementation of the data registrar's strategic decisions. Mrs King deputises for the Information Commissioner.

**Mr. Peter Derrick**

Mr Peter Derrick retired in 2021 after a successful career in the financial services industry including 30 years with Barclays Bank, latterly leading the compliance function before becoming head of risk and compliance for the Ogier Group and then assisting in the establishment of the legal practice and trust company for Maples and Calder. Mr Derrick is a regular volunteer at Jersey Zoo.

**Mr. Paul Leary**

Mr Paul Leary is Head of Risk and Compliance at Bedell Cristin where he is responsible for governance and risk management for an international law firm operating across six jurisdictions. Mr Leary is Chairman of the Jersey Depositors Compensation Board. Mr Leary is an accredited coach and is an associate of the Chartered Institute of Bankers.