

Criminal Procedure (Jersey) Law Sub-Panel

Written Submission – Professor Claire De Than – Institute of Law

12th January 2018

I am pleased to note that some of my comments and concerns from my response to the Consultation have been addressed in the new version of Draft Criminal Procedure (Jersey) Law. I would however like the Sub-Panel to consider the further points which I raised, in particular: those on the urgent need for reform to the grounds for criminal appeals under Art 26(1) of the Court of Appeal (Jersey) Law 1961, which are more than a century out of date, and which could be reformed at the same time as the Criminal Procedure Law; the need for a more thorough review of Jersey's laws on contempt of court to encompass how people communicate in the 21st century; and the need for research into how protecting witnesses and victims will actually work in Jersey. Failing to see 'the big picture' poses significant risks in law reform; while piecemeal reform is tempting and seems manageable, it can create serious problems and require costly and difficult solutions.