

# STATES OF JERSEY



## JERSEY LAW COMMISSION: APPOINTMENT OF COMMISSIONERS

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Lodged au Greffe on 24th November 2015  
by the Chief Minister

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STATES GREFFE

## **PROPOSITION**

**THE STATES are asked to decide whether they are of opinion –**

to refer to their Act dated 30th July 1996, in which they approved the establishment of a Jersey Law Commission, and –

- (a) to appoint the following as Commissioners of the Jersey Law Commission for a period of 5 years, with immediate effect –

Mr. Jonathan Walker  
Ms. Claire de Than  
Advocate Barbara Corbett;

- (b) to re-appoint Mr. Clive Chaplin as Chairman of the Jersey Law Commission for a further period of 5 years, with immediate effect; and

- (c) to re-appoint Mr. Malcolm Le Boutillier as a Commissioner of the Jersey Law Commission for a period of 3 years, with immediate effect.

CHIEF MINISTER

## REPORT

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 is an independent body that works in close consultation with the Legislation Advisory Panel, which organises its funding and acts as its channel of communication with the States. The Commission's role is to identify aspects of Jersey law which it considers should be examined with a view to their development and reform, including in particular the elimination of anomalies, the repeal of obsolete and unnecessary enactments, the reduction of the number of separate enactments, and generally the simplification and modernisation of the law.

Following the retirement of a number of Law Commissioners over recent years, there is a requirement for additional Law Commissioners to be appointed.

The Chief Minister therefore nominates Mr. Jonathan Walker, Ms. Claire de Than and Advocate Barbara Corbett to be appointed to serve as Commissioners of the Jersey Law Commission for a period of 5 years with immediate effect.

### **Mr. Jonathan Walker**

Mr. Jonathan Walker was born in Sarawak in 1961. He was educated at the King's School, Canterbury and read Modern History at Hertford College, Cambridge. In 1985 he qualified in the City of London as a solicitor.

Having spent a period with Mourant du Feu & Jeune in 1990, Mr. Walker moved to Jersey in 1991 to join that firm and, having qualified as a Solicitor of the Royal Court in 1996, became a partner of Mourant du Feu & Jeune in 1999. His area of practice was finance and corporate law. He also served on the Board of Examiners, and was an Associate Professor at the Institute of Law from 2009 until 2013, teaching Company Law and Insolvency and Bankruptcy Law. Mr. Walker retired from practice in 2014.

### **Ms. Claire de Than**

Ms. Claire de Than, B.A. (Hons.), LLB., LL.M. is Deputy Director of the Institute of Law, Jersey, and Co-Director of the Centre for Law, Justice and Journalism at City University, London, having previously held appointments at 2 London University colleges. A senior academic of more than 20 years' standing, she is the author or co-author of more than 15 books, including de Than, *Criminal Law* (OUP forthcoming 2015–16), de Than and Heaton, *Criminal Law* (OUP 2013) and de Than and Shorts, *International Criminal Law and Human Rights* (Sweet and Maxwell 2004). She has over 80 legal publications in total, including chapters in leading legal monographs and edited collections, such as Reed and Bohlander, *Substantive Issues in Criminal Law* (Ashgate, 2011) and articles in a variety of national and international journals, including the *Modern Law Review*.

Her research fields include criminal law, human rights law, media law, and disability law. She has been an expert for the Law Commission of England and Wales on 2 recent criminal law projects. A regular keynote speaker at legal and medical conferences, she has advised several governments and many organisations on criminal law, human rights and law reform issues, with specialisms in the law of British Overseas Territories and Crown Dependencies and in the law of consent.

### **Advocate Barbara Corbett**

Advocate Barbara Corbett is a Jersey Advocate and an experienced English Solicitor, who specialises in family and child law. As such, she is therefore able to advise and represent clients in both Jersey and England.

Advocate Corbett joined Hanson Renouf in 2007 as Head of Family Law, and became a Partner in May 2011. She is also a qualified Collaborative Lawyer, Specialist Children's Lawyer, and is both a Family and a Civil and Commercial mediator. Advocate Corbett is the only practitioner in Jersey who is a Fellow of the International Academy of Matrimonial Lawyers, which demonstrates her expertise in international family law. Advocate Corbett is the first, and only, Family Arbitrator in Jersey.

Advocate Corbett also has expertise in public child law, dealing with care and supervision orders and applications for contact with children in care. Prior to joining Hanson Renouf, Advocate Corbett was a Partner at Brethertons Solicitors in Rugby, Warwickshire.

### **Mr. Clive Chaplin**

The term of office of the Chairman of the Jersey Law Commission, Mr. Clive Chaplin, has expired. Mr. Chaplin would like to remain in post, and the Chief Minister is happy to propose his re-appointment. Mr. Chaplin was appointed as Chairman of the Law Commission on 1st March 2010 (P.13/2010 refers).

### **Mr. Malcolm Le Boutillier**

The term of office of Mr. Malcolm Le Boutillier as a Commissioner of the Jersey Law Commission expired on 27th September 2015. Mr. Le Boutillier would like to remain in post, and the Chief Minister is happy to propose his re-appointment. Mr. Le Boutillier was appointed to the Law Commission on 28th September 2010 (P.98/2010 refers).

### **Financial and manpower implications**

There are no additional financial or manpower implications for the States arising from this Proposition.