

**WRITTEN QUESTION TO H.M. ATTORNEY GENERAL
BY DEPUTY M.R. HIGGINS OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 14TH JUNE 2016**

Question

Will H.M. Attorney General summarise for members the source of the legal powers and responsibilities of Centeniers and how they may be held accountable for the manner of execution of their duties, whether as honorary officers or prosecutors.

Answer

The office of Centenier evolved at customary law along with the office of Connétable. Historically, Centeniers took the same oath as the Connétables and carried out the same functions in their absence in relation to the administration of justice and parish affairs.

The legal powers and responsibilities of Centeniers are now confirmed by statute, most significantly the Honorary Police (Jersey) Law 1974, the Honorary Police (Jersey) Regulations 2005, and the Criminal Procedure (Centeniers) (Jersey) Law 1996.

The Attorney General is the titular head of the Honorary Police and has a supervisory jurisdiction over Centeniers (Article 4(3) of the 1974 Law). As head of the prosecution service, the Attorney General is ultimately responsible for charging decisions and if a Centenier wrongly declines to charge any person the Attorney General has the power to overturn that decision.

Any complaints made against a Centenier in respect of his or her decisions as prosecutor are referred to and determined by the Attorney General, including a complaint about a Centenier's handling of a Parish Hall Enquiry.

The Connétables (Miscellaneous Provisions) (Jersey) Law 2012 acknowledges the responsibility of Connétables to supervise members of the Honorary Police in their parish.

Complaints and disciplinary procedures for complaints relating to the conduct of Centeniers in their policing role are set out in the Police (Complaints and Discipline) (Jersey) Law 1999 and the Police (Honorary Police Complaints and Discipline Procedure) (Jersey) Regulations 2000, which provide that a member of the Honorary Police commits an offence against discipline if the member's conduct does not meet the standard set out in the Discipline Code laid down in the Schedule to those Regulations.

Under the 1999 Law, the Connétable is bound to keep a register of all complaints submitted to him or her about members of the Honorary Police and to notify the Attorney General of all such complaints. The Attorney General can instruct an investigation into a complaint that is usually carried out by an inspector of the States of Jersey Police, and the Jersey Police Complaints Authority has the power to supervise any such investigation.

The office of Centenier remains an elected one; and, separately from the Code of Conduct in the Regulations of 2000 referred to above, a Centenier is ultimately answerable, every three years, to the electors of his or her Parish.