

3.6 Deputy S.Y. Mézec of St. Helier of the Chief Minister regarding the cessation of the prosecution role of the Attorney General and the establishment of a separate prosecution service:

Following his support earlier this year for an end to the dual role of the Bailiff, does the Chief Minister also support an end to the prosecution role of the Attorney General and the establishment of a separate prosecution service?

Senator I.J. Gorst (The Chief Minister):

The role of the Attorney General was considered in detail by Lord Carswell in 2010. He concluded that the Attorney General should continue to be responsible for prosecutions and I have no reason to disagree with Lord Carswell on this matter.

3.6.1 Deputy S.Y. Mézec:

Regardless of what Lord Carswell did or did not say, does the Minister think it is appropriate for the chief prosecutor to also be the Government and States legal adviser and does he not see a potential conflict of interest there?

Senator I.J. Gorst:

I think I have made my position quite clear. There is appropriate separation within the office of Attorney General for these matters, and I share the conclusion, as I have said, of the Carswell review.

3.6.2 Deputy S.Y. Mézec:

What does the Chief Minister say to people outside the Island when he explains to them about Jersey's constitution? Do they do what I had the experience of when I was visiting Cardiff a few weeks ago where they were far more surprised about the roles of the Attorney General than they were about the Bailiff? Does he think people outside the Island looking in see that as a good thing?

Senator I.J. Gorst:

I have to say in all my trips outside of our community and when distinguished visitors visit our community this is an issue which has never been raised with me. I think around the globe and in other small Commonwealth jurisdictions there is far more concern that there might be political involvement in the role of the Attorney General and the prosecution service, something which we do not have within our system. It is those jurisdictions where Attorney Generals are appointed by politicians that the concern arises in my experience.