

SOCIAL AFFAIRS PANEL

Review of Centeniers Role in the Magistrates Court

THURSDAY, 21 SEPTEMBER 2006

Panel:

Deputy F.J. Hill of St. Martin - Chairman
Deputy D.W. Mezbourian of St. Lawrence
Deputy A.E. Pryke of Trinity
Deputy J.A. Martin of St. Helier
Mr. C. Ahier (Scrutiny Officer)

Witnesses:

Centenier D. Scaife of St. Helier

The Deputy of St. Martin:

If we are all ready to start and we are all sitting comfortably. Could I welcome you to this stage? I am Deputy Bob Hill. I think you know me and we know each other and I will let the 2 other deputies introduce themselves, I think you are familiar with as well.

Deputy D.W. Mezbourian:

Good morning, Centenier, Deputy Mezbourian of St. Lawrence.

The Deputy of Trinity:

Good morning. Anne Pryke, I am the Deputy of Trinity.

Mr. C. Ahier:

Charlie Ahier, Scrutiny Officer.

Centenier D. Scaife of St. Helier:

Good morning.

The Deputy of St. Martin:

You will have received notification advising you that you are okay this morning with privacy, for instance, so I do not need to read out the privacy agreement, so if we could crack straight on and just also remind you really that everything is taped and you will be given the opportunity to get the transcription. Eventually we will be producing a report and just to make it quite clear as to why you are here, you obviously know we are carrying out this review but also the fact is that we asked the Centeniers Association - we do not call it the Centeniers Association any more - the Comitè des Chefs, if they would like to suggest someone with little experience and someone with all experience. That is

why we have before, Centenier Reed and now we have someone who has been asked to come along here, someone with all experience. Could I just say that your reputation precedes you, you are held in high esteem, so I congratulate you on that score. You are aware of our terms of reference. Could I kick off by just asking you how long you have been a member of the Honorary Police?

Centenier D. Scaife:

I have been a member of the Honorary Police for 16 years.

The Deputy of St. Martin:

You went straight into St. Helier.

Centenier D. Scaife:

I went straight into St. Helier as a Constables Officer. I was 5 years as a Constables Officer. I became a Vingtenier in 1995 and I was elected a Centenier in May of 1999.

The Deputy of St. Martin:

We have heard earlier, and you have been in the room, that it does not necessarily mean that because you have been a C.O. and a Vingtenier that the job of Centenier automatically follows. They are really a separate role. Would you subscribe to that?

Centenier D. Scaife:

They are, particularly in St. Helier the roles are vastly different. Although some Centeniers in St. Helier do carry out policing functions, their core work is charging and bailing offenders and dealing with Parish Hall Inquiries.

The Deputy of St. Martin:

How much time do you devote to the honorary service yourself in this particular ...?

Centenier D. Scaife:

Difficult to say. We are on one week in 10, that is our duty being one week in 10, and then after that we have a half day in court on a Wednesday morning and we have a half day in court for Youth Court. So, in theory that is all we should do but it goes beyond that because you may have trials in court, you may have to cover for other Centeniers and there may be other cases to follow up. So, it depends; sometimes it can be quiet, other times you can be down the office say once a week, at least once a week or twice a week.

The Deputy of St. Martin:

Are you self-employed?

Centenier D. Scaife:

I am self-employed, yes.

The Deputy of St. Martin:

So, you are able to arrange your duties or your police duties around your work.

Centenier D. Scaife:

I can arrange my police duties around my work duties, yes.

Deputy D.W. Mezbourian:

Centenier, one of the terms of reference to which we are working is to examine the system of training and assessment provided to Centeniers for their work in the Magistrate's Court and would you explain to us what your involvement is in the training of those Centeniers?

Centenier D. Scaife:

Yes. I chair the Centeniers Co-ordinating Group. This was one of 3 sub-committees which were set up which report directly to the Comité des Chef de Police. These were set up about 18 months ago when the Chefs were given responsibility for the day to day running of the Honorary Police. The other 2 are, one is training and the other one is equipment. The co-ordinating group has responsibility for Centeniers training in so much as their role in the court system charging and reviewing evidence and doing Parish Hall Inquiries. I have been involved in training Centeniers about 4 years and it was about 2002, in the summer of 2002, we realised that there was a gap and there was a big problem because we did not really have any training in place and we were going to have to do something about it. So, I think myself and Geoff Cornwall started doing some training sessions in that summer for Centeniers on a voluntary basis. At the end of that summer, Mr. Laurence O'Donnell was contracted over to the Channel Islands, to Jersey, and he offered his services and he offered to provide training sessions for the Centeniers as and when they were required and he started doing that in September 2002. My role was, at that time, to co-ordinate the Centeniers training with Mr. O'Donnell and Mr. Morris and to arrange for the Centeniers to attend and that has continued since then up until December 2005. I co-ordinate them, I arrange for the Centeniers to come, I sort the subjects out with Mr. O'Donnell and discuss with him our weak points and our strong points and what we should be doing. Centenier Lamy also takes a role in there as well.

The Deputy of St. Martin:

Were any of you trained to know how to train?

Centenier D. Scaife:

No, we are not trainers ourselves. When I did my brief bits of training and I have done one or 2 bits, it is based on my experience in the court. Robin Morris, I believe, has had some experience in training

students, so that was very, very beneficial when they came in and they have done 22 training sessions for us altogether over the last 3 years.

The Deputy of Trinity:

Is that specifically on presenting cases in court or is it --

Centenier D. Scaife:

Specifically on presenting cases in court. It would be anything from bail applications in court, presentation of cases, reviewing of evidence, jurisdiction of cases, when a case should go up to the Royal Court or whether it should stay down and also charging at the police station, deciding on evidence and when it is not permitted, when evidence should be put in or if a person should be charged or not. It covers the whole package really but it does not include policing. It is solely on what a Centenier does in court and their role as a prosecutor.

The Deputy of Trinity:

Do you have much support from your fellow colleagues within the Centeniers on that role of training?

Centenier D. Scaife:

Yes, we did. We did at the time and many Centeniers were willing to take part in it and come down, and we used to do one or 2 role play sessions. The Centenier would be asked to do various things in the court and they did. On some of our sessions, we had over two-thirds attendance. It was quite good. Some sessions were open to everybody, some were open to new Centeniers but normally it was quite a good attendance and they were willing to come on board and do it.

The Deputy of Trinity:

Since then I know that ex-Inspector John De La Haye has been part of your training, was part of the training group.

Centenier D. Scaife:

This work is a bit confusing because the Centeniers training concerning prosecuting comes under the coordinating group. There is a separate training committee which deals with policing matters and Islandwide training which Centenier Lamy chairs. Now, Mr. De La Haye was involved for about 6 years in training Honorary Police and policing matters Islandwide, what is called a Foundation Course. That is what he did. He was never involved directly in Centeniers training for the simple reason that his strength was with policing. That is what he did. He had not been a court prosecutor. So, that is why we went to the legal advisers and they trained us separately.

The Deputy of Trinity:

Just to recap there, they are 2 separate units.

Centenier D. Scaife:

They are 2 separate units, yes. There is no crossover. Centeniers, if they are doing policing training will do with the Foundation Course and they used to do it with Mr. De La Haye but any court training is done separately.

Deputy D.W. Mezbourian:

You referred, Centenier, to the statistic of the amount of people who attend the course, a fairly high statistic but we understand that training is not obligatory.

Centenier D. Scaife:

That is correct. It is not obligatory. My own personal view is it should be mandatory and for all Centeniers to do a course in court work run by a professional person who is trained to that standard, and there should be an aptitude test at the end of it. That is my view and it would be a number of other Centeniers' view as well, I have to say, that work closely than me. I cannot speak for them but they would have that viewpoint as well.

The Deputy of St. Martin:

If I could say that a lot of people might endorse that, there may be others who feel they want to become Centeniers but do not really want to be able to devote that amount of time to court work particularly if they do not go to court very often. Do you think by making something mandatory that you may well find it might make it even more difficult for Connètables to find volunteers to be Centeniers? Do you think that may be to the detriment of the honorary service?

Centenier D. Scaife:

To make it mandatory? No, I do not. I think, as far as I am concerned, the writing has been on the wall regarding Centeniers' training for some time. It has been on for a good 18 months, if not longer and I think that may be the case. It could happen. At the end of the day, Centeniers have got to have some training to be in court and we are dealing with members of the public, we are on a very important role. We are charging them, we are changing their lives effectively, so I think there has to be some professional training and even if it does mean, at the end of the day, there was a problem in getting Centeniers, we will have to live with that. I would much rather see them professionally trained.

Deputy D.W. Mezbourian:

We heard, Centenier, earlier this week, from Mr. Le Marquand, a Magistrate who commented that some Centeniers have more of a natural ability to present cases than others. Do you think there should be some form of selection as to who presents cases rather than perhaps asking for volunteers?

Centenier D. Scaife:

I think probably there should. It is a bit difficult because Centeniers are elected by the public, in theory, and to serve their parishioners and there is nothing that says they should not be in court. You are quite right. Their abilities vary considerably. There are some people that are very capable and there are some people who are not capable and - they will probably admit it themselves - they should not be in court. So, I think there should be some sort of selection process involving individuals that probably do not want to be in court; that is not their strongpoint. They may have other roles they can take up within the parish as a Centenier and it does happen now to a certain degree.

Deputy D.W. Mezbourian:

Are you aware of any Centeniers who have refused to present cases?

Centenier D. Scaife:

No, I have never come across that, not personally although it is quite likely within their own parish they may have asked the Chef de Police or another more senior Centenier to present cases and done it that way. I have never come across an absolute outright refusal.

The Deputy of St. Martin:

Have you been asked to present cases from outside the parish?

Centenier D. Scaife:

I have, yes.

The Deputy of St. Martin:

For what sort of reasons?

Centenier D. Scaife:

Normally because the case might be a fairly complex case and it is the sort of case where St. Helier may have had quite considerable experience. It often happens with complex drug cases, grave and criminal assaults, public order offences, all the type of offences that St. Helier deal with on a regular basis.

Deputy D.W. Mezbourian:

How do you see your role in court?

Centenier D. Scaife:

We are effectively, I think, the prosecution because although some of our Centeniers would say we just present the facts, we have to decide whether a person is charged or not with the offence and taken to court, so we are effectively prosecutors, yes; albeit untrained.

The Deputy of St. Martin:

You see me reaching for something because it is a question of what is the role of a Centenier in court. Is he or she a presenter or is he a prosecutor? I think I am looking to see the part of a recommendation made way back in 1990 that said that really Centeniers should be presenters, not prosecutors but you think the system does not work that way.

Centenier D. Scaife:

It does not work that way and you are quite right, there is a viewpoint that we are presenters but we are not because when we go to the Police Station or a Parish Hall, we have to make that decision whether to charge someone and take them to court or not or deal with them by another route. So, effectively we are prosecuting them and the decision rests more or less entirely with the Centenier at that stage. We are not presenting, we are making a decision before we do that and then charges are dropped or more charges are added on or they are downgraded and that is a decision for the Centenier. I would say that we are prosecutors.

Deputy D.W. Mezbourian:

That is your opinion, Centenier. Are you aware whether there is a consensus of opinion one way or the other on the -- is there still a Centeniers Association?

Centenier D. Scaife:

No. It is now the Jersey Honorary Police Association. We have been amalgamated as one group.

Deputy D.W. Mezbourian:

I would just like to refer to the Magistrate's Court Practice and Procedures Working Party Report of 1998 which states that the Centeniers Association, which was in existence at that time, is firmly of the view that its members should not become prosecutors.

Centenier D. Scaife:

I am aware of that, I have read that, yes.

Deputy D.W. Mezbourian:

Section 6.2. I am trying to ascertain now whether that is still the general opinion.

Centenier D. Scaife:

I think that was the opinion back in 1998. I think what has happened then is, particularly since Mr. O'Donnell has arrived as legal adviser, he has wanted to upgrade our role in the court. He has wanted us to be more upfront and to take responsibility for our actions and it has slowly evolved that many of us now do refer to ourselves as the prosecution. That is what we believe. But it is quite correct, back in 1998, many Centeniers were of the view that we were just presenters and that still does exist today. There are people that have that view but there is more and more people, I think, now have the view we

are the prosecution, we do have a very, very responsible role and I think Mr. O'Donnell has been partly, in the right sense, responsible for that. That is your role. You cannot hide from it.

The Deputy of St. Martin:

You have made a decision, not necessarily you, but the system, the prosecutor has made a decision to prosecute so, therefore, he will then prosecute in court. We go back again to the training and we have had all sorts of course and the one I was referring to was the 1990 review, Professor Lecane(?) review. He was very strong there talking about it should be obligatory for newly elected Centeniers, before they bring any case in court, to receive some training in presentation and prosecution cases. So a combination of the same obligations should attach to each existing Centenier on re-election. Now, that was 1990. We know we have had the Clothier Reports and other reports and it does seem to be taking a long time before someone grasped it and I certainly welcome your initiative and your support because, really, I think you do see the situation. If indeed, the Honorary Police is to go forward, it needs to belong to the modern society.

Centenier D. Scaife:

It does, yes.

The Deputy of St. Martin:

We are going off the sequence here but I think we are doing very well with the training. Obviously you feel, at the end of the day, the training must be there. Is anyone ready to certify the level of competency at the moment? These people go away and get trained; if there are people you feel are not really very competent or very happy with in going into court, there is nothing stopping them going to court, is there? You do not give a certificate of competency at all.

Centenier D. Scaife:

You cannot, but it is quite clear that when we did the training - we have done with legal advisers and seen them in court - that some Centeniers are just, and this is no disrespect to them, are just not capable of doing it in court. It is not their role, it is not what they want to do. They are very intelligent people but the Centeniers' role in court is not for them. It is quite a daunting role. You have to stand there and present cases before a professional Magistrate, before professional people, professional lawyers and some people I just do not believe are up to the job. But, having saying that, there are many Centeniers that are more than capable of doing it and there are some that while they may not be up to speed, with a bit of training they would be, most certainly.

Deputy D.W. Mezbourian:

Is it a Centenier's right to insist upon being able to present a case even though perhaps during training he would not have been assessed as being competent?

Centenier D. Scaife:

Yes, it is a right and the interesting thing was that when we carried out these interviews in the summer - we started to interview with Centeniers - they were unanimous in the fact they should have the right to present in court. Even if they were not really up to it, that was their role and they should do it. We were somewhat surprised at that.

Deputy D.W. Mezbourian:

What do you think should be done about such --

Centenier D. Scaife:

I think there should be an aptitude test at the end of the year. If a training package was provided, there would be a test at the end of it and if the Centenier was up to speed and passed that test and was capable, they would go forward and present cases in court. If they did not, they could not do that. I think it would have to be as simple as that. It sounds quite harsh but I think in this day and age, it has got to be accepted.

The Deputy of St. Martin:

Would that mean they could no longer be a Centenier?

Centenier D. Scaife:

No, I think they can still be a Centenier but I think there are some -- in court itself, it is a different role altogether. I think they can still be Centeniers but they may not be up to speed presenting cases in court.

The Deputy of Trinity:

Going on to that point, who would you say would assess the aptitude test and monitor it and so on?

Centenier D. Scaife:

My own personal viewpoint is I think that the Law Office Department under the direction of the Attorney General. There should be a Crown Advocate who is the trainer, or something along those lines, who can train Centeniers as and when they come in, mandatory, and they would assess that. It would come under their remit to do that. It would have to be somebody that is a professional prosecutor in court already and is capable of doing that and I think that could happen. I am sure it could happen.

The Deputy of Trinity:

You said that was very much your own views. How do your colleagues --

Centenier D. Scaife:

Some of them agree with that. My colleagues that work closely with me on training, they would agree with that I think and they would have a similar sort of view. Maybe not exactly the same, some do not

think they should be. They think the training should stick with the Legal Adviser's Department which is very good, but, of course, they have fulltime jobs as well and it eats into their own private time, and, of course, it is not compulsory as well.

The Deputy of Trinity:

What, for the law trainers you mean?

Centenier D. Scaife:

Yes, it is not compulsory they have to do the training with the legal advisers at the moment, although many do.

The Deputy of Trinity:

So, they do it on a voluntary basis.

Centenier D. Scaife:

They do it on a voluntary basis, yes. They do it on their own free time when they are coming in the evenings to do this, out of work hours, for us. Perhaps it would be a bit unfair to expect them to do that on a very long term basis. Although, they may be willing to, I do not know.

The Deputy of St. Martin:

So really maybe one of the ways of getting around some of the problems we have at the moment would be really having something on a much more formal footing, possibly extra funding. One of the questions we did not ask but we ought to ask, who does pay for the training? Who pays for it?

Centenier D. Scaife:

It could be done on an Islandwide, parish by parish basis. At the moment, we do that with other courses that we run for the Honorary Police and we bill people on a parish by parish basis. We do it that way depending on how many officers go on the course. If it is 6, they get a bill for 6 officers and it would probably work the same way with Centiniers. If you have 2 new Centeniers then it would work on that sort of basis really, I think.

The Deputy of St. Martin:

Only if a central register was kept at the moment. Do you know who has been trained and who has not been trained?

Centenier D. Scaife:

I do. I have a log. I have a log of who has done the training with the legal advisers, yes.

The Deputy of St. Martin:

So, what happens if there are people who are not having their training? There is no way in which you can improve the system? You cannot get them to turn up if they do not want to.

Centenier D. Scaife:

We have been very lucky that all the new Centeniers we had that came in - roughly around about 18 months, 2 years ago - they have come along and done the training and Centenier Reed was one of them. They have done that on numerous occasions. We have not had any new Centenier that has refused to come in and do it. We have one or 2 people who have been around a long time who have not come in, but so far we have been lucky.

Deputy D.W. Mezbourian:

You will be aware of the report that was produced by Helen Miles and Professor Raynor on the conducting and effectiveness of Parish Hall Inquiries. In that report a statement is made that recruitment and retention of honorary officers is sighted as the single most important challenge facing the honorary system by those who operate within it and I should say that the report was produced in September 2005. Would you agree that is still the case?

Centenier D. Scaife:

Yes, I think that the biggest single challenge for all ranks and for all the Connètables, the Chef de Police is recruitment. It is a big problem.

Deputy D.W. Mezbourian:

How do you think it would impact upon recruitment should the role of Centenier in presenting cases in court be changed?

Centenier D. Scaife:

It would be a problem. I think we would have to recognise that we have 56 Centeniers over here in the Island and I think it would be a problem for the Connètables if they are approaching a member of the public and that member of the public was told they would have to do professional training and do a test at the end of it, yes, I am sure it would be a problem. But there is another side to the coin there that we have 56 Centiniers and do we need 56 presenting in court in a small island like Jersey? We probably do not although that is a controversial thing to say, you could probably narrow that down to maybe 24.

The Deputy of St. Martin:

We had this little difficulty earlier - it is a paradox really - if you want the Centenier to be doing what a Centenier should be doing, it can also be to the detriment of recruitment.

Centenier D. Scaife:

It can be, I agree.

Deputy D.W. Mezbourian:

Just as a follow on to the question of recruitment, I have here leaflets headed “The Jersey Honorary Police Serving in the Community” which I believe is one way that the Honorary Police has been trying to attract recruits but I found it interesting that I could find no mention anywhere in this leaflet of a Centenier presenting cases in court.

Centenier D. Scaife:

Yes, you are quite right.

Deputy D.W. Mezbourian:

I wondered if it had been omitted for a particular reason.

Centenier D. Scaife:

No, it had not. That form has now been updated and it has now been changed. We had to withdraw that form and currently, I believe, the AG and Mr. Couriard are looking at a new form. You are quite right. It does not mention it, not deliberately, but it is a role that is often overlooked. The Centenier’s traditional role is in his parish. In a country parish, he knows all his parishioners and the court comes very much secondary or somewhere down the line, where in St. Helier it is our primary function. It is not deliberately done but I do think sometimes that Centeniers, they come in and they have not been in the ranks, they have asked to join and when they come to court, they are hit with -- it is quite a shock, it really is in this day and age, it is a new court. The old court was not so bad but the new court now, they are very modern and they come in there and they think: “Well, what have I signed myself up to?” I think that does happen, sometimes it does, and we are probably a bit guilty of not promoting that aspect. I think you are quite right.

Deputy D.W. Mezbourian:

For the record, I would like to state that I picked this leaflet up in the Public Library on Monday of this week.

Centenier D. Scaife:

I am glad you told me that. I will make sure I get them taken away from there because they are outdated.

[Interruption]

The Deputy of Trinity:

Are we going to be able to talk over the top of it, I do not know.

The Deputy of St. Martin:

I will just ask if you can keep your voice up, please.

The Deputy of Trinity:

I have lost my train of thought now. Your thoughts were about having a pool, say of 24 Centeniers, of the ones who able to present in court and going through the aptitude test, et cetera. How do you see that working in practice Islandwide?

Centenier D. Scaife:

It is a problem and you are quite right. It is all right talking about having a pool of Centeniers but the problem is we are elected to serve our individual parishes. Now, there is scope within the law for us to present cases from our own parishes. The law changed about 10 years ago. We do do that. This was in 1996. We are also looking at, there will be another law change hopefully in the near future which will broaden that scope so the Centeniers can help out on the Parish Hall Inquiries and can do this on a Centenier to Centenier basis. At the moment, it is a very formal rigid thing which we only do occasionally. That is the problem we have got is that there may be some parishes that do not want to give up their role. They do not want a small pool of Centeniers to present their cases. We recognise that could be an issue. It could be a big issue. I gave 24, that is not my personal view, that is to give an example but there will be some parishes that say: "Absolutely not, it is our role and they are our parishioners and no other parish should interfere." There may need to be a further law change on that as well. It needs to be looked at. It is not an easy decision to make.

Deputy D.W. Mezbourian:

What discussion has taken place, if any, with the Attorney General to resolve these concerns that you have?

Centenier D. Scaife:

We are, we are working in with the Attorney General. There is, on a slightly separate issue, a working group set up at the moment under the leadership of Constable Fisher. Now, this is looking at the jurisdiction of the Honorary Police in the Island and how they can help each other out and become more involved with other parishes. Not to change the role of the Honorary Police but just to help each other out, particularly Centeniers in court. The Attorney General is fully aware of that and that is going on now but we accept that taking that one step further, if it became a situation where we are going to have a pool of Centeniers, that would be quite radical and I do not know if the AG would approve of that. He probably would, I do not know. I cannot speak for the AG but it is something that is very controversial and there is a group of Centeniers that would be in favour of it but there is an equal amount that would say: "Absolutely not."

The Deputy of St. Martin:

May I just ask, do you know if that is within the remit of the AG, to make a decision?

Centenier D. Scaife:

No, it is not. It is the States that will make that decision but the AG would have his view on it which I assume it would be listened to because he is our Head.

The Deputy of St. Martin:

Can I follow this particular line on? It could be seen as a bit of a danger, in fact, that you have started having one Centenier helping out another from another parish on a fairly formal basis. You could end up seeing the erosion of each of the 12 Parish Police to one Honorary Police Station. Are you aware of that?

Centenier D. Scaife:

We are fully aware of that and we have looked at that in close detail. The idea is behind any law change that would happen and we looked at that is that for instance, St. Lawrence had a situation, on 2 occasions when they have had 4 Centeniers that have gone in a very short period of time. We would like to have a situation where maybe a parish that has maybe 2 Centeniers die in office or have to resign, then the Connètable could co-op somebody from St. Helier to go and help them out. They would go and do that and they could help them out in court or they could help them out in Parish Hall Inquiries. It is not to create an Islandwide Honorary Police but it means you have more flexibility. You can use your pool of experienced Centeniers to help other people out and although that does happen now on an ad hoc basis and we do help each other out, it is not formally there really and it needs to be I think. I think the pool of Centeniers is a long way down the line but it may be the way ahead.

Deputy D.W. Mezbourian:

My understanding, Centenier, is that it is a law that a Constable may ask a Centenier from another parish to present a case in the Magistrate's Court.

Centenier D. Scaife:

Yes, under the 1996 Law, providing there is permission, the Constable can do that. We do that frequently. For instance, St. Helier may have an offender who has done something, stolen a car in St. Helier and they have committed offences in St. Peter and St. Mary. The St. Helier Centenier will pick up the whole lot. But we want to take it one step further than that where if there is a problem where St. Mary needs all its Centeniers, then that Connètable can co-op other Centeniers on a temporary basis to come in and help out and use that experience. You have to have flexibility. The Island is too small and you have 12 Police Forces of 56 Centeniers, so it needs from all co-operation. But that does not mean to say that anybody wishes to have an Islandwide Honorary Police Force, but we need to use our experience to help other people out and particularly Centeniers in court. Other parishes do come to St. Helier, they do come and ask our advice on a regular basis and we are more than willing to give it, and

we do give it.

Deputy D.W. Mezbourian:

We note, of course, that the Honorary Police system, according to record - it says in this out of date leaflet that this information would be pertinent - a Constable was first mentioned as far back as 1462 and the reference to Centeniers in the records of 1502 and surely, if the Honorary Police system has been in place from that time, it must be that it has been able to change with the times in order to survive. What you are suggesting is another way of helping it to evolve and be better for the Island while improving the services it delivers.

Centenier D. Scaife:

Yes, it does evolve. You are quite right. The Honorary Police always evolves. It does have to be pushed and nudged at times, that is not always a bad thing but I think this is a good example here. We have hit this crossroad with Centeniers and it needs to be nudged forward in the right direction. I do not think Centeniers should be taken out of court. They are quite capable of presenting cases in court but it does now need to be made a bit more formal and it needs to be moved forward fairly rapidly, I think. I think it has been an area that has been neglected for some time. You are quite right, it is 500 years old. We have not been presenting cases in court for 500 years. The system itself is that old, yes.

Deputy D.W. Mezbourian:

The system of the Honorary Police within parishes has evolved.

Centenier D. Scaife:

It has evolved, yes.

The Deputy of St. Martin:

Just talking about some of the role of the Centeniers, one of their roles is, of course, getting up at all sorts of hours of the night sometimes to maybe see to a stray cow that has got lost or something like that, but also turn up at court to charge somebody. Do you think, again, that could be one of the downsides of being a Centenier, one of the things that may put people off, the fact that their nights are going to be disturbed?

Centenier D. Scaife:

I think in the rural parishes, it is a problem. St. Helier is not too bad because what we normally do is we recognise in our duty week that our role is going to in court and a Parish Hall, so we do not get many callouts. If we do, we normally pass it on to our Vingtenier, our duty Vingtenier, to go and deal with. In the country parishes, it is a fairly big problem. I know that they are called out 2.00 am and 3.00 am in the morning and they may have to go to court the next day. Having said that, they do not have the volume of court work which we have. It is a problem. I think people, when they join, they do not

realise this. I think it suddenly hits them that they might get called out and yes, it can be a problem. From St. Helier's point of view, it is not a major problem because we do not get too many callouts.

The Deputy of St. Martin:

Just on the aspect of court and charging, et cetera, and it is, of course, the right of the Centenier to charge. Are there many occasions where you do not agree with what you are being asked to charge? Of course, there are the follow ups, one has to do a report afterwards.

Centenier D. Scaife:

No, not normally. What normally happens is it can happen in one of probably about 3 ways. What normally happens, you can go in and you are not happy with the evidence, there is not sufficient evidence to charge and that is the first one and you will ask the police to go and get more evidence. That is the most common thing you will come across. The second one you might come across is there may be sufficient evidence to charge a person but there might not be evidence there for a conviction. So, you are asking the police to do more work on that occasion. The third occasion is when it is not in the public interest. It might be such a minor offence that it is just not worth it and you can refer it back to Parish Hall. We always give a reason. We always tell the custody sergeant why we are not charging and frequently we will refer it to the legal adviser or phone them, even at home, out of work hours, to discuss the case with them first. It does happen and from time to time, again particularly with St. Helier.

The Deputy of St. Martin:

How much training would be needed for someone to feel strong enough, as their newly elected Centenier, to go down to Rouge Bouillon at 3.00 am in the morning, find your way in there and be told: "I've got this person here. I'd like you to charge him, Centenier." Do you think that might be a little bit daunting for a very inexperienced Centenier?

Centenier D. Scaife:

It would be but it should not happen. It should not be happening now and I do not know if it is because normally a Centenier is mentored. They are shadowed by a more senior Centenier that goes down with them. Certainly in St. Helier we would not let a Centenier probably go off on their own for some considerable time. So you will phone somebody else and say: "Can you come down with me?" or they will discuss the case on the phone. I think that happens in the other parishes as well. There is somebody who will go down with them and they would not be expected to go down on their own. If they were, that would be totally wrong. It takes some time, it does take a bit of time, to have the confidence to go and see the custody sergeant, to speak to him, particularly on a very serious case where there might be a problem and they want you to charge somebody and take their liberty away, it is a very, very serious responsibility. I would expect that all junior Centeniers or Centeniers that have just come in to be shadowed by a more senior Centenier, and if they are not they should be phoning them straightaway. That would be my experience, that does happen quite a lot.

Deputy D.W. Mezbourian:

Are you aware, Centenier, whether a central record is kept by the States' Police of the occasions when a Centenier refuses to charge?

Centenier D. Scaife:

Yes, there is.

Deputy D.W. Mezbourian:

Do you know why that record is kept?

Centenier D. Scaife:

Yes. There are a number of reasons. They started doing this recently. I believe, it was about the beginning of this year, they started doing it with Parish Hall Inquiries and I think they are going to move on to court work very shortly. Quality control. One of the reasons we notice if you declined a charge, it might be one particular officer is getting the paperwork wrong or one particular shift is. I have no evidence of that but that could be one of the reasons. They keep a check of that. Also, on the other hand, I daresay there might be Centeniers, particularly at Parish Hall level, may be not charging on a regular basis. That needs to be kept an eye on so they can write to the Constable or the Attorney General and tell them. How often that does happen, I do not know but it is quality control from their end. I do not personally have a problem with that; I think it is a good idea. Very good idea.

The Deputy of St. Martin:

Should be happening.

Deputy D.W. Mezbourian:

My follow up question was going to be are these decisions reviewed to ensure consistency and that the public interest is being served, but you would not be responsible or involved in any review?

Centenier D. Scaife:

It is very difficult because it happens on such an ad hoc basis. Yes, they do get reviewed but if the Criminal Justice Unit are not happy with their Centenier declining to charge or refusing to charge point blank, they have the right to refer it to the Attorney General to overturn our decision. That does occasionally happen. It is not often it happens. It is very rare but it does occasionally happen. Normally a Centenier will tell the custody sergeant and he will phone up the Criminal Justice Unit and say: "I've not charged for this reason" and he will go through it. He may do it in a report even. The legal adviser's do it in reports now as well, and we do as well, so they know. We do not just suddenly say: "We are not going to charge" and then walk off. We always give a valid reason so that they can write it down.

The Deputy of St. Martin:

But you are required by the guidelines to do a report if you disagree and do not wish to charge. I am only saying that because I have read the guidelines.

Centenier D. Scaife:

You are quite right. It happens on such -- it is such a thing. It is almost like it is a regular thing. Not because they are the States' Police. They are very good at their work, but we go in there and the Sergeant may agree with us and say: "You are quite right, Centenier. We will just go and adjourn the case and get some more evidence." It happens quite a lot. If it is a very serious case where we have declined the charge, then we automatically refer it to the legal adviser straightaway and ask them to have a look at it or ask them to come in. It is not reviewed, I do not think, periodically. We do not have a group set up to review all cases why they are dropped.

The Deputy of St. Martin:

Could I just pursue? This is a line, we were just talking about, in the Malcolm Lamy's report on page 8 he talks about one of the strengths of the system, of course, is the fact the Honorary Police are independent. So, when you go down to Rouge Bouillon or wherever you go to charge a prisoner or an accused who has been arrested by a States' Police member, the Honorary Police is independent.

Centenier D. Scaife:

Yes.

The Deputy of St. Martin:

One looks to see the changes with the UK, the a separation between those who do the arresting and those who do the prosecuting. From that, where is the independence line if an Honorary Officer makes an arrest and it is then down for the Honorary Police to charge? Where is the independence there?

Centenier D. Scaife:

You do not have independence there but what you do have is that the Comité de Chefs have issued a directive that if any Honorary Police Officer makes an arrest, then the person that does the charging must be completely different. For instance, if I arrest somebody in St. Helier, then it would be one of my colleagues that charges, completely independently from me. I hear what you are saying. If they are members of the Honorary Police then there can be an issue with it. I understand that. We do recognise that and we have to be professional and very circumspect in what we do and we do that to the best of our abilities. You are quite right. There are situations that do arise. DIC (Drunk in Charge), drink driving is a good example. Many Centeniers may arrest somebody for drink driving but it would automatically fall to another Centenier to do the charging and presenting in court. It will never be the Centenier that has done the arresting. It used to happen but it should not be happening now.

The Deputy of St. Martin:

But it is still the Honorary Police.

Centenier D. Scaife:

It is still the Honorary Police, that is quite correct and I accept the fact that there could be an issue with that. I understand that totally.

The Deputy of Trinity:

Would you tend to use the Centenier from the same parish or would you go outside of the parish to charge?

Centenier D. Scaife:

If we had an Honorary Police Officer that was arrested in the parish and going to be charged, we would turn to another parish. We do not normally do that with minor offences where the Centenier's been the arresting officer. We normally charge as well. I think one way round it could be to ask another parish to take on that charging role. I think that is quite right and I think probably in this day and age that should happen, yes.

The Deputy of St. Martin:

So it is an area that one could need looking at because we have in this particular report, we have the workload of St. Peter and it is quite apparent there that they are arresting, charging and so the Honorary Police would be making the decision to charge there. There is the inconsistency there.

Centenier D. Scaife:

There is. St. Peter would fully accept that. Centenier Lamy is a very, very active officer but, of course, he will always get somebody else to charge. You are quite right. I think probably another parish would say: "Right, perhaps St. John's could come in and deal with it." There is nothing wrong with that and I think it would be a simple thing to do. I do not know what the AG would say but it makes sense in this day and age.

The Deputy of St. Martin:

Again, following on from that, the fact that one of the reasons that the system was changed in the UK was the fact that it seemed to be the police were arresting, they were charging, they were prosecuting, and there was no separation of powers. But it could be argued one of the strengths of the Jersey system was that, albeit the Honorary Police are still police, they are a separate police force and could be seen to be independent within that guise.

Centenier D. Scaife:

I think we are. The thing about the Centeniers is their role in Jersey is almost like a mobile Crown Prosecution Service. They go in and they charge offenders at the police station, they have to make that decision. They see it right the way through to the end. Whereas in the UK, the Inspector will do the charge, the CPS (Crown Prosecution Service) will then review it. It is all broken up but you have here a Centenier seeing it right through to the very end hopefully unless he passes the case on to the legal adviser. Of course, he is accountable to the Attorney General. He is not accountable to any statistics or anything like that. He can review that as a completely independent person, look at the evidence and decide whether it warrants charge or whether there is enough evidence there.

Deputy D.W. Mezbourian:

Who would keep a record, if any, of the time spent annually in court by Centeniers?

Centenier D. Scaife:

St. Helier could probably tell you exactly how much time we spend in court and the court greffe has a record of all the list of cases that come up on a week by week basis. The parishes have set days in court, as you know, and it will have the name of the Centenier. It could be done. It is not impossible to find out. In St. Helier, we know on our duty week when we come on we are going to have to spend the whole of Monday in court and we have to spend Friday morning in court, and possibly Tuesday morning and Thursday morning in our duty week. We know that. That is set in stone and that is one thing we have to accept that those days are set for us. When a new Centenier takes that role, he or she is fully aware of that.

The Deputy of Trinity:

What support does the parish give you Centeniers in presenting cases? What sort of support; IT support, administrative support?

Centenier D. Scaife:

The support in St. Helier is excellent. We have a very, very good charges office and we have an excellent data base. We also have a former police inspector who is the administrator and who is also in charge of the Criminal Justice Unit, as you would know as you visited it. It is 100 per cent. St. Brelade has a very good system as well. They have Mr. Barry Walsh down there and they are very well set up. I think the problem might be and I have to be careful what I say here, is that some of the parishes do not have the expertise that St. Helier has or St. Brelade has. They would invariably sometimes come to us and we do not mind. Because we have such a good data base and we know how to work the charges, they will come to us. I personally think there should be an Islandwide charges office. I think that would be a better thing really and they could come to this one office and have charges done that way. I think it would be a lot better because some parishes just do not get the experience. You get a drugs raid in a rural parish and there are all sorts of complicated drugs charges or conspiracy charges, they are not going to have that kind of expertise, whereas the urban parishes do. From St. Helier's point of view, our

backup is very good.

The Deputy of St. Martin:

Could I just try and correct you and just make it clear that - I knew I wrote it somewhere - there is an accountability system in the UK under the CPS system. It says: "Chief Crown Prosecutor's are personally accountable through an annual certificate of assurance for ensuring that DCW's (Dedicated Case Workers) operate under an appropriate supervision and do not make case work decisions or conduct criminal proceedings which are reserved to the Crown Prosecutor. I do not think you were meaning to be flippant about it but I think that it is not just a simple charge because it is good for statistics. I think one of the criticisms that sometimes could be levelled at the CPS is that sometimes they do decline to charge more than possibly the police would like to. I just thought I would pick up on that.

Centenier D. Scaife:

No, you are quite right. I did not mean that. Sorry. I am glad you mentioned it. We are not enslaved to a bureaucratic machine where if we do not charge 50 people in this week, we are going to be hauled up for it. We can make an independent decision on that and I am sure the CPS does as well.

The Deputy of St. Martin:

The criticism of the CPS is that they could be seen to be too liberal and not charging enough. Again, reading through this report, it would appear to be this ill feeling or a feeling of that is not very happy in Nottingham but that is something else.

Centenier D. Scaife:

Yes, I have read that remark.

The Deputy of St. Martin:

I do not know where we are at the moment. Are we finished on that particular line of questions? I think we have spent a fair bit of time on the time they possibly need for training. I think that has been identified and I think it is good that people like yourselves give so much of your time and also identify the need for others to do it. Could I just move on to something else? It is probably a bit of a myth maybe but it is claimed often the Honorary Police are well acquainted with their parish. They know their parishioners and that is the view that a lot of people do subscribe to. How well do you think that is in today's modern society?

Centenier D. Scaife:

I think probably 20, 30, 40 years ago, that was probably the case. It is less so now. I think maybe in country parishes they do know their parishioners better than what we do in the more urban parishes but I think it is their problem. It is not like what it was because many Centeniers come in now at the rank

of Centenier. They have not spent years in the parish where they have known everybody, so they do not always know their parishioners. St. Helier is a different kettle of fish altogether. Because we have so many people living in St. Helier, by the very nature of it we cannot know all of our parishioners. I doubt even probably 30 or 40 years ago, the Centeniers did then. You might know a lot of shopkeepers but things change and we have a transitory population in St. Helier, so we do not get to know them. I think in some country parishes that is probably the case now. Probably 30 years ago it was probably normal to know most of your parishioners, but now not the case. Unless you have lived there all your life or you have maybe been farming there for 25, 30 years, then you probably do know a lot more.

The Deputy of St. Martin:

But not so many people are working in the county anyway. People come into town, as I knew to my cost this morning having got caught up in the traffic earlier on. I think we are almost done unless you have something else to ask.

Deputy D.W. Mezbourian:

I have another question to ask just on the matter of data protection. How are Centeniers covered?

Centenier D. Scaife:

I believe that each Parish Hall now is signed up to a protocol with the States of Jersey Police regarding information that is given to us at Parish Hall level. It has to be kept in a secure place. I do not quite know what it is called or how we are signed up to it but we are signed up to something which happened about 3 or 4 years ago. Not the Memorandum of Understanding, it is something different to that, so we have to be careful. Speaking from St. Helier's experience, there are issues with data protection and I think it going to be more of an issue in the future because everything is sent down to us in a hard copy. There was some talk 3 or 4 years ago it would all come down by computer and we would download it. That system has not evolved for the moment, so we know that is an ongoing issue.

Deputy D.W. Mezbourian:

I asked the question really because we are looking at assessing the administrative support which is given and we are aware that, as you have mentioned earlier, a lot of the background information is in paper format.

Centenier D. Scaife:

Nearly all of it is. Everything you get from the police station. I mean, St. Helier has a very rapid turnover of paper, it really does. We get all that background information. Security wise, we are very good. We have a totally clear desk policy. Everything is sealed away; everything is sent back to the Criminal Justice Unit or shredded and destroyed.

Deputy D.W. Mezbourian:

Is that in St. Helier?

Centenier D. Scaife:

That is in St. Helier.

Deputy D.W. Mezbourian:

Are you aware whether it applies to all other parishes?

Centenier D. Scaife:

I think the problem you have with other parishes, and it does apply to other parishes, is that, you see, in St. Helier we have designated people doing police work. St. Brelade does and one or 2 other do but in some parishes, you might have a parish secretary doing it, so there is an issue there I think with that and that is why I would like to see a central base. I think there should be somebody employed and they may be able to sign a contract. I do not know. It needs tightening up, I think. I do not think there have been any breaches but I think potentially we are 12 different parishes dealing with so much paperwork that it does need to be tightened up. I accept that.

The Deputy of Trinity:

You have spoken about many different views and I asked you about the pool and about the data protection. How have you presented them back to your committee, the Chef des Centeniers?

Centenier D. Scaife:

Yes, we do. We know that. It is an evolving thing; we are working on these things all the time. It never stops. There have been some quite rapid changes in the last year within the Honorary Police at both levels, so the co-ordinating group are fully aware of these problems and we address them as and when we can. The Islandwide charges office is a problem because the Centeniers did not want it. When we did our survey about that, 73 per cent said no. They said we do not want that. We were surprised and we thought that was one area where we could make real inroads and so that is something that will have to be looked at as well. We feel in this day and age it would make more sense. Data protection, we know that is an issue. The Chefs are aware of that and they do look at these things periodically from time to time and we will refer issues like that to them. We will carry out the research and then refer it to the Comité des Chefs to have a look at and make a decision on.

The Deputy of Trinity:

Other Comité des Chefs, are they very open to change and moving forward?

Centenier D. Scaife:

Yes, they are. The Comité des Chefs have been up and running for about 4 years but under this new format, it is about 18 months, so they are and we have to report back to them, one of the 3 groups do and

they will listen. They are pretty good. They have given the co-ordinating group a good long rein to look at things, do research and development for them, look into it and come back with recommendations and they are pretty good. They do look at them and they do consider them.

The Deputy of St. Martin:

I think one of the frustrating things we saw and it even happens with the States, you get working party groups, et cetera, and you make all these recommendations. At the end of the day they are only recommendations and there are no teeth. We have seen it here with this particular Lecane report of 1990, we have seen Clothier, and we might even see something coming from this panel about it. How do you think people can really start looking to say: "If we do not watch out, we are going to lose something pretty important to the Island simply because there is not enough support given to the ideal for change", even within your own group. How do you think that could be advanced?

Centenier D. Scaife:

The Chef de Police has to push this at all costs. It has to be said and I am not being pigheaded here but a lot of the people that do a lot of the work are not on the Comité des Chefs. Some of them are but they are not in one of the other groups and so they have to be careful what they say because the Comité des Chefs have the right to voice their opinion. They need to be proactive. They need to be going out there and looking at this and even lobbying States Members. I go as far as to say that to say: "We have got a problem here. If we do not look after this system, it is going to collapse." The Connètables should be doing that but, of course, they are busy people. They are in the States, they have other problems but I think the Comité des Chefs now should be really pushing this to the absolute limit. If there is a problem with recruiting, with Centeniers in court, no matter what it is, they need to pick it up and look at the big picture. The small stuff, making the engine work will be done by the little sub groups which we have. They will do that bit but the bigger stuff, going out there and being proactive with the media and taking it forward, they need to do that and they are. They are coming on board doing that slowly but, like you said, it is a case of evolving this thing. It needs to be done, it definitely does. You are right. As a good example, you are looking at this role of the Centeniers in court, it is something we have recognised for about 2 years now, that there is a problem and clearly in the Criminal Justice Policy, it was recommended we stay in court and now we are looking at that. So we have got to be proactive and --

The Deputy of St. Martin:

We have been criticised for doing so, as you are aware.

Centenier D. Scaife:

Yes. Personally I do not have a problem with it. I think it probably needs to be. We are all open to scrutiny at the end of the day and should we have people that are amateurs and untrained in court in this day and age? If they are unhappy with that, there has to be training there as well. I think it is quite right to look at it. I do not know, some of my colleagues may be a bit suspicious because they probably feel

at the end of it Centeniers could be removed from court completely and that could be the end of it. I think there will be a knock on effect. That is one of things we are concerned about is if the Centeniers were removed from court, it would almost certainly have a domino effect with charging at the police station and possibly Parish Hall Inquiries. It is bound to, almost certainly.

Deputy D.W. Mezbourian:

Have you noticed any difference since the Constable of St. Helier won his case which allowed him to choose his Chef rather than appoint the Chef who had been the longest serving Centenier?

Centenier D. Scaife:

Without getting into parish politics, yes, there has been a difference in the fact that we have a Chef de Police. We did not have a Chef de Police for 18 months. So we have a Chef de Police now and there is somebody in place there that is the figurehead for the Honorary Police in that parish and if there are problems, he can be approached and he can deal with them.

Deputy D.W. Mezbourian:

The point of my question was really I do not know whether it has applied in any other parish that the Constable would have chosen someone other than who would normally have taken that role anyway.

Centenier D. Scaife:

I think it did. I think it right away across the board. I think one of the things that happened with this particular role with the Chef is that under this ruling in 1946, it was deemed that the longest serving officer of the rank of Centenier, over a period of service, would become the Chef de Police. I think it had been forgotten about for many, many years and by tradition, it was the senior Centenier, the longest serving of the rank of Centenier. If someone had been a Centenier for 10 years, they would become the Chef de Police and that is how it seemed to evolve over the years. Of course, 3 or 4 years ago, it became apparent when one Centenier did some research, this was not the case and I think it was the case of traditionally that is how it had been done many years ago. Now having the fact the Constable can now appoint his Chef de Police is better. I do not know how many other parishes have had to change anything there.

Deputy D.W. Mezbourian:

I asked the question because I wondered whether as it was traditional for the longest serving Centenier to be appointed as Chef that they were then taking with them a great deal of experience to the role, whereas now the Connètable may appoint someone who had very little experience.

Centenier D. Scaife:

You are quite right. I think there are 2 sides to this. It can be wrong to appoint a Centenier just because he has been there the longest. With the best will in the world, some of our longest serving Centeniers

across the Island are not the most competent people. They have been around a long time and they sometimes can develop bad habits. Not all of them but just maybe one or 2 of them do. On the other hand, you are quite right, he could appoint somebody that has only been in there a year. But it should be done on ability. I am not entirely happy with the way the Connètables pick their Chef de Police. I think it is an area that needs to be looked at. I think the Chef de Police is a very important role and I think there should be more aptitude involved. The person's ability, experience, the whole lot should be taken on board. I would even go so far as to say I think in this day and age, Chef de Polices probably should be willing to do perhaps say a management course of some sort really. I think it would help. I really do.

Deputy D.W. Mezbourian:

The reason I asked the question was to really open up a debate about the qualities and leadership skills of the Chefs because obviously they have such a direct input and say over what happens throughout the Honorary Police system. It is interesting that you believe that perhaps they should be on a management course but then we are looking at maybe speaking about professionalism more so than is necessary at the moment.

Centenier D. Scaife:

I do not know. I think it is because the role of the Chefs now is quite they are the forefront of the policing over here. They do the day to day policing. They are making decisions. They are formulating policy now and issuing directives. I think not all of them, but there are definitely some Chef de Police who will probably benefit from that and probably all would. Certainly if I was in a position where I was Chef, I would probably more than welcome going on a management course. It can only benefit the Honorary Police by doing that. It did not matter 10 or 20 years ago. The Chef was very much parochially concerned. He knew his parishioners and I think the Chef's role was different then. It has changed quite dramatically I think and I think it going to change more in the future. I really do and I think some of the older Chefs may not particularly like that. They may say that no, we do not need management. We do not need those kinds of skills. It is very much we know who our officers are but I think it is going to change. I really do. The Chef de Police are very good but they do need that proper management structure there if they are going to carry on with the day to day running of the police and the Connètables are going to take a backseat.

Deputy D.W. Mezbourian:

Have you noticed a difference since the amalgamation of the Centeniers Association and the Vingtenier and COs Association?

Centenier D. Scaife:

Yes, there has. I think it has been better. What has happened is now the association can take on the role they have always had which is to look after their members and represent their members and the 3 subcommittees for the Chefs can do their role of making policy and looking at things. There has been a

bit of a void. When the Jersey Honorary Police Association was formed last year, for about a year they did not really have a role as such. It was a bit of a void needed filling but since then they have taken on various roles. Complaints and discipline is something we do at the JHPA (Jersey Honorary Police Association), the website we have set up and running, and there are various things going on. So those take a bit of time. I think it is probably better now. We represent the Centeniers and all the officers are represented together as a group, whereas before, when you had the old Centeniers Association, they were acting as an executive and they were trying to represent their members. They were wearing 2 hats and it did not work. I thought it was becoming very problematic; that was my personal experience.

The Deputy of St. Martin:

I just have 2 add-ons. Thank you for your openness. It has been very refreshing. It really is to tag on a little bit to what we said before because Rutherford made a recommendation. He made 10 recommendations but this particular one is the purpose of us being here today which is that we should not pursue the looking at a CPS because it would be costly, which we know of, but we do not know what sort of costs would be involved. Any idea how much it would cost if we did introduce a CPS?

Centenier D. Scaife:

Personally I do not think it would cost a great deal. I think you probably need 8 legal advisers; you would need a charges office situation. It depends whether States' Police were going to have charging powers. I do not think it would cost a fortune, to be honest. I think there have been figures quoted of £10 million.

The Deputy of St. Martin:

I was going to come on to that. In actual fact, they say between £5 million and £7 million. This is the first time we have seen a figure. That is in here, which I will come to in a minute. The other thing is that one never really looked at real cost; it depends how much you think is cost. There is a cost involved.

Centenier D. Scaife:

There is a cost involved but I do not think it is as high as £7 million.

The Deputy of St. Martin:

The other thing is that it said it would result in the Centenier losing its traditional role in presenting cases in the Magistrate's Court. It would appear that a decision was obviously not made, Home Affairs is not going to go ahead with it. Do you think we should just end there? Do you think possibly what you are doing really is going to be help? If the traditional role of the Centenier is to remain there are a number of other things that must be addressed as well?

Centenier D. Scaife:

I do. I think that is quite right.

The Deputy of St. Martin:

It should not be just left?

Centenier D. Scaife:

No. I am quite happy with that. You are quite right because it is a good catalyst to start bringing things forward. The CPS, I do not believe in it. I do not think we should have a CPS. I think Jersey is too small for it, it does not need it and the Centeniers have huge advantages in reviewing cases and looking at it independently. On the other hand, it does need to be looked at: what the background to it is, the back-up, the training, all that needs to be looked at. Even though I believe it probably would not cost as much as perhaps has been quoted to have a CPS, I think it would be totally wrong for Jersey to have that. I do not think we need it.

The Deputy of St. Martin:

It would be very wrong also just to leave this on the table and say that we are not going to do anything about it?

Centenier D. Scaife:

No, it has to be looked at, I agree.

The Deputy of St. Martin:

That is quite right. The last thing I have to say is really about the report itself. We have Centenier Lamy coming this afternoon. It says it was endorsed by the Comité des Chefs on 17th July. What does that really mean, how did you see it? Were you there? Has it been endorsed by you?

Centenier D. Scaife:

It has been. I saw the first draft copy of it and I was very impressed by it. I think there are things we can learn from it. I think perhaps some of the things in there relating to case workers in the UK may not be appropriate to Jersey. It may have to be adapted and re-looked at it but I think the core principles are there of what they do. Yes, I endorsed it. I think it was a very good report and I am very glad he did that because he got an objective viewpoint going to Nottingham. It was well worth seeing what they do up there, from both the police's point of view on charging and how it works in the court. Clearly, from my reading of it, there are issues in there with the way the CPS do things.

The Deputy of St. Martin

How the Nottingham CPS do things?

Centenier D. Scaife:

Maybe, it could be. I have not had too much experience of the CPS but I get the impression there are problems from the police perspective with the Crown Prosecution Service in the UK. How true that is I do not know but you read it in the papers, Centenier Lamy seems to have come across it in Nottingham, so I think there is something there.

The Deputy of St. Martin:

There is no perfect system?

Centenier D. Scaife:

There is no perfect system, no.

The Deputy of St. Martin:

I do not know if there is anything else?

The Deputy of Trinity:

Just a very quick question. You say that you are self employed and obviously you spend a lot of time in the role of Centenier. What job do you do?

Centenier D. Scaife:

I do clearance, rubbish clearance and house clearance. That is what I normally do so I can work round it. We are lucky in St. Helier. If I was in a country parish I could not do that because you are on one week in 4 but in St. Helier, because you are on one week in 10, you can adapt. I would imagine for somebody in St. Mary or St. Peter it would be difficult, I think it is more difficult. I think the days of shopkeepers being Centeniers are now long gone unfortunately. It is time consuming.

The Deputy of St. Martin:

The role of Centenier has changed quite considerably, the expectations have changed.

Centenier D. Scaife:

Yes, they have.

The Deputy of St. Martin:

We have asked you a lot of questions and we are grateful for the answers you have given us. Are there any questions you might like to ask us or any questions you thought you might be asked and were not asked?

Centenier D. Scaife:

No, I think you have covered everything. We are still concerned that there is, not an agenda with you personally but an agenda perhaps to get rid of Centeniers out of court and that could be the ultimate

goal. Not your group personally but there could be an opinion perhaps in the Island that that needs to happen and that is the general concern of the Centeniers. Their concern is is it required, do we need the scrutiny panel to look at all this? Is it going to result in us not being able to present cases and losing charging powers, things like that?

The Deputy of St. Martin:

But you do also welcome the fact that at least someone is looking at it?

Centenier D. Scaife:

Yes.

The Deputy of St. Martin:

We hope that we have given you some assurance this morning and we have been fair with you. I can assure you our report will be fair. It will be based on the evidence we receive. I think it is very important that the message would go back to the Centeniers our scrutiny is all evidence based and we are not going to make things up. We can only put down what has been received from the likes of you and your colleagues and those other people we will be seeing.

Centenier D. Scaife:

No, you have been very fair today, most definitely.

The Deputy of St. Martin:

There is nothing else?

Deputy D.W. Mezbourian:

No. Thank you, Danny.

Centenier D. Scaife:

Thank you.

The Deputy of St. Martin:

Thank you for your time.