

**WRITTEN QUESTION TO H.M. ATTORNEY GENERAL  
BY DEPUTY M. TADIER OF ST. BRELADE  
QUESTION SUBMITTED ON MONDAY 18th NOVEMBER 2024  
ANSWER TO BE TABLED ON MONDAY 25th NOVEMBER 2024**

**Question**

“Will HM Attorney General explain what factors are taken into account when considering, in instances in which a company has been involved in suspected manslaughter, whether it is an individual or the company that is charged with manslaughter?”

**Answer**

In Jersey, manslaughter is a customary law offence, meaning that the law for this offence is derived from previous judgments of the Royal Court, the Jersey Court of Appeal, and the Judicial Committee of the Privy Council. Manslaughter involves the accidental killing of a person due to a negligent or unlawful act and is divided into two offences: unlawful and dangerous act manslaughter and gross negligence manslaughter.

Unlike in England and Wales, Jersey does not have the offence of corporate manslaughter, so only an individual can be charged with the offence as opposed to a company or organisation. Other than the usual evidential and public interest tests set out in the Code on the Decision to Prosecute, no additional factors are considered in deciding whether a company or an individual is charged with the offence, simply because the option to prosecute a company is not available.