

**WRITTEN QUESTION TO H.M. ATTORNEY GENERAL  
BY DEPUTY C.D. CURTIS OF ST. HELIER CENTRAL  
QUESTION SUBMITTED ON MONDAY 11th NOVEMBER 2024  
ANSWER TO BE TABLED ON MONDAY 18th NOVEMBER 2024**

**Question**

“Further to [Written Question 245/2024](#) and in relation to [Planning and Building \(Jersey\) Law 2002](#) potential offences, will H.M. Attorney General advise –

- (a) what processes are in place between the Government’s Regulation Department and the Law Officers’ Department to pursue offences;
- (b) how many cases have been passed from the Regulation Department to the Law Officers’ Department between 2020-2024, broken down by year, referencing the relevant Article where possible;
- (c) how many cases his Department is currently pursuing, broken down by relevant Article where possible; and
- (d) whether his Department follow a specific methodology for establishing public interest when considering cases?”

**Answer**

(a)

The process is set out in the Attorney General’s [guidance note](#) for officers of regulatory departments when considering whether or not a suspected breach of the law should be referred to the Attorney General.

(b) and (c) – Answered in the table below

	How Many Cases	under which articles offences have been determined	ongoing	outcome
2020	0			
2021	0			
2022	2	Article 44(7) Articles 86 + 89	1	Fine - £7,000
2023	3	Article 44	1	1 – Advice given – No further action 1 – Advice given – retrospective planning granted
2024	0			

(d)

Guidance on the public interest test is set out in the Attorney General’s [Code on the Decision to Prosecute](#) (paragraphs 13-19). The public interest test (the second of two stages in any decision to prosecute) is fact specific and each case is determined on its own merits.

