

Social Affairs Scrutiny Panel

Review of the Role of the Centeniers in the Magistrates Court

MONDAY, 30th OCTOBER 2006

Panel:

Deputy F.J. Hill, B.E.M. of St. Martin (Chairman)

Deputy D.W. Mezbourian of St. Lawrence

Deputy S. Pitman of St. Helier

Deputy J.A. Martin of St. Helier

Deputy A.E. Pryke of Trinity

Witness:

Centenier J. Rigby of St. Saviour

Mr. C. Ahier (Scrutiny Officer)

Deputy F.J. Hill, B.E.M. of St. Martin:

Good morning, Centenier Rigby. Can I introduce myself. I think you probably know us all anyway but for the sake of the record, I am Deputy Bob Hill, the Chairman of the Social Affairs Scrutiny Panel, and I will let my colleagues to my left introduce themselves.

Deputy J.A. Martin of St. Helier:

I am Judy Martin, Deputy for St. Helier No 1.

Deputy D.W. Mezbourian of St. Lawrence:

Good morning, Centenier. I am Deputy Mezbourian from St. Lawrence.

Deputy S. Pitman of St. Helier:

I am Shona Pitman. I am Deputy for St. Helier No 2.

Deputy A.E. Pryke of Trinity:

Good morning. I am Deputy Anne Pryke of Trinity.

The Deputy of St. Martin:

The gentleman to my right is ...

Mr. C. Ahier:

Charlie Ahier, Scrutiny Officer.

The Deputy of St. Martin:

I think you have been dealing with Charlie through his ...

Centenier J. Rigby:

Yes.

The Deputy of St. Martin:

You will have received some correspondence from us.

Centenier J. Rigby:

Yes, I did, yes.

The Deputy of St. Martin:

One fairly important piece of literature or document you would have received is the issue of privilege and you are protected by privilege this morning, so we do not need to reinforce that this morning. You are free to speak as you feel. Also to mention to you that, as is the rule, there will be a transcription prepared and it will be sent to you for you to comment and make any alterations that you may feel are necessary and eventually they will come out onto our Scrutiny website. It will be a public document.

When it is all over, there will be a final report of which we will ensure that you get a copy. You have kindly forwarded us a submission for which you have made a number of comments, and obviously thank you for forwarding it. When you prepared your submission, had you read through our terms of reference beforehand?

Centenier J. Rigby:

No. At the time that I wrote that submission there, it was in response to an email from the Chef (... inaudible) and the correspondence that Ian Le Marquand had done, and it was published in the newspaper. Then I received an email that you were interested in finding out who was actually opposed to the idea of people on the panel of centeniers. So I had not seen this copy before.

The Deputy of St. Martin:

No, I was just asking the question simply because there are a number of issues on there. It just gave me the impression maybe you were not quite as aware of the purpose of the review, but obviously if you have read -- are you aware of the ...?

Centenier J. Rigby:

I am indeed, yes.

The Deputy of St. Martin:

You are now, yes. Just for the purposes of the record, in 2002 Professor Rutherford conducted a review of Jersey's Criminal Justice Policy and he made a number of recommendations, 10 in fact, and one was that a public prosecution service should be created and that the role of centenier in the Magistrates Court should cease and that the decision as to whether or not to charge an individual with an offence should reside with the public prosecutor and not with the centenier. Were you aware of Professor Rutherford's review?

Centenier J. Rigby:

I was indeed on that one, yes.

The Deputy of St. Martin:

Okay, thank you. In that report, Professor Rutherford stated that: "With the increased sophistication of prosecution in all areas trained prosecutors are becoming increasingly necessary. If centeniers are to continue prosecuting, consideration needs to be given to creating a branch of the Honorary Police Service that specialises in prosecuting and that receives specific training with that regard. Such an arrangement would ensure better co-ordination of the Honorary Service and greater efficiency in respect of time. Alternatively, legally qualified prosecutors should present all cases in the Magistrates Court." Again, were you aware of that recommendation?

Centenier J. Rigby:

Yes, I was.

The Deputy of St. Martin:

You were, okay. Are you aware then that Home Affairs decided to reject that recommendation because of cost and that the centeniers would lose their traditional role of presenting?

Centenier J. Rigby:

Indeed, yes.

The Deputy of St. Martin:

Yes, so again, the point I am trying to make is those decisions were not made by this Social Affairs Scrutiny Panel.

Centenier J. Rigby:

I understand, yes.

The Deputy of St. Martin:

Okay. Also, are you aware that it appears that no consideration has been given to addressing the issue of specific training?

Centenier J. Rigby:

Sorry, will you repeat that?

The Deputy of St. Martin:

If you are not aware of Rutherford so much, what Rutherford was saying was that there were 2 alternatives. One, you should go down the route of having a public prosecutor, or alternatively, if that was not the case, consideration should be given to having possibly specialised officers doing it and also ensuring that those officers were specifically trained.

Centenier J. Rigby:

Yes, I was aware of that but I can answer that in a moment if you wish.

The Deputy of St. Martin:

Yes, you are aware of that. Again, those decisions were not made by the Social Affairs Scrutiny Panel nor, indeed, the centeniers themselves. That was the decision made by Mr. Rutherford on his recommendation which, of course, was part of the decision-making process of Home Affairs. As you can see from our terms of reference, we are to review that decision. We have not made any recommendations, nor will we do so until we have completed our review, which, of course, will be evidence-based. I just wanted to lay the playing field, I suppose, open to you, so you are aware of where we were when we came in.

Centenier J. Rigby:

Yes, I am completely aware of what your role is and what has been said. My only objection to start with was the words given by Ian Le Marquand when he talked about the competency of the centeniers in their role of prosecuting. By saying that certain centeniers were unable to do something determines that if you are not competent, you are incompetent, and I think that is an insult to all the centeniers that there are. I believe that any centenier that gets up there -- before he actually becomes a centenier is aware that he is going to go to court. Not all centeniers have got the ability to perform in front of an audience or in Court -- because it is quite nerve-wracking. Just even to talk to the panel can be quite nerve-wracking and, therefore, it is not very helpful. But if they do not want to do it, they do not have to do it. There is ample number of centeniers within that --

The Deputy of St. Martin:

I think what we will do, we will come to that in the course of our questioning to you because it will give an opportunity to express later on on that point. But again, I think it is important to bear in mind that your comments or your concerns have been expressed as a result of what someone else has said, not as a

result of what has come from the Scrutiny Panel.

Centenier J. Rigby:

That is right. The main problem is the perception given to the public and to the Honorary Police as a whole of what is happening by the appearance of a Scrutiny Panel. The comments in the media, which is where they get certain facts from, is not very helpful to the role of the Honorary Police and that is --

The Deputy of St. Martin:

Okay, that is a comment and, in fact, you have endorsed that in your submission to us and it would appear again, from your submission to us, you too have come to certain conclusions without yourself being aware of where we come from with Rutherford and also Home Affairs, et cetera.

Centenier J. Rigby:

That is basically true, but I think there is an element that though we may not be aware of the actual facts, you know, I think the whole Island and the media know exactly where you are coming from.

The Deputy of St. Martin:

Well, that will come obviously as a result when we have concluded our review.

Deputy D.W. Mezbourian:

May I just interrupt there, please, Chairman? Centenier, you just said that you think the media and the whole Island are aware of where the panel is coming from.

Centenier J. Rigby:

The perception.

Deputy D.W. Mezbourian:

Would you just like to explain to us what you think that perception is?

Centenier J. Rigby:

Well, the perception of many, many people within the -- well, I say many, a number of people within the Honorary Police and a number of people on the public that this panel is here to -- not to denigrate, that is the wrong word, but to diminish the role of the Honorary Police both within the courts and, eventually, on the street itself. That is the perception given.

Deputy D.W. Mezbourian:

That is the perception. What evidence do you think that perception is being based upon?

Centenier J. Rigby:

Well, the media reports on the role of the Honorary Police within the court itself by commenting that some centeniers are not competent to do a particular job and by reference to that, they say if you are not competent to do it, you are incompetent. By saying you are incompetent, it means if you are not competent in court are you competent out of court? I do not think that is very helpful at all, you know, the words there.

Deputy D.W. Mezbourian:

But those words, if I may say, have not come from this panel.

Centenier J. Rigby:

But there again, it does not matter whether it comes from this panel or not. It is the perception given by the words, and when you say it is not from this panel, the words written in the paper there, especially about Ian Le Marquand's comments, must have been taken down in writing when he talked about the competency of centeniers.

Deputy D.W. Mezbourian:

But surely the Magistrate is well placed to make such comments?

Centenier J. Rigby:

Well, he is well placed to make the comments, but I find it a little strange that a magistrate will stand up and talk about the competency of somebody within the -- in front of him there and then one evening, when it comes to an Association dinner, talks about the mistakes that he made as a young advocate there and the cock-ups, for want of a better word, that he did. I think, well, everybody needs experience. You go to your first centeniers' court. I was very, very nervous and I had great assistance, not only from my own colleagues but from colleagues -- within St. Saviour, but also such as Danny Scaife, who was a senior member as far as I was concerned and knew the court system backwards. That helped me and I do not think I have done too badly in court there and there are others that cannot be bad. The main problem is how they speak and how they perform in court.

Deputy D.W. Mezbourian:

It seems to me, Centenier, that you are criticising the Magistrate for making those comments.

Centenier J. Rigby:

Indeed, indeed.

Deputy D.W. Mezbourian:

Those comments you think have come about because of the questions that he has been asked perhaps by this panel?

Centenier J. Rigby:

Indeed.

Deputy D.W. Mezbourian:

So, by inference, you are criticising the role of the panel?

Centenier J. Rigby:

Well, to know what the actual questions that you asked him, well, I do not know what the questions were. I am only responding to what he was talking -- what he said within the media. In the media, it does not tell you what actual question you asked him. You obviously asked him a question -- obviously I would have thought you asked him a question similar to asking me about the role, and in the media it produces that.

Deputy D.W. Mezbourian:

In fact, if I can just say that before we even asked the Magistrate any questions, although obviously our role is to question, to get evidence upon which we can base our report, the Magistrate came to us with a written submission of his thoughts about the way that the centeniers present cases in the Magistrates Court. So even before we, in our role, had asked him any questions, he had made his decision as to how he thinks centeniers present cases, and I may say that he did say that many centeniers present cases in court as well as and in some cases better than legal advisers who have had legal training. I am just saying this as an illustration of how, if you read something out of context, you can thoroughly misunderstand the way words have been interpreted. I think in this case both yourself, and you were referring to members of the public, will not have the benefit of the full information upon which to make your ...

Centenier J. Rigby:

Well, that is probably quite true. As long as the public are getting a perceived -- or a perception of what is being said in the newspapers, which is their only report, then how else can they determine these until your final report is made. Then again, they'll come to another perception then of what you are talking about.

Deputy D.W. Mezbourian:

We have got some set questions for you, but I think that perhaps the submission that you have made to us, regretfully, has been based on your perception and not the facts. So, perhaps when we ask you our questions today, we may get a response perhaps that will be slightly different to what you have submitted.

Centenier J. Rigby:

Well, it is not just my perceptions. It is perceptions -- it is the perceptions also of my own colleagues in

St. Saviour. It is also the perception of the people I have talked to in the public. It is also the perception of some that have sat round the tables of our Association meetings after the actual meeting there and we have talked in public and they have arrived at fairly much the same conclusions, so it is not just mine, it can be widespread, yes.

Deputy D.W. Mezbourian:

What I am saying is perhaps your perceptions may change when you have heard the questions that we have for you today.

Centenier J. Rigby:

Well, that is fine. That is fine. I hope you do.

Deputy J.A. Martin:

Just to expand on that, as you say, we cannot help what the media report but everything that we asked Magistrate Le Marquand and everyone else up to now is on our website, word for word.

The Deputy of St. Martin:

It will be, yes.

Deputy J.A. Martin:

Well, most of them are.

The Deputy of St. Martin:

It will be eventually. I have just asked Charlie. As it happens, Mr. Le Marquand's transcript is not on the website. However, he did make a written submission which is a public document. We asked if it could be made public. It was distributed to a number of people at the hearing, so again, in fairness because I really want to move on, I think in fairness the media did report a bit one-sided. I do not think it gave a really accurate account of what Mr. Le Marquand had to say that morning because I thought personally Mr. Le Marquand was quite forthright and I thought he was quite fair. He did mention the weaknesses as indeed he did compliment on the strengths as well. Judy, would you like to move on?

Deputy J.A. Martin:

Yes. The first question is about competence and your letter to us in which you have stated that, even at short notice, we should note the competence and calibre of those putting themselves forward for a role in the Honorary Police. Would you consider your competence and calibre to be similar to that of other centeniers and those in the Honorary Police given that of late some centeniers have had to be elected or put themselves forward because their Parish would otherwise have been severely fined?

Centenier J. Rigby:

By accepting that position, they must accept the consequences of their actions.

Deputy J.A. Martin:

No, you state in your submission because they are putting themselves forward they must be competent.

Centenier J. Rigby:

Yes, indeed.

Deputy J.A. Martin:

My question is you are saying they must be competent because they are putting themselves forward. I am questioning the reasons that some are putting themselves forward. Does that automatically make them competent to present a case in court?

Centenier J. Rigby:

How can you tell until you actually get into court whether -- well, I dislike the word "competent". I really do.

Deputy J.A. Martin:

I am only repeating --

Centenier J. Rigby:

I know I have used it because it is used in there. I think because by implying that if a person is not competent, he is incompetent, and I do not believe that any centenier is incompetent in doing anything. He might have problems in putting himself forward but as long as he has learnt the facts and he has been taught the facts by his peers, then he should be competent enough to do it. There has never been a case, as far as I am aware, that has ever failed because of the competency of a centenier. I have been given to understand it is not the centenier that has ever caused a case to fail. So, whether he stutters or stammers in court or is not quite as prepared as he should be, that case goes forward and it might hold the Magistrate up for a few minutes while he asks any additional questions but it is certainly not affecting the competency of that person.

Deputy J.A. Martin:

Well, just to say that someone who put themselves forward would --

Centenier J. Rigby:

I believe every centenier that puts themselves forward is competent enough to handle a case in court, but nobody can go into court there purely raw. He has got to learn, he has got to learn, and he is learned by the peers that are alongside him and all that. So it is not because he is incompetent, it is a question of degree of training.

Deputy J.A. Martin:

Yes, I fully understand. As you say, it is the word and maybe it is not right just to presume that someone is competent because they put themselves forward for a role. The different reasons, as I say, of late there are other reasons that people have not stood in election, they have not put themselves forward --

Centenier J. Rigby:

I believe every centenier who puts himself forward is fully competent enough to do their job.

Deputy D.W. Mezbourian:

Do you think that a centenier who may stand for election because he or she are acting in the best interests of their parish by standing so that the parish would not be fined, do you think that is the right reason for standing as a centenier?

Centenier J. Rigby:

No. I do not believe anybody should stand just to protect a parish. When I was first elected or brought forward, St. Saviour were 2 short on the centeniers. We only had 4 instead of 6, and they asked me -- when I came to a meeting similar to this in front of my colleagues or what came to be my colleagues, the other centeniers there, they said: "We are 2 short in there. We do not want you to be a CO, we do not want you to be a vingtenier, we want you to be a centenier" but when I asked them why, they said: "Well, it is from your experience in England" where I was a councillor. I had 5 years' council in England for a borough council and a parish council. So that was my competency being checked to see whether they thought I could do the job. If I said: "No, I have never done anything at all in my life", I do not think I would have even got that far. They would have -- they would have carried on looking and they would have been given time to carry on looking.

Deputy D.W. Mezbourian:

But in your case, your parish was fortunate that they were not facing a fine. Had they been in the position of facing a fine because they could not find the correct number of centeniers, then surely they would have perhaps considered anyone who put themselves forward? Do you think a parish would say no to someone who stood for election if it was going to save their ratepayers £10,000?

Centenier J. Rigby:

I certainly hope not. I would dread to think that any parish does do that, just pick somebody off the street more or less, just because he is a nice guy and say: "We want you to become a centenier to save us £5,000" or whatever it is going to cost. If they do that, then there is something wrong with the parish. Then again, there is something wrong with the system.

Deputy D.W. Mezbourian:

Or there could be something wrong with the system, yes.

The Deputy of St. Martin:

Could be the system, yes.

Deputy D.W. Mezbourian:

Just to go on from that, centeniers stand for a number of reasons and we have just mentioned the fact that it may be to save their parish from facing a fine. Some of them perhaps stand because they see themselves as being able to serve the public. Now, you stated in your submission that the Honorary Police serve the public, but that they are not the public's servants. Would you explain to us what the difference is as you see it?

Centenier J. Rigby:

Well, we are not -- to be -- to serve the public is as it says, you have a job to do where you have to be a mini-magistrate, you have got to be a prosecutor, you have got to listen to the public and to ascertain whether, you know, you are going to use good, sound judgment, and that is, to me, serving the public.

But when you go out on the street there and the person on the street starts: "You will do this, you will do that, you are being highly paid to do a particular job", that is not correct. The States of Jersey Police are public servants because they are paid to do a job. The Honorary Police are not paid to do a job and, therefore, only a servant is paid.

The Deputy of St. Martin:

Yes, but again the States Police Officer is still serving the public, is he not?

Centenier J. Rigby:

He is still serving the public but he is the public servant, and I believe the Honorary Police serve but are not servants of the public.

Deputy D.W. Mezbourian:

Do you think that centeniers should be remunerated?

Centenier J. Rigby:

I think that is a rather -- personally yes, but not paid in a wage, but allowances. I do believe they should have an allowance similar to that in England that a councillor gets and I have already given to Danny some 12 months ago my reasons and also a system of how that could come about, but that is purely a personal reason and it is certainly not shared by my Chef de Police.

The Deputy of St. Martin:

So again, by reference, they would become public servants as opposed to serving the public?

Centenier J. Rigby:

Being an allowance, no. I still think it is a part to serve. If it had been a salary, yes, but I think there is a subtle difference.

Deputy D.W. Mezbourian:

Do your centeniers in St. Saviour receive any form of remuneration?

Centenier J. Rigby:

The remuneration that we get, such as it is, is a petrol allowance and an allowance for our telephones, which amounts to about £450 a year.

Deputy D.W. Mezbourian:

How much do the other ranks receive?

Centenier J. Rigby:

I think the COs and the vingteniers get round about £150 a year, something in that region.

Deputy D.W. Mezbourian:

That is purely for ...?

Centenier J. Rigby:

For petrol and the telephone allowances.

Deputy S. Pitman:

Since leaving school and commencing employment, you appear to have received considerable training and managerial experience. Would you expect a person to install and maintain giant diesel generators without training?

Centenier J. Rigby:

Well, there is always training. The training starts when you leave school and you become an apprentice and there are experiences as you go through life in engineering which starts -- which with me started with everything from working on the aircraft carriers to the diesels, and that is my knowledge and training. Yes, it was training by officers and apprentices that had been trained. I have no objections to training at all for anything, anywhere.

Deputy S. Pitman:

If that is the case, do you consider it appropriate for people who are untrained to be given powers of

stop, search, detain and prosecute in the court on the grounds that they have been elected as an honorary policeman?

Centenier J. Rigby:

But they are not. When you start as an honorary policeman, as a CO, you go through basic training to start with before -- you go out with your fellow colleagues. You do not do anything until you have been given familiarisation and then basic training. When I started 2½ years ago, we had a good experience. We had an ex-policeman called John de la Haye who we went to various foundation courses, we went to the handcuff courses, we did training on the lasers, we did training on the radar. We all had training and we were not allowed -- even now, you are not allowed to carry a laser gun or a radar or use a breathalyser until you have been trained, and those foundation courses are set. In fact, as you were probably already told, we have got a new foundation course starting early in the New Year for the police officers. It has been a frustration in the last 12 months for all officers because the training virtually almost came to a stop for a lot of people and it has been a very frustrating time for us. But there again, not one of our officers who goes out in the road -- he is always with a vingtenier and he is shadowed by that vingtenier and made sure what is happening.

Deputy D.W. Mezbourian:

Centenier, what would your comments be to the fact that some centeniers have been sworn in at the Royal Court on a Friday and been expected to present cases in court on the following Monday morning?

Centenier J. Rigby:

They will not have been on their own. They will not have been sat there on their own presenting a case. They will have a shadow or somebody with the experience of Danny stood by them or another officer by them. Nobody can present a case, I believe, going straight from Friday morning to the Monday morning to present a case adequately because -- and perhaps my colleagues here will tell you that is not the case. I do not believe it is. I have never seen anybody in court completely -- for nearly 6 to 8 weeks, I was shadowed by my fellow colleagues in St. Saviour and even then -- because it was rather different in the old court there. We were like -- we had -- all stood in a little kitchen and ushered in one at a time and it was difficult, but you had someone alongside you all the time. You also -- may I say, you also had great assistance. If you were a new centenier, you had great assistance from the magistrates as well and the patience from them. I had no problems. I have never had a problem with a magistrate.

Deputy D.W. Mezbourian:

What I would say, Centenier, is that we have had evidence from centeniers who have done just as I told you. They have been sworn in on a Friday morning and been expected to present cases on the Monday morning, and not only expected but they have presented the cases on the following Monday morning.

Centenier J. Rigby:

Well, if that has been the case, which I would be very much surprised at, then they certainly have -- over that weekend they have gone through that caseload backwards. Because let us face it, when you sit down, you have got your caseload prepared as it should be and you have read it and read it and gone through every item to know what systems you use, then you are literally reading out from what is in front of you to the Magistrate and it should not be too, too difficult. It is when the Magistrate asks an awkward question. I know my first time, when the Magistrate said to me: "Give me your presentation now", and I did not know what the devil a presentation was. If he had said, "Give me your case facts or your summary of facts" which is what is written on the paper on the heading, I would have been fine, but he threw me. Fortunately, Danny Scaife at that particular time was stood by me and he says: "That is your presentation." You know, some simple things like that, but I do not see any difficulty in anybody bringing a case into court as long as he has sat down prior to -- which they must do, they should do, learn their case, every one of them, how to present it, how to lay it out and what to read and get the summary of facts and everything like that.

Deputy D.W. Mezbourian:

What I would say is you said you would be surprised to learn that that had happened. Well, we as a panel were surprised but, of course, we have to believe it because we were told by the centenier that he had done it and that is what we accept as evidence.

Centenier J. Rigby:

Yes, but you have -- all right. You have told me now. Is that one centenier in 59?

Deputy D.W. Mezbourian:

Well, 56 centeniers at the moment but we know from other centeniers that they have also had to do it. But nevertheless, it has happened and our understanding is that now the centeniers perhaps are able to call upon another centenier to present a case so that they may not be required to do it without training.

Centenier J. Rigby:

Well, that is certainly new to me. A centenier, as far as I am aware, can only call on somebody else within his own parish to call that case unless it is intermingled with a case where you have got a case from his own parish and a case from your parish, which is more or less the same, then he can call that case. As far as I am aware, and Danny Scaife can correct me on this one, a centenier cannot go unless he has had specific permission from that parish to call that case on his behalf because he cannot do it and I have never heard of that happening before.

The Deputy of St. Martin:

To be fair again, this is one of the problems we have as scrutineers that we can only go on the evidence we have and what research we have done, but were you aware of the draft Honorary Police (Jersey) Regulations which were passed through the States in 2004, which gave the right for other centeniers to

assist other centeniers outside a parish?

Centenier J. Rigby:

I was not aware of it and I do not think that -- it has certainly never happened within the St. Saviour parish. If it happens within other parishes that is something I am not aware of.

The Deputy of St. Martin:

The regulations provide for it.

Centenier J. Rigby:

Well, that is fair enough, but it is something that I am not aware of. I have never known it happen.

The Deputy of St. Martin:

It is just back again to training, is it not? Maybe, Anne, you would like ...

The Deputy of Trinity:

I am sure Danny will support you on that one, sort you out on that point. Going back to you mentioned that you had been shadowed by other centeniers when you first -- is that when you were first elected?

Centenier J. Rigby:

Yes.

The Deputy of Trinity:

Can you explain fully kind of what that entailed?

Centenier J. Rigby:

Well, my particular shadow at that time was Centenier Bernie Connor from -- when I was -- when you go down to the police station to charge an individual, the centenier came down with me and stood by me while I charged that person with a particular offence. We went back into the police charge room, went through everything, got all the paperwork, made sure it was all put into order. When the time came, we go back to the Parish Hall, go through it all again. He sat next to me, went through it all again, made sure I fully understood the case and it was all presented, and then he came with me to court and stood by me in court. We went through the case and occasionally if I stumbled or something happened there, he was there to put me right and make sure that it was in the right order and everything was going on. So I had somebody to shadow me all the time. That was not only the case within court, but that was the case also out on the road. I was new out on the road; I was just the same as any CO or vingtenier out on the road. When we went on the roads there and we stopped anybody, I could not do a breathalyser test, I could not do a radar test anywhere until I received adequate training, so it was the vingtenier or even the CO who I was with or a centenier who I was with every time I went out for about 3 months until I

gradually got through that training programme.

The Deputy of Trinity:

Was there an examination at the end of that period?

Centenier J. Rigby:

There was an examination -- well, we were certified for the work that we did in the foundation courses, which you have probably already received the details of foundation courses. We were certified on the breathalyser testing, on how to use the equipment, the radar testing and the laser testing. We all received certificates after we had performed. We not only had to learn how to use it, we had to have at least 4 hours operating that unit before we could actually --

Deputy J.A. Martin:

Sorry, can I just come in there? I totally see your commitment about training, the equipment, guns, but you still seem absolutely confident that shadowing someone on maybe 2 days after you have been elected a centenier is sufficient in court whereas you are talking about certificates and everything.

Centenier J. Rigby:

No, I did not say 2 days.

Deputy J.A. Martin:

Well, it is not training, it is shadowing, being -- it is learning on the job whereas using the equipment and everything else, you are shown, you are trained, you get a certificate. Now, you respect that in one part of the job; in the other part of the job you are saying; "Shadowing is okay." That is the way I am reading it, that shadowing --

Centenier J. Rigby:

Shadowing, yes, you are being shadowed when you are out on the road until you get those certifications to prove that you can do the job. In court there, you have somebody shadowing you, not for 2 days but for 2 or 3 months.

Deputy J.A. Martin:

But you never get any certificate --

Centenier J. Rigby:

We do not get certified for it because every case is different and things happen over there. It could take a year for, you know, a different type of case to crop up, so I would not object to any form of certification for doing the job in there. I certainly would not object, but I think your experience as you go along and the way the case moves over. I mean, I have been a centenier now 2½ years. It was at

least a year and a half before I came -- Thursday morning is what you call St. Saviour's day in court. It was a year and a half really before I was in court there, which you control the court to start with, where you come in and you set the -- you have a programme of probably about 10 people being judged that particular morning and you set out the roll of who goes first, who goes second and all that. The main hold-ups are not the centeniers; it is usually the advocates who are the main hold-up on those things. I have never -- again, I have never seen a problem with the centenier's role in the court at all. Stumbling and stammering, maybe, and people who cannot speak -- not that cannot speak, who have an impediment or that, yes, but that is all.

Deputy D.W. Mezbourian:

Do you not think if a certificate was awarded for competency to present cases in court, a certificate or some kind of commendation or recognition that training has been undertaken, will that not strengthen the role?

Centenier J. Rigby:

Oh, certainly, I agree with you.

The Deputy of St. Martin:

Have you taken any steps at all about suggesting something like that?

Centenier J. Rigby:

No, I have not suggested anything myself. When I first -- again, first started, we were on a kind of a court foundation course which ran - I think Danny will tell you again - about 6 weeks or so. We were going every Sunday to learn the role of the centenier in court where we not only did the role but every part. We actually did the role of the prosecutor and being prosecuted, so we could understand the system. So, we had quite a bit of foundation training laid in front of us there and at the end of that day, I think if the -- and it was Laurence O'Donnell and Robin Morris who were running that particular course, and Danny of course, and I think if anybody had said that no, you cannot, you know, you are not doing it properly, I think they would have mentioned it there and then. But I think there was about 15 or 20 people at that course at that particular time, there every time. Again, it is difficult because many of these courses that we go on there, it is difficult to get the persons there, to be there on the night. I think the people, especially on the foundation courses and things like that, the roll there is diminished by people not turning up who should be turning up. That is one of the reasons I think the courses, if you are going to be on a course, you should be on that course and it will be laid down specifically, same with any training.

Deputy D.W. Mezbourian:

Do you think training should, therefore, be compulsory in order to present cases in court?

Centenier J. Rigby:

I particularly do. Yes, I think everybody should do training, yes. I think that is one of the --

Deputy D.W. Mezbourian:

Who do you think the best people are to give that training?

Centenier J. Rigby:

The likes of the prosecutors, Laurence O'Donnell or Robin Morris or somebody from that staff office.

Deputy D.W. Mezbourian:

Would that be working on their own or in conjunction with other centeniers?

Centenier J. Rigby:

Well, no, they would be working on their own but -- well, it would not bother me because you do have extremely experienced centeniers - again, like Danny - who offered their services at the time that I did the training. I would not object to somebody like Danny being part and parcel of that training in conjunction with the legal advisers, legal team.

Deputy D.W. Mezbourian:

But who you do think should accept responsibility for delivering that training?

Centenier J. Rigby:

The Attorney General.

Deputy J.A. Martin:

You mentioned Laurence O'Donnell and Robin Morris and Danny obviously as well, the training, as you say, and some people chose not to turn up. What exactly -- not chose, as you say, give a commitment. You are already on 24/7, 7 days a week, and then, you know, this might fall on a week and you already have other commitments, I totally understand, but what was the amount or the extent of not the shadowing part, the actual outside -- was it a night, was it a night over weeks or --

Centenier J. Rigby:

All hours of the day and night and for weeks and for months. It is still continuing. There are certain things that --

Deputy J.A. Martin:

But you are talking about courses. I mean the set courses, extent of.

Centenier J. Rigby:

Oh, courses. Well, the Magistrates Court one, I think if I remember rightly it went on for about 6 weeks and that was a weekend, I think it was a Sunday morning, if I remember rightly, we went on. I think it was about 2 or 3 hours on a Sunday morning but they put the time in. The foundation courses were -- again, I think it was once a week on a Thursday evening for about 2 or 3 hours, a place up at Mont à l'Abbé there we went to those. And we have got to again look at the new courses that will be coming up in January Malcolm L'Amy is taking charge of, and we will see what the hours and the times are of them. That is something new that has not come up yet. We have to get bottoms on seats, I am afraid, for that.

Deputy J.A. Martin:

That is what I say, it goes back again to all this time you are putting in. At the end of the day, if I was putting in that time into anything, I would expect some sort of examination or test of competency at the end and even maybe -- not top of the class, bottom of the class but, you know, a pass rate, and it need not go any further than that but a pass rate. Unfortunately, with a pass rate you have maybe to accept that there could be a failure rate, but they could resit, you know, bit more training, et cetera.

Centenier J. Rigby:

Well, that is exactly what would happen, you would -- for those people who do not particularly --for those people who -- I mean, it is not mind-boggling stuff that you are learning really. It is, you know, it is common -- most of what we do is what the law demands and what commonsense dictates.

Deputy J.A. Martin:

Yes. Also, as you say, the amount of time, learning and then retraining, but actually carrying it out, and some parishes and some centeniers are obviously a lot busier than others.

Centenier J. Rigby:

That is right. That again comes with experience of doing it more and more often.

The Deputy of St. Martin:

Could I just ask as we are in this line of questioning, Shona, could you leave 18 for the time being? Let Anne go with 19 and come back to 18.

The Deputy of Trinity:

You mentioned that you were shadowed, going back a little bit. When did you first present a case in the Magistrates Court?

Centenier J. Rigby:

About 2 months after I had been made -- became a centenier, about 2 months, on my own.

The Deputy of Trinity:

That was before you received some training or after you received training?

Centenier J. Rigby:

No, I was going to court on my own volition and watched the centeniers operating, the other centeniers operating and sitting either in the courtroom, in the police dock you have there, or when one of my colleagues had a case I would go and sit next to him and watch him perform and learn it. So I was getting a background, but the biggest part of it, I think, was the course that we had with Laurence O'Donnell and Robin Morris. That gave us a lot of, you know, information on how we should proceed. It was only then, getting the experience by sitting next to others, then I was thrown in the deep end. I was supposed to go into court one particular time with a colleague and he was called to a meeting at school and could not make it. He says: "Jim, can you take over? I am fully confident" and I went down there. I did it but I did have 6 or 7 other colleagues stood around me or in the back kitchen, as we call it, ready to help out. And at that particular time, Danny Scaife was in court, sat by me, so he was helpful and it was just a matter of turning a couple of pages, finding the right page to bring a presentation. I was looking for the case summary, what a presentation, what is a breach and what is -- these little things that crop up all the time, what is a breach, what is a preview and all those. That was something that I had not got because all I was doing originally was presenting a case, reading the charge and presenting the case facts to the magistrate. Everything else then was taken out of your hands. It is only when they --

The Deputy of Trinity:

You mentioned it was 2 months before --

Centenier J. Rigby:

About 2 months.

The Deputy of Trinity:

Had you been in court, actually in court --

Centenier J. Rigby:

I had been in court every week, every week, from the day I started.

The Deputy of Trinity:

So what you made you feel confident to do it?

Centenier J. Rigby:

Well, I have never been afraid, for many years, of standing up and talking in public. Being a councillor in England and other associations I have been into, so I was confident that I could stand up and do something. I had read the papers, as I was shown how to do it to start with, and it is just a matter of

getting the experience to make sure that those papers were ready and well, and I felt confident to be able to do that.

The Deputy of Trinity:

How many training sessions had you had with Laurence and Robin before that?

Centenier J. Rigby:

I think the course lasted about 6 weeks, 6 Sundays or something like that, that we had, that we did, 6 times.

The Deputy of Trinity:

So you had done your 6 full sessions before you --

Centenier J. Rigby:

I did the full sessions, yes. I have never missed a training or a court session, you know, training session at all in the 2½ years I have been going, you know. And there is always -- as I say, I even now go to court with colleagues when I have not got a case on, when I have the time that is, I will go down just for support sometimes. Then again, you get called in at short notice where a fellow colleague, for work or business or whatever circumstances, cannot make it and they give you that case to take over.

The Deputy of Trinity:

Since then, have you had any refresher courses about presenting in court?

Centenier J. Rigby:

No. It is really to do with -- it is doing the court cases every time.

The Deputy of Trinity:

So you had your initial foundation one of 6 weeks and you have not had anything since in 2½ years?

Centenier J. Rigby:

Not had no further courses in 2½ years but it is just the experience of going in almost every week into court and performing, learning from any mistakes that you made that you do not do the next time. And I cannot think of many mistakes. My main mistake is trying to pronounce the French names of people, that was the only problems that I had. And occasionally it comes to where you -- there is one or 2 anomalies that come into the courts, especially when it is going to go to trial in the Royal Court or something like that. In the early days, there is little mistakes there where -- which presentation you had to give, when you had to give breaches and things like that, you know, you are just a bit unsure like.

There was always somebody there to help you out and now you have learnt. You know, 2½ years, if you have not learnt it in 2½ years you may as well give up on the third year really.

The Deputy of St. Martin:

Could I just ask how much reliance you have on your legal advisers because if you have legal advisers there every day sitting in court --

Centenier J. Rigby:

The legal advisers are there at all times but if we feel when we read the papers that we have any problems, we just pick the phone up and ring our legal adviser if we think we need advice. And when we go down to court there is always -- well, nearly always a legal adviser behind you which will help out.

The Deputy of St. Martin:

Just along that line, could I just ask are you aware of how the English system works with dedicated caseworkers or designated caseworkers, that they do very much the role that you are doing here?

Centenier J. Rigby:

No.

The Deputy of Trinity:

Do you get any feedback from anybody from court to say that was a good presentation, that was not a good presentation, perhaps you should have asked or done it that way or this way?

Centenier J. Rigby:

Our only feedback is the attitude of the Magistrate when he talks to you. He has never come back saying: "Mr. Rigby, or Centenier Rigby, that was -- I suggest you do this the other way" which I have heard him talk to one or 2 other centeniers saying: "Look, when you present" or he has had his complaints, he will make his presence felt on the bench if he feels that something is not right. I have seen him once or twice there, but it is usually done in a way that it is amicable. If it is after 12.00 p.m. in the morning, then he is not very amicable.

Deputy J.A. Martin:

Sorry, can I just press you? On St. Saviour's day, as you call it, we went down --

Centenier J. Rigby:

Yes, I know.

Deputy J.A. Martin:

Yes, just to observe and it was one of the ushers who pointed out, I mean, but it is one of our -- I think you have made yourself quite clear on the pool of centeniers -- on that day and, as you say, on many St.

Saviour days, I think there was 10 cases. At one point, when it started, there was 7 centeniers, 2 legal advisers and a prosecutor for one particular case which was remanded to 28th -- no, the trial is set for 28th and 29th November. I cannot remember the man's name. It was early; it was one of the first ones. But what I am saying, my point being if you do not have a pool, is that really the best use of time for 7 centeniers, 2 legal advisers and a prosecutor to be in court?

Centenier J. Rigby:

On one case?

Deputy J.A. Martin:

No. It was for the 10 cases.

Centenier J. Rigby:

Well, if they are different parishes bringing their own cases to court --

Deputy J.A. Martin:

Yes, but we have already established that I think any centenier can bring -- am I right? I am right. I am being nodded behind you that I am right.

Centenier J. Rigby:

I am not sure.

Deputy J.A. Martin:

Well, this is a fact we established very early on, so this is where I am talking about duplication. Most of those cases that day, except for the one that was heard first, were either to do with speeding or drink/drive, which were very similar obviously - I would imagine - paperwork. Do you not see a case that that is a complete waste of 7 to 9 people's time to be in a court all morning when most of the cases could have been done by the same centenier?

Centenier J. Rigby:

No, because I believe that centenier needs to represent his own parish and that is fundamental in the history of the Island that each centenier is there for his parish to prosecute or not to prosecute within that parish. I do not believe it should be for another parish to carry out work for somebody else unless it is absolutely necessary through sickness or whatever. If a centenier cannot perform for his own parish, then yes -- well, if there is some role or some reason why out of the 6 centeniers within your parish, as in St. Saviour, one of those centeniers cannot be in court that particular day, then there is something desperately wrong. That is what we are there for and that is part of the heritage and the history of the Island. We represent our own parishes and always should do so, and by changing it that is diminishing again the role.

Deputy J.A. Martin:

Well, we are not changing it. Apparently it already has been changed but --

Centenier J. Rigby:

Well, yes, I am clear that it has been changed. I am clear that it has been changed. Danny can probably tell you how many people that that has actually happened to, but I think it must be very, very few where another centenier has actually carried out the role for another parish. It must be very few.

Deputy J.A. Martin:

I do not know. We have been there a few times and I think I am right in saying that I have seen centeniers - what is the word - prosecute or present cases from across different parishes.

Centenier J. Rigby:

But I believe that is only when the centenier in one parish has had a large case, then a minor case against the same fellow, man or woman, in another parish -- let me just give you this. Say St. Helier had a large case against somebody, drink/driving or a prosecution for malicious damage or something, a case quite thick, and that same person committed an offence in St. Saviour while he was out on bail, then yes, we would give that case for it to be continued. But I have never yet - again, Danny can tell you - I have never yet known where a case has happened in St. Saviour and it has been given to St. Helier just strictly on a St. Saviour basis without something else being involved. Perhaps Danny can tell you if that has happened in other parishes, but I do not think it has ever happened within St. Saviour. Well, certainly not within my time anyway.

Deputy J.A. Martin:

It is something we need to look for more evidence, seeing how many cases are presented. You know, it is just my observation and of the Magistrates. Both the Magistrates feel the same, that sometimes you have all these people in court doing the same -- it is similar, it is a different name, it is the same offence basically, and 7 or 8 people needing to be there.

Centenier J. Rigby:

Yes, but like I have said, it is because --

Deputy J.A. Martin:

But you are saying that is acceptable because we have 12 parishes and we have 12 Honorary Police and you think it should be the centenier from the parish --

Centenier J. Rigby:

Should represent his own parish at all times. Of course, everything I state here is my opinion.

Deputy J.A. Martin:

Oh, yes.

Centenier J. Rigby:

Shared with my colleagues in St. Saviour. All my own opinion, yes.

The Deputy of St. Martin:

Could I just go back a little bit? We mentioned earlier about levels of competency and appraisals. Do you think there should be an appraisal system in the Honorary Police?

Centenier J. Rigby:

I think that appraisal should be done within their own parish. Their own parish Chef de Police on his own persons. Not a national ...

The Deputy of St. Martin:

Can I just say in a lot of organisations - and the police are an organisation I am thinking of - there is an appraisal for every officer at every rank, and obviously someone of senior rank would appraise someone of a lower rank and so we go down. Would you think that ...?

Centenier J. Rigby:

Well, we tend in a way to do that in St. Saviour anyway on the ranks that we have. That is not questioning the competency of somebody doing it. It is usually on the ability or the time that that person turns out to assist in his job as a CO or a vingtenier. That is our main concern, is that people do turn out and promise to do their jobs. I do not know of anybody who is -- well, there is not anybody who is incompetent enough or incompetent to do a particular job.

The Deputy of St. Martin:

I do not want to get too bogged down with the word "incompetence".

Centenier J. Rigby:

Well, that is one of my biggest bugbears.

The Deputy of St. Martin:

Yes, I know, because I do not think anyone -- we are talking about levels of competency rather than whether someone is competent or incompetent. Again, I think in your submission to us you mentioned something about you thought it might be an affront to the Honorary Police if there was an appraisal.

Centenier J. Rigby:

Yes, that is right.

The Deputy of St. Martin:

Why do you think so?

Centenier J. Rigby:

I am not quite sure. If you think that everybody should be appraised I think certainly that you appraise without any detriment to what that person is standing for and what he is serving his community as. If somebody is not doing a particular job particularly well, then we will give them extra training or extra, you know, to boost that up. There is no way that his position as a --

The Deputy of St. Martin:

Have you ever had occasion to do that?

Centenier J. Rigby:

Our problem within St. Saviour is certain times lack of people attending when we require them or when we call them up to an action or something like that, and we are finding out that we have 6 or 5 centeniers on the roadside where there should be a few COs and vingteniers there and they have been too busy or they have had personal problems. It is the centeniers that are actually on the roadside dealing with a traffic accident or something like that, doing their jobs. That is where we get a bit narked, when we do not get a proper turnout. But that is now being rectified. In fact, we have got 7 people joining us tonight and hopefully that is going to be a good turnaround for us.

The Deputy of St. Martin:

So really there are gaps in ability and availability?

Centenier J. Rigby:

The gaps are the lack of the number of COs that we have within our parish. As I say, hopefully that is recognised. And I think that happens within a lot of parishes, that they have not got the proper turnout and their COs are not turning out and it is the centeniers that are on the roadside every night after doing 24 hours a day for a week or whatever times. It can get a bit wracking.

The Deputy of St. Martin:

I think we have asked how often you present cases. Shona, maybe you could go on to number 18 or go back to 18.

Deputy S. Pitman:

You have said that you think that participation in Parish Hall Inquiries is the most rewarding part of your role. Could you explain why?

Centenier J. Rigby:

Well, the fact that you can sit down with somebody from your parish who has committed an offence and you have got to decide whether that person -- there is no evidence against him, are you going to give him a written caution or words of advice or, indeed, is it the case that you are actually going to prosecute them? It is quite a humbling experience and you have got to listen; you have to be able to listen to the person, see what their kind of attitude is, look at the evidence that is given in there; and I think for anybody who is in that role it must be an experience and an experience that I am quite happy with. I have had experiences of my own of when I lost my daughters in an accident, and I know what the effects are of somebody else who has had an accident. And I know that it is not just the accident itself but it is how it is affecting the person who has committed the offence, and you can have that empathy with them as well. I think that is a lot of it, it is something that a centenier -- it is a rewarding part of the centenier's role.

Deputy J.A. Martin:

Do you get separate training to do the Parish Hall Inquiries where actually you could be there as a sort of judge?

Centenier J. Rigby:

Again, I sat in with another centenier for some time. We sat together while the defendant, for want of a better word, came in and we went through the whole system of questioning and that. And again I was invited to -- once the -- my mentor, for want of a better word, was Bernie Connor, the centenier Bernie Connor. I was sat next to him most of the times for about a month of -- in them days it was Tuesday night. We used to have them one night a week in there. The Tuesday night we sat there. I was sat next to him. We had maybe 8, 10, 15 at times people come in there and we would talk to them, whether we would prosecute, give words of advice or cautions or no case to answer, and then I would be invited, do I wish to make any comments. I gradually learnt what the other person was about and what he was about and what he was doing, how to set the system up and how you are going to do the charge, how to lay the charges down, present them and write them out. So, again, I was shadowed at a Parish Hall Inquiry.

Deputy J.A. Martin:

Thank you.

Deputy S. Pitman:

You said also that without question there are those among the centeniers who are unhappy about standing up before the court.

Centenier J. Rigby:

That is right.

Deputy S. Pitman:

But they have a choice about doing the job. What numbers are you talking about and what is being done to help those who are unhappy about standing in court?

Centenier J. Rigby:

Well, I think the numbers I have no idea. I just know that there have been centeniers stood next to me there and those that I have spoken to at social events when we have our Centeniers Association, who will -- do not go to court. They just do not like standing up and talking in front of people. They just do not like to do it. But they have their own back-up with the other centeniers who will take that case to court. I think, if I remember rightly, in St. Clement I think the Chef de Police there is the main one that takes cases into court from St Clement. He does it most of the time and maybe once or twice some of these others do it. Because the others have not got the time or are not willing to do it. I think that may happen in other parishes. But it is when we have these Association dinners and things like that when we talk around the table, there is more said round that table than you get at the meetings. You know, everybody lets their hair down then and talks, where people will sit there and listen to others doing the talking, eventually you get it round the table and that is where you learn a lot.

Deputy S. Pitman:

So how many have come to you and said that?

Centenier J. Rigby:

I think probably around the table about 3 or 4 people have said that in total, that they are not happy in court and all that. But if called upon to do it, they either do it or they do not do it. There is somebody else there to do it for them within their own parish. I mean, I know you have talked about people from other parishes doing it for them, which again that is maybe the requirements are in the law, but I have not heard of anybody -- other than a joint one which I explained before where you have got somebody who has got a large file against them and one case where they have been on bail and that has been taken over. That is the only times that I have heard that other people have taken over from them.

Deputy D.W. Mezbourian:

I believe that the magistrate, Mr. Le Marquand, implied that in fact through the fact that there are centeniers who do not feel able to stand up and present cases in court for whatever reason, the system at the moment is actually working towards a pool of presenting centeniers. I believe that that is what he said to us. We were talking earlier about perception and that is the Magistrate's perception, that there is a pool of centeniers emerging for whatever reason. In your submission to us, our understanding is that you are definitely against that pool. If it was the only way that the role of the centenier in the Magistrates Court was to continue into the future, would you be accepting that a pool would, perhaps, be

the right way forward?

Centenier J. Rigby:

Well, when you get a fait accompli pushed in front of you, you have got no other reason -- other choice than to accept it, but I still think it is the wrong reason and I think it -- well, I just do not agree with it and I know that there are many centeniers who do not agree with that. But then again, there is quite a few centeniers -- quite a lot of centeniers that do. So that is something that I think the Association or the Honorary Police Association should discuss with themselves to see that. I do not think it should come from anywhere else. A lot of the things that have been said this evening, I think, are things that could be sorted out or should be sorted out within the Honorary Police Association and even with the Magistrates. It should be within the Honorary Police Association. I just find it a little bit of an anathema that it has to be political.

The Deputy of St. Martin:

In fairness, could I just add that this is the process. This is a scrutiny process. What steps have you taken yourself, as a centenier in St Saviour, to address some of the issues that we are dealing with today?

Centenier J. Rigby:

Well, I think as a rule as a centenier there is not much that I can do to address what the -- other than bring things up at the Centeniers or the Honorary Police Association meetings that we have. There are a few of us that will stand up and say what we believe at the meeting and how things should be run. It is agreed or disagreed with, it is voted on, and then you have to accept that vote, of course. But there again, there is a lot that goes on within those associations that people will say: "Look, the constable is the head of that parish. What he says goes in that parish" and it goes down from the chief. And that is within our parish. It has got nothing to do with an association and all that. So there is individualism of parishes who quite object to other parishes or even the Association interfering with their parish role.

Deputy D.W. Mezbourian:

I think what we must remember, of course, is that the constable is also a political animal sitting in the States of Jersey and they are elected to that role. I think it is very difficult to divorce the honorary system from politics because the head of the Honorary Police in each parish is a politician.

Centenier J. Rigby:

Yes, but I think there are 2 different roles there with the constable. First of all, he is the head of the Honorary Police within there, and then he has a role within the States for the parishioners as well. I think you can split that in 2 -- yes, of course.

Deputy D.W. Mezbourian:

I think the evidence is the constable is a politician and so you cannot divorce the 2 roles at all. I would

like to refer you, Centenier, if I may to a statement made by Professor Rutherford, which is: "If centeniers are to continue prosecuting, consideration needs to be given to creating a branch of the Honorary Police Service that specialises in prosecuting and that receives specific training in that regard."

Centenier J. Rigby:

We are not Perry Masons. We are not advocates for -- you know, I mean, you get an advocate who is getting 100,000 a year and all of a sudden you want a centenier to be a public prosecutor as such, you know, for 450 a year. You know, I just -- are you going to pay these people to do this kind of work? I just think it is all wrong. What we are doing is the basics of providing the evidence on a prosecution. When it gets to anything tough and it is going to go to a Royal Court, which is the end of the line, then it is taken over by the legal advisers. You know, you are trying to use a sledgehammer to crack a nut, really, by doing it that way.

The Deputy of Trinity:

Do you think that the role of the Honorary Police would be affected if there was a pool of centeniers?

Centenier J. Rigby:

I think there will be certain -- there will be a lot of disquiet within the Honorary Police. Whether it will be affected or not I think only time will tell you on that one. I do believe that anything that tends to diminish the role of a centenier or a CO or a vingtenier or anything with the Honorary Association does not help in its recruitment at all.

Deputy D.W. Mezbourian:

Centenier, do you not read the quote I just read to you as being the Professor's way of suggesting that there be a pool of centeniers? Because he was recommending that consideration should be given to creating a branch of the Honorary Police - read that as centeniers because it must be the centenier - who specialises in prosecuting and that receives specific training in that regard. Surely he is there suggesting that centeniers receive good training in order to do their job properly.

Centenier J. Rigby:

Well, you do not need a pool of centeniers to have good training. All centeniers should receive the training. You do not need a pool. Why should somebody from St. Peter be prosecuting on behalf of somebody in St. Saviour?

Deputy D.W. Mezbourian:

May I say, Centenier, that we as a panel have made no comment on the suggestion of the pool and we are merely asking questions because of the number of people who have come to speak to us, not least of which is the Magistrate, has addressed the issue. We will, of course, be addressing these questions or

similar questions to the Attorney General when he comes to speak to us, so it would be interesting for everyone, I believe, to have his views.

Centenier J. Rigby:

I can only give you my personal opinion, which is backed by St. Saviour's Chef de Police and the rest of the centeniers within St. Saviour, that we do not like the idea of a pool, a strict pool of centeniers. We want to look after our own parish people.

Deputy J.A. Martin:

You do not have to name them, you obviously do not even have to answer, but you say St. Saviour are all against it. Do all St. Saviour's centeniers present in court?

Centenier J. Rigby:

Yes.

Deputy J.A. Martin:

They are all comfortable with doing that?

Centenier J. Rigby:

Well, fortunately, the one that is a little bit uncomfortable now is going to be leaving us next month. He is going back to America. But he likes the proceedings of the Parish Hall Inquiries. He is uncomfortable in court, but he has done his job in court. He has always had somebody by the side of him because he is a fairly new centenier anyway. He is the only one that has been a little bit uncomfortable, but when you have the others in court, well, we have been perfectly happy and perfectly competent in court. I do not think there is anybody else.

Deputy J.A. Martin:

Thank you.

The Deputy of St. Martin:

Can you ask 27, Deirdre?

Deputy D.W. Mezbourian:

We have been working our way through some preset questions so that we have tried to work to some kind of system here. I think, obviously, with your answers we have been moving away slightly from that. But I think one thing to ask you was should a pool of presenting centeniers be created - and, as I have said, we have not made comment one way or the other on this - would you want to be considered for that pool?

Centenier J. Rigby:

If I said I wanted to be considered for it, then I would be saying the opposite to what I have been saying. I do not think it should be there. So, until it actually arrived, then I will not even -- I do not think I have determined an answer to that, really. I think it would be wrong.

The Deputy of St. Martin:

That is fair enough. Can I ask you what you see the strengths and weaknesses of the present system is at the moment of magistrates, of going to court?

Centenier J. Rigby:

Going to court? The weakness. I think when we go to court the centenier arrives in the morning. It is usually the centenier first arrives and sits there in the morning. He is there to lay out the court duties for that morning there. He sets out the programme of who is going to come first and part of it is that those that are in custody have got to go out first, those with the legal advisors, those that we have got an interpreter, because they are the people that are being paid and we want to get shut of them out of the court quickly. The trouble is when you sit down in court with your nice set programme there, the duty advocate is still in the cells talking to somebody, the other advocate is talking outside there, and your whole system is kicked into touch and then you have got to start thinking: "Who can I put" -- you are looking over your shoulder all the time: "Are you ready? Are you ready? Is he in? Is the court there? Is the witness there?" I personally believe that the system should be -- and again a lot of people will disagree with me on this one. I believe that the itemised list of people there should be adhered to from A to B. It is very difficult to -- and the advocates and everybody else should be there early enough in the morning to interview the people that they are going to go into so that everybody is ready at 10.00 a.m. If a centenier is not there at 10.00 a.m. to open that case, the magistrate will go nuts. But if the advocate is not there, he is in the cells: "All right, we will adjourn and go on to the next one. Fair enough, you know." And that is where I think it is wrong. But that is just the system as it is and I think one of the biggest hold-ups is the advocates themselves by not being themselves prepared to come into court at that particular time. That is my only comments on that one.

The Deputy of St. Martin:

It would be fair to say that the area of court listing and the running of a court has been the subject of other difficulties with other witnesses we have had before us so, again, this is something which, obviously, we all take note of. So, what about the strengths?

Centenier J. Rigby:

Stress?

Deputy D.W. Mezbourian:

Strengths.

Centenier J. Rigby:

Strengths? [Laughter]

The Deputy of St. Martin:

Strengths. I said the strengths and the weaknesses. You have told us the weaknesses.

Centenier J. Rigby:

The strength of the court. I think the strength in the court there is the ability and the -- have the centenier in himself representing his own parish. I think that is the fundamental strength that when the accused comes into court he knows there is somebody there who understands him and who has been there with him all the way through. I think also the bigger strength is the camaraderie and the assistance between all the other centeniers when you are in court. They are all there at the time and we can talk and call upon them if necessary for the assistance as required.

The Deputy of St. Martin:

Of the ...?

Centenier J. Rigby:

The assistance, any assistance that we need or any advice or help or anything like that. I think the Centeniers Association -- well, it is not an association now, it is part and parcel of the Honorary Police. But the Association as it was of centeniers or the group of centeniers is one, in fact, of the finest people you should have on the Island, to be honest, and they work well together. We have our differences, but we certainly --

The Deputy of St. Martin:

Could I ask then how about the interest of the accused if you are there and the public you are representing? Do they not have a part to play in their proceedings?

Centenier J. Rigby:

Well, I have never -- again, I have only 2½ years' experience in there. There are others who have had far more experience in there, but I have never yet heard of an accused person, whether they are found guilty or not guilty, ever calling to question the actions of the centenier at all. I think that sounds volumes.

The Deputy of St. Martin:

Okay. You say that there are a few centeniers who would wish to make changes and in doing so to aid the States Police. Is there some confusion as you think what the role would be, that there might be a feeling that maybe that the role of taking cases to court would be removed from the Honorary Police and

transferred to the States Police because I got that impression from the submission you made to us. Is that how you see it or was that the perception that is around St. Saviour?

Centenier J. Rigby:

This is all the perception of many different things there. We have centeniers who are passionate about what happens in the way that the Honorary Police is run. Some - myself and one or 2 others - think that it is an overzealousness that will only make it more state police-type running. They might disagree with that, but we think that by being too much co-joined with the States Police, we will become eventually special police.

The Deputy of St. Martin:

Yes. Could I just come back because I did ask a question earlier on about how familiar you were with the Crown Prosecution Service in the UK. Because if one looks at the Crown Prosecution Service in the UK, the prosecution side of things, the presentation at court, has been removed entirely from the police. So in Jersey at the moment we have Honorary Police who are, by nature, police officers.

Centenier J. Rigby:

That is right.

The Deputy of St. Martin:

So it would seem that if one was going to look for a change --

Centenier J. Rigby:

There is a subtle difference with that. We are community police officers. We are there to empathise and -- both to prosecute and to empathise with the police -- with the public. A States police officer is there to prosecute -- is actually on the road. When I say that -- and he is built up on statistics, they are on statistics all the time, and he is run -- the States police is run by statistics, how much they can --

The Deputy of St. Martin:

Have you any proof of that at all, any evidence to support that?

Centenier J. Rigby:

Well, each week we sit at the taskforce meeting. Or it is once a fortnight, sit at a taskforce meeting. The statistics for road traffic accidents, the statistics for breathalysing, the statistics for going out there on the estates and seeing people, reporting back to the States police all the time; it is all statistics bound by them and I think that we get a little bit overrun with that, that everything that they do is not for the benefit of the people --

The Deputy of St. Martin:

But surely would not the statistics be just to show that officers are out dealing with the problems that are out there and dealing with issues? Do you not keep any record of the work you have in St. Saviour?

Centenier J. Rigby:

We have our own record sheet of when we go out each night and most of the records are within our log books, pass books.

The Deputy of St. Martin:

So you have a record?

Centenier J. Rigby:

We have discussions every week about what has been done during the week for those that go out, and I may say that the discussions, it is mainly the centeniers that are out every week.

The Deputy of St. Martin:

Could we just come back to the question where you talk about the police being statistic driven? Do you keep any statistics at all of the number of people you arrest or number of cases dealt with?

Centenier J. Rigby:

Not in a statistic line. We just have what was in our books and what we discussed during the week. I mean, it is not a great deal of action when we go out. When we stop people on the side of the road or we stop somebody for a breathalysing test, it is just something that is recorded or the charges there, and that is part of it. We do not have a log book of what we have done during the week.

The Deputy of St. Martin:

Is there a reason why you would not? Surely that would --

Centenier J. Rigby:

I do not see that there is a reason why we should have it. We know what we are doing and we have not got 100 men. We have only got -- there are only 6 - well, there are 4 centeniers at the moment, soon to be 3, to go out and then we have about 3 COs and vingteniers to go out there. We are not bogged down with 400 people working for us.

The Deputy of St. Martin:

In St. Saviour, then, do you have an annual return of work?

Centenier J. Rigby:

No.

The Deputy of St. Martin:

You do not, so there is no record to show the parishioners what a good job you are doing or not?

Centenier J. Rigby:

No. That is probably one of the problems really, but then again the Chef de Police makes an annual report. What is in that report I do not know. That goes to the Constable.

The Deputy of St. Martin:

Could I just ask who he makes that annual report to?

Centenier J. Rigby:

To the Constable.

The Deputy of St. Martin:

It does not go to a parish assembly?

Centenier J. Rigby:

No.

The Deputy of Trinity:

You just talked about the statistics. Just to press you, a little point on that, you do not think formally keeping them would be a good idea? Looking at trends of antisocial behaviour, et cetera, looking at trends over a 6-month period or over a year period could help you?

Centenier J. Rigby:

There is not enough that goes on within the parish to really require it. It can be done within the memory of the 6 centeniers that are working there. You know, it is something that we are talking about and going through all week. We know that there are particular problems at Cinq Chenes or Clos Gosset or one of the other estates, we know that is there and we attend to that particular problem. If we have to go back in a few weeks' time we go back in a few weeks' time. Because we are parish policemen we are there all the time anyway, you know, so what need for statistics? When you are tending to a particular item continuously it is just something that is done, and I think that if the Chef de Police has to start doing more or people have to start doing more and more paperwork, but who are the statistics for? Ourselves? We already know. Is it the States police? We do give certain statistics to the police. If we have roadside checks, usually in conjunction with the DVS or on our own when we are doing breathalyser or checks on vehicles and things like that, we hand those to the States Police at that particular time, which is about once every 3 months or something like that.

The Deputy of Trinity:

Do you keep a copy for yourselves?

Centenier J. Rigby:

Well, I think the Chef de Police will have that copy there because it is also usually sent to the Evening Post to keep the public -- yes, they are aware by what is put in the Evening Post. Tonight we were out, say -- just for instance, tonight we were out doing breathalyser and roadside checks there. We stopped 400 cars, you know, and checked the 400 cars out, and that is basically what it is. The police -- the public know that we have stopped 400 cars, not that they are very happy about us stopping 400 cars and whether they are really bothered, to be honest, because it is a very apathetic public that we have as regarding the Honorary Police in the Island.

The Deputy of St. Martin:

Would you consider that all being part of intelligence gathering because at the end of the day, if indeed an inquiry was being made, the fact that you have stopped 400 cars, there may well be one of those cars that had been involved in something very serious and, therefore, the statistics you have got would be very useful to an officer in his inquiry.

Centenier J. Rigby:

When we stop those 400 cars, we do not take the number of every car that we stop.

The Deputy of St. Martin:

Why not?

Centenier J. Rigby:

Well, just we do not. We do not take the number of every car we stop. We have never, ever done that. We stop the car, we check that the insurance is okay, we check that the driver has not been drinking, we check that his lights are in working order. We have a list of stolen cars with us which we check out, check that weekly list of stolen cars and corresponding along. You know, that is it. We do not logbook every car that we stop. We would have 1,000 cars every year.

The Deputy of St. Martin:

It is just an observation.

Centenier J. Rigby:

I do not think even the States Police make a logbook of every car that they stop on the road. I may be wrong. I am not sure about that. I do not know whether they do. I would hardly think so. But if they stop it on a particular instance, then it would be in his pocketbook.

Deputy D.W. Mezbourian:

I would just like to come back to the training question and I think we are nearly finished with this. You have been answering questions, Centenier, for quite a long time now. I would just like to refer to your submission in which you mentioned John de la Haye, who is himself a former States Police Officer, and that you had been well supported by him in the training that you received. Did you receive any training from him in connection with court cases?

Centenier J. Rigby:

No.

Deputy D.W. Mezbourian:

So he was, perhaps, more on the operational --

Centenier J. Rigby:

John de la Haye was on the foundation course which taught us how to use the pocket books, how to use the breathalyser, yes, things like that, which we had no clue on, and also on the radar and the laser.

Deputy D.W. Mezbourian:

I believe you also stated that he was put in a position where --

Centenier J. Rigby:

From what I understand. Whether he was put into a position, again that is hearsay and what we have heard in meetings there. There was a position that he actually resigned and then came back again and resigned. I think that you have to talk to other people exactly what that position was that he was put into. We just know that he was put into a position that he felt that he could no longer serve the community as he did.

Deputy D.W. Mezbourian:

Following his resignation, are you aware of any changes - there must have been changes - to the training that is now being offered to officers?

Centenier J. Rigby:

Well, some of the training was done by Malcolm L'Amy. He is now the chairman of that training programme. A lot of it has been done by Peter Beck, I think his name is, who is another former police officer. That is on what they call handcuff training there, which is quite -- you know, you think you are just going to learn to put a pair of handcuffs on. It is not quite as simple as that. It is quite an intricate one where you learn how to defend yourself and how to approach and your space between other people and all that, and it is quite an interesting course in itself. It is an all-morning course one. But the other training has really been fairly nonexistent for the best part of this year, and a lot of it has been because of the planning for the training for next year which Malcolm has been doing, and that comes into fruition in

the beginning of January, I believe. But it has been pretty nonexistent this year.

Deputy D.W. Mezbourian:

That training that has been nonexistent this year, can you just clarify whether that is operational training or court training?

Centenier J. Rigby:

We have not had any court training at all this year. The only court training that I am aware of that has been done -- there again, we have got to stick to the St. Saviour. We have been very unfortunate in St. Saviour that we have got 3 centeniers who have not been able to do the fulfilling of their duties, one through ill health, one through going back to America shortly and that and one that has been -- well, 2 actually because we lost Richard Le Brocq for some time. We had to bring one of the COs up to centenier and then, of course, he has gone through his training period. And when you are doing your training over the months together, I say training, familiarisation together, it takes time and that means that 2 people have to work. We, at present, are working -- a centenier in St. Saviour will at the end of next month in particular be working 24 hours a day for 7 days, right, or he is on call for 24 hours a day for 7 days. On top of that any accidents he will have to turn out. Anything else, any charges he will have to turn out; any court cases he will have to turn out for a promised week in court, week on, and that is a lot of time that he has to put into. If you put an hourly rate on the hours a centenier works in a year he would probably be on ... well, God knows what he would be on.

Deputy D.W. Mezbourian:

It would be costing the public a lot of money.

Centenier J. Rigby:

A lot more money than what it is now.

The Deputy of Trinity:

You have stated that we have had members and organisations willing to change with the times. What changes would you like to see, would you recommend?

Centenier J. Rigby:

Well, what changes would I like to see within the Honorary Police system? The only change I would like to see is a more vigorous assistance from the media and more support from the media always to help in creating people to join us. I would like to see certainly a little more training in-house, which if you do not know, when we have officers starting we have training courses. I think it would be a lot more helpful within our own selves if we trained within a lot -- familiarised each other. Like, for instance, I have not used a breathalyser now for 4 months, you know. I am not saying that I have forgotten how to use it but it is something that should be going on every week. But that is in-house. That is in-house

stuff that we should be looking at. I do not think there is much I would like to change really within the Honorary Police. I think the honorary system works well and that is why I feel that any interference with it is not helpful in bringing other officers into the system there. I think if a thing works well leave it alone. But that is really all I can say. You threw that one at me a little bit about what training should be given, yes.

The Deputy of St. Martin:

Could I just cover a couple of points? Mr L' Amy is in the room. Have you read his report?

Centenier J. Rigby:

I read his report when he went -- the one when he went to England. It was an extremely good report there.

The Deputy of St. Martin:

Have you been consulted regarding your role in court yet?

Centenier J. Rigby:

No. Consulted is the wrong word to say. Discussions were being held at meetings, the Honorary Police Association meetings, and we still have our Centeniers Association meetings where discussions of a kind or words of a kind have been mentioned about this role.

The Deputy of St. Martin:

Yes, because I understand --

Centenier J. Rigby:

Not personally, not from parish to parish.

The Deputy of St. Martin:

Okay, but I understand that that matter is in hand and it is --

Centenier J. Rigby:

Well, that is not -- well, whether it is in hand or not, I just know that I can give you the thoughts of myself and the others within in my parish. What they do with it and how far that matter goes in the future, I do not know.

Deputy D.W. Mezbourian:

Our understanding was that all centeniers were being, in a way, interviewed either by Centenier Scaife --

Centenier J. Rigby:

Yes, that is true.

Deputy D.W. Mezbourian:

-- or Centenier L'Amy, and I think that is really what Deputy Hill was asking.

Centenier J. Rigby:

Well, I do not know whether all centeniers have been questioned. I think there is -- I know there are a couple - I think 3 centeniers within St. Saviour sat with Danny - or at least I did anyway - sat with Danny and we went through a questionnaire giving our reasons of what was happening there and what we were for and what we were against. But he correlated that to what was the majority views or minority views, you know, not individual views.

Deputy D.W. Mezbourian:

Rather than the individuals. I think that is what the Deputy was trying to say.

The Deputy of St. Martin:

Yes, I think in fairness again, as far as this panel is concerned obviously we are well aware that Centenier L'Amy and the centeniers have been trying to address issues and they are looking for support from within and hearing comments because otherwise it would look as if they are dictating something that you have not been given the opportunity, but you have been given the opportunity.

Centenier J. Rigby:

In fairness, again, the perception of when we were interviewed, that this questionnaire was within a view to presenting something to yourselves, not to -- for the centeniers themselves. They were questioning individually certain centeniers from each parish with a view to correlate that and present that to you, not whether we -- what we had as a whole.

The Deputy of St. Martin:

Well, that is not an issue we want to get into because we have certainly not asked for it. I think we are getting into a bit of trouble about perceptions. Possibly there are some perceptions we need to address really from within your organisation, not from us here. I have got one I would like to probably finish on - maybe my colleagues will have other questions to ask - but it is said one of the strengths of the Honorary Police really is how well you know your parishioners. How well do you know your parishioners?

Centenier J. Rigby:

Well, individually, I cannot say I know all 8,000 people within the parish, but we have -- those that come within the parish system who have been -- whether they have been prosecuted or whether they have been advised or cautioned, that is mainly through the Parish Hall Inquiries. That is where we get to

know most of the people there. We also get to know people on the street when we are on road traffic or in the -- when we go down the Howard Davis Park there, when we patrol Howard Davis Park at functions, when we get to know the people within the parish there and we get to talking and we get the feedback from those there. That is how we get to know the people.

The Deputy of St. Martin:

But as an elected member of your parish and you are having to fulfil a role of honorary community policeman, have you never thought about possibly knocking on doors and introducing yourself and ...?

Centenier J. Rigby:

That is something that we have discussed within the parish about knocking on doors at particular times of the year and saying -- and in fact it did happen for 2 or 3 years at the time, but then again, it is time consuming and we were short of personnel to do these kind of things.

The Deputy of St. Martin:

It might help in recruiting as well.

Centenier J. Rigby:

In recruiting, yes. Some of that recruitment has been through what has happened down at Howard Davis Park when we have been out there on patrol, walking round through the crowds at these functions that are going on. That is one of our biggest advertising campaigns that have been going on and we have just now produced some new literature for St. Saviour for recruitment, which is now going out.

The Deputy of St. Martin:

Okay. Could I just ask are there any questions anyone else would like to ask?

Deputy D.W. Mezbourian:

I have not got any questions. Just to say thank you very much for --

The Deputy of St. Martin:

Could I just ask before that are there any questions you would have liked us to ask that have not been asked?

Centenier J. Rigby:

No. I think -- it is not a question really. I just -- and I am pretty sure that it is going to happen, to be able to go -- when I go back and talk to my Chef de Police and we talk to the Association there, that we hope sincerely that the Honorary Police Association will not change and that you have that Honorary Police Association deep in your hearts when you are making your thing, and there should be no detriment to the Honorary Police Association when you come to your decision.

Deputy D.W. Mezbourian:

Are you talking about the Association or the system, because they are 2 different things?

Centenier J. Rigby:

Well, the system is the Association as far as I am concerned. I do not believe that the system should change. I think you have a great system over here. I think it is history-bound and all too often history is being held in detriment. Even in England history is no longer in the curriculum. I believe that the honorary system here should be on the curriculum of every school. That is something when you are talking about how to go on. I think we should -- I mean, just same old thing, about 3 months ago we held a seminar in Hautlieu College there which went very well down with 400 people there. We had it on the screen and all that. That was a great system there and that is something that should be more done. We should be around more schools and we should have help from them. And also I believe you get more in the media of the Women's Institutes once every quarter and you see nothing of the Honorary Police system. I think if we had some kind of a system going there where we could tell you exactly what is going on within the community a bit more often, that would be a great move.

Deputy D.W. Mezbourian:

I believe that used to happen actually. There used to be press reports following certain meetings, but I do not think the media were that interested in it.

Centenier J. Rigby:

You do not even get the media coming now or very rarely when, like tonight, we have got 7 people coming to the parish hall to be elected and the media will be there tonight, you know.

Deputy D.W. Mezbourian:

Well, have you notified them?

Centenier J. Rigby:

They have been notified, yes.

The Deputy of Trinity:

They might surprise you.

The Deputy of St. Martin:

As you probably are aware, this is a public meeting and the media were advised and you can see how many of the media are here. Can I just conclude actually by thanking you and also I would draw your attention to something that Cecil Clothier did write. I do not know if you have read the Clothier Report on Honorary Police, but I think it is probably just something to go away and think about. He is talking

about the valuable resource - of course, he was talking about the Honorary Police - he says: "This valuable resource should be nurtured and developed rather than cut down. But unless the institution known as the Honorary Police is thus cared for, it will, in our view, without doubt die slowly but surely of neglect and failure to adapt. Those who would like to bring about the abolition of the Honorary Police have only to ensure that nothing is done."

Centenier J. Rigby:

Yes, that is true, but my fear is that the honorary system will fail from those within it who want to bring too much into the -- become too much like the States Police. It is still a community police organisation, not a States Police organisation, and I hope we are never anywhere near like a States Police organisation.

The Deputy of St. Martin:

Well, I will not make a comment, but again I would like to thank you for your attendance and make my apology also for the time given.

Centenier J. Rigby:

Well, thank you all for your cordiality anyway. Thank you very much.