

# STATES OF JERSEY



## REVIEW OF THE ROLES OF THE BAILIFF, ATTORNEY GENERAL AND SOLICITOR GENERAL: APPOINTMENT OF CHAIRMAN AND MEMBERS OF THE REVIEW PANEL

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Lodged au Greffe on 17th November 2009  
by the Council of Ministers

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STATES GREFFE

## **PROPOSITION**

**THE STATES are asked to decide whether they are of opinion –**

to refer to their Act dated 4th February 2009 in which they agreed that an independent review be conducted into the current roles of the following unelected members of the States, namely the Bailiff, the Attorney General and the Solicitor General; and that the Council of Ministers, after consultation with the Privileges and Procedures Committee, be requested to submit to the States for approval the names of the proposed Chairman and members of the Panel to conduct the review; and

to appoint the following as Chairman and members of the Review Panel for the duration of the review –

The Rt. Hon. The Lord Carswell – Chairman  
Mrs. Marie-Louise Backhurst  
Dr. Sandra Mountford  
Mr. Ian Strang  
Mr. Geoffrey Crill.

**COUNCIL OF MINISTERS**

## REPORT

On 4th February 2009, the Proposition P.5/2009, as amended, was adopted by the States to agree that –

- (a) an independent review be conducted into the current roles of the following unelected members of the States, namely the Bailiff, the Attorney General and the Solicitor General;
- (b) to request the Council of Ministers, after consultation with the Privileges and Procedures Committee, to submit to the States for approval, *inter alia*, the names of the proposed Chairman and members of the Panel to conduct the review.

### **Nomination of Chairman**

The States have previously been informed that an eminent and highly suitable retired Law Lord, the **Rt. Hon. The Lord Carswell**, has agreed to be nominated to Chair the review. His previous experience includes appointment as Lord Justice of Appeal, Lord Chief Justice of Northern Ireland, and Lord of Appeal in Ordinary until his retirement in June this year.

Lord Carswell was Counsel to the Attorney General for Northern Ireland in the years 1970 and 1971, and Senior Crown Counsel in Northern Ireland from 1979 to 1984. In 1984, he became Judge of the High Court of Justice Northern Ireland, a post he held until 1993. He was Lord Justice of Appeal at the Supreme Court of Judicature in Northern Ireland from 1993 to 1997, and further Lord Chief Justice of Northern Ireland from 1997 to 2004.

Lord Carswell was made a Queen's Counsel in 1971 and became a Privy Counsellor in 1993. He was appointed a Lord of Appeal in Ordinary as Baron Carswell, of Killeen in the County of Down, on 12th January 2004, having been knighted in 1988.

The States are asked to appoint Lord Carswell as the Chairman of the Review Panel.

### **Nomination of Review Panel members**

Following identification of a suitable Chairman for the Review, an advertisement was placed in the Jersey Evening Post inviting applications from suitable local residents who wished to be considered for membership of the Review Panel.

Ten applications were received and considered in consultation with the Privileges and Procedures Committee. A short-list of 6 applicants was interviewed by the Chief Minister, Chairman of the Privileges and Procedures Committee and Lord Carswell.

The following individuals are nominated for appointment, in an honorary capacity, by the States as local members of the Panel.

#### Mrs. Marie-Louise Backhurst

Mrs. Backhurst was President of the Société Jersiaise from 1955–1998, is currently a member of the History, Archives, Bibliography and Environment sections, and editor of the Société Annual Bulletin. She was also the President and co-founder of the Channel Islands Family History Society from 1978–1984.

Her participation in States of Jersey Committees of Inquiry has included the Inquiries into Honorary Policing, Population and States Members' Pay. In addition, Mrs. Backhurst is a member of the States of Jersey Statistics Users Group and the Data Protection Tribunal.

Mrs. Backhurst is a member of Council of the National Trust for Jersey, previously Treasurer of the Standing Council for Women's Organisations and a member of the Family Nursing and Home Care Committee.

Dr. Sandra Mountford

Dr. Mountford is a Chartered Psychologist and a registered nurse (general and mental health). She has a particular interest in the governance of small jurisdictions deriving from studies for her PhD thesis.

Currently employed by the Education, Sport and Culture Department as Manager for Day-Care Registration, she has previously worked as a part-time lecturer in psychology and practiced general and psychiatric nursing in Jersey and the United Kingdom.

Mr. Ian Strang

Mr. Strang is qualified as a Solicitor of the Supreme Court of England and Wales, as a Solicitor of the Royal Court, as an advocate of the Royal Court and a Notary Public.

He has practised with a notable law firm in Jersey since 1977 and is currently Managing Partner of the associated trust company, Volaw Trust and Corporate Services Ltd.

Mr. Strang is also chairman of the Financial and Commercial Law Sub-Committee of the Jersey Law Society, and was previously Council member and honorary legal adviser to the Jersey Chamber of Commerce.

Mr. Geoffrey Crill

Mr. Crill is an Écrivain (solicitor) of the Royal Court of Jersey. He is due to retire from practice and the Partnership of a notable local law firm in December 2009, apart from occasional consultancy. He has acted as Honorary Secretary of the Chambre des Écrivains and also the Solicitors Disciplinary Panel.

He is a non-executive director of C. Le Masurier Ltd. (a private property investment and development company) and also Sanne Trust Co. Ltd. (a regulated trust company).

Mr. Crill is a trustee of the Jersey Heritage Trust and a commissioner of the Jersey Overseas Aid Commission.

The States are asked to appoint the above 4 persons as members of the Review Panel.

**Financial and manpower implications**

This Proposition has no additional manpower or resource implications for the States.