

# STATES OF JERSEY



## CONNÉTABLES AND OTHER PARISH OFFICIALS: EXPLANATORY DOCUMENT AND NEW LEGISLATION (P.119/2012) – COMMENTS

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Presented to the States on 11th December 2012  
by the Comité des Connétables

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STATES GREFFE

## COMMENTS

The Parish structure is a key part of the Island's government. The Parishes each deliver many services, both those which are at the discretion of the Parish itself, and those which are delivered on behalf of the States. The Connétable, as head of his/her Parish, is responsible for the administration of the Parish and ensuring the delivery of those services, and it is important that Parishioners understand the vital rôle which the Connétable and all the other elected officers play in the government of the Island.

The legal powers and rôles of Parish officers are set through customary law and statute. They have been summarised many times over the years in various documents, including books such as "A Constitutional History of Jersey" by F. de L. Bois, O.B.E., M.A., and reports such as "[The Working Party on Parish Assemblies – report](#)" (R.38/2001). The Comité des Connétables has reviewed this information and has prepared a summary, covering, in particular, the issues mentioned in "Parish Assemblies: Information Pack" (P.60/2011) which was adopted by the States last year. This includes information on the officers of the Parish together with a summary of their rôles. This booklet will, following review by the Law Officers' Department to ensure the accuracy of the information, be available on the Parish website and through Parish Halls in due course.

Following the States approval of the Connétables (Miscellaneous Provisions) (Jersey) Law 2012, the Comité has also commenced work on a 'handbook' for Connétables which will outline the roles, duties and responsibilities of the Connétable and the other elected officers of the Parish. This 'handbook' is not intended to cover, in detail, all the legal powers, but will refer to legislation under which the Connétable and other officers have a duty and responsibility. It is intended that each Parish will 'personalise' the handbook to include other bodies and officers specific to that Parish, for example municipal cemeteries; sheltered housing trusts, etc. The content will have to be reviewed by the Law Officers' Department to ensure accuracy, but could then be made generally available, for example on the Parish website. However, in view of the work required, it is unlikely this will be completed within 6 months.

In addition to these documents which are currently being drafted, information about the Parish and its officers is already readily available on websites and in other publications. Part (a) of the proposition would not only require Parish and States resources to be spent duplicating work already undertaken or in hand, but would also require a lengthy and complicated document to cover all legal powers and all the various bodies, including those which are specific to an individual Parish; and this to be prepared within an unrealistic timescale.

Part (b) of the proposition requires the re-enactment of all legislation currently in the French language which relates to the Parishes. It does not ask for a translation of the legislation but for 're-enactment', which will require the States to debate each piece of legislation and the Privy Council to approve all adopted Laws. This will require significant Law Draftsman's Office and Law Officers' Department resources; will necessitate other law drafting work being postponed or given reduced priority, and none of this work was included in the Medium Term Financial Plan just approved by the States.

No reason is given for requiring such extensive work in relation to only the Parish and its officers and not to States departments; nor why only legislation relating to the Parishes must be re-enacted when there are many other pieces of legislation still in the French language.

It should be noted that the Official Publications (Jersey) Law 1960, which specifies the manner in which the enactment of legislation, the convening of Parish Assemblies and other public matters are to be brought to the notice of the public, provides that a notice convening a meeting of a Parish Assembly, whether civil or ecclesiastical, may be in the French or the English language, at the option of the President of the Assembly (Article 4).

Further, the website of the States Assembly records –

**The official languages of the States are English and French. Members may address the Assembly in either language; however most of the States business is done in English.**

In view of these comments, the Comité des Connétables does not support this proposition.