

**WRITTEN QUESTION TO H.M. ATTORNEY GENERAL
BY DEPUTY M.R. HIGGINS OF ST. HELIER
ANSWER TO BE TABLED ON MONDAY 30TH JANUARY 2017**

Question

Will H.M. Attorney General explain the following –

- (a) how his Department is organized;
- (b) how many people work within the Department and in what sections, including their specialisms;
- (c) what vetting of legal advice to Ministers and Departments takes place in his Department before such advice is provided to Ministers; and
- (d) how the Department deals with any conflicts of interests which may arise?

Answer

- (a) The Law Officers' Department consists of the Criminal Division and the Civil Division supported by a small administration team.
- (b) A Director manages each division. The Criminal Division is divided into three teams; the team at Police Headquarters, Mutual Legal Assistance and Crown Prosecutors. The team based at Police Headquarters prosecutes all cases before the Magistrate's Court and gives advice to the States of Jersey Police and the Honorary Police and consists of eight lawyers and support staff. The Mutual Legal Assistance team deals with international requests and consists of 2.8 (FTE) lawyers and support staff and a police officer who is on secondment from the States of Jersey Police Joint Financial Crime Unit. The Crown Prosecutor Team prosecutes the majority of Royal Court cases and also advises the Police. It consists of twelve lawyers and support staff.

The Civil Division is divided into four teams; Advice; Safeguarding; Commercial and Contentious; and Property.

The Advice Team has eight lawyers and support staff providing advice regarding the following: international treaties, European Law, sanctions, statutory interpretation, extension of UK legislation to Jersey, drafting of Orders in Council and Rules of Court, legislation projects, human rights, penalty review of draft legislation, drafting of Royal Assent memoranda, and public law advice.

The Commercial and Contentious Team consists of 7.7 (FTE) lawyers and support staff who provide advice in respect of contracts and contractual disputes, employment and discrimination claims, data protection and freedom of information, planning, general civil litigation and applications for judicial review.

The Property Team consists of 4.5 (FTE) members of staff who advise on all property related matters and who deal with conveyancing work on behalf of the Public of the Island and the Crown.

The eight lawyers and support staff of the Safeguarding Team provide advice to the Children's Service about the care and protection of children in the Island, and deal with applications for public law orders in relation to children.

The Administration team consists of 6.5 (FTE) members of staff.

- (c) Arrangements are in place to ensure that the advice given to Ministers and Departments is accurate, of high quality and provided in a timely way. Advice drafted by assistant legal advisers is subject to the supervision of senior lawyers.

- (d) The Law Officers' Department is structured so as to manage any conflicts of interest. The Attorney General and Solicitor General are independent Law Officers; the Criminal and Civil Divisions are managed and operated quite separately from each other and both are segregated from one another by an electronic case management system, which enables files to be locked electronically with only certain lawyers and staff having access to such files.