

Comité des Connétables

Minutes of the meeting held on
Monday 13th November 2017
at the States of Jersey Police Headquarters, St Helier

Present:

Connétable de St Clément - L. Norman, Chairman
Connétable de St Pierre - J. M. Refault, Vice Chairman
Connétable de St Hélier - A. S. Crowcroft (present for items 2-3; 5-7; 11-12)
Connétable de St Laurent - Mrs D. W. Mezbourian
Connétable de Ste Marie - Mrs J. Gallichan
Connétable de St Ouën - M. J. Paddock
Connétable de St Brélade - S. W. Pallett
Connétable de St Martin - M. P. S. Le Troquer
Connétable de Grouville - J. E. Le Maistre
Connétable de St Jean - C. H. Taylor
Connétable de la Trinité - P. B. Le Sueur

An apology for absence was received from the Connétable de St Sauveur - Mrs S. A. Le Sueur-Rennard.

In attendance:

Mrs S. R. de Gruchy, Secretary
Mrs D L Wootton, Secretary – Honorary Police (present for items 1-2; 4; 8-10)

Non-exempt (public) under Freedom of Information (Jersey) Law 2011

Minutes

1. The minutes of the meeting held on 16th October 2017, having been previously circulated, were taken as read and were confirmed.

General Data Protection Regulations (GDPR)

2. The Comité, with reference to its minute no. 4 of 10th July 2017, received Senator P.F. Routier, MBE, Assistant Minister to the Chief Minister; Advocate M Berry Legal Adviser, Law Officers' Department; the Digital Policy Adviser (Data Protection), the Director of Digital and Telecoms Policy and the Policy and Research Officer, Chief Minister's Department, who briefed the Comité on the General Data Protection Regulations (GDPR) which would come into effect on 25th May 2018 and the proposals to ensure that Jersey's 'adequacy' decision (2008/393/EC) from the European Union (EU) Commission continued after this date. It was expected the draft legislation would be lodged "au Greffe" in December 2017 for debate by the States in January 2018.

The Comité was informed of the consultation which had been undertaken on the new 'core' Data Protection (Jersey) Law 2017 (covering GDPR and a Law Enforcement Directive) and the Data Protection Authority (Jersey) Law 2017 (setting out powers and functions of the regulator). Schedule 1 of the draft Data Protection (Jersey) Law 2017 included a list of competent authorities - the Parishes had been identified as competent authorities and were listed as such in Schedule 1 (for the purposes of the draft Law a competent authority was one which processed personal data for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties and this therefore covered members of the Honorary Police).

Having been briefed on aspects of the current law which would change, the Comité discussed how this might affect the work of the parishes. The Comité was informed of preparatory work being undertaken within the States of Jersey and was advised support would be available through the Information Security Governance Board (ISGB) and also

a newly established private/public sector data protection officer group. Following discussion the delegation was thanked for attending the meeting and then withdrew.

Public elections – access for disabled

3. The Comité welcomed Senator P.F. Routier, MBE, to the meeting to discuss disabled access and facilities at polling stations. At the States sitting on 10th October 2017 Senator Routier had asked the Chairman of the Comité whether it was the policy of the Comité that all buildings and facilities used as polling stations or venues for hustings should be accessible to all electors and candidates with physical, sensory or health disabilities and, if so, would he ask the Comité to carry out an accessibility audit of such buildings and request the Connétables to proactively promote barrier-free access to Parish buildings. Senator Routier referred to the ‘Disability Strategy for Jersey’ (R.57/2017) and to the audit being undertaken on the States Building – the aim should be “barrier free access”.

The Comité referred to the provisions in the Public Elections (Jersey) Law 2002 with regard to the requirements for buildings and facilities used as polling stations (Article 26 required the provision of polling stations such that the Autorisé was satisfied that all persons had reasonable facilities for the exercise of their right to vote); and to the further specific provisions in Article 35 to enable the Autorisé or Adoint to take such measures as considered appropriate so a person who was disabled (or ill or illiterate) might vote (this might include a ‘home’ visit on polling day). In addition to the parish polling stations, pre-poll voting was arranged by the Judicial Greffier at facilities in St Helier and, for a general election, outside St Helier on at least two Saturdays. The Connétables were committed to inclusivity in the parishes but would make enquiries with regard to an audit of premises to ascertain what more might be considered although it was recognised that some Parish Halls which had been extended or refurbished in recent years already provided full access. Senator Routier was thanked for attending the meeting and then withdrew.

Public
Elections
(Jersey) Law
2002 - notice of
registered
voters

4. The Comité, with reference to its minute no. 11 of 10th July 2017, was reminded that a notice of registered voters must be sent to every unit of dwelling accommodation between 1st and 15th March 2018 in accordance with Article 7A of the Public Elections (Jersey) Law 2002. The Comité recalled that the costs of sending out notices under Article 7A should be met by the States (Article 15(3)) and considered this should include the cost of amending the electoral register system (ERS) to enable such notices to be generated. The Comité favoured the form of the notice being as simple and clear as possible and requested a draft be prepared for consideration at a future meeting.

Marriage and
Civil Status
(Jersey) Law
2001
amendments -
parish registrars

5. The Comité, with reference to its minute no. 13 of 16th October 2017, noted that the Chief Minister had lodged “au Greffe” the draft Marriage and Civil Status (Amendment No. 4) (Jersey) Law 201- (P.91/2017): amendment (P.91 Amd.) which substituted Article 42 of the 2001 Law and made provision for, amongst other matters, the Connétable to appoint a person as registrar/deputy registrar for a term not exceeding 5 years having notified the Parish Assembly of the intended appointment.

Jersey Retail
Association

6. The Comité noted a letter dated 7th November 2017 from the Chairman of the Jersey Retail Association to the Chairman of the Corporate Services Scrutiny Panel raising serious concerns over some of the proposals contained in the budget proposals, in particular the proposal to introduce a 20% tax on retail profits above £500,000.

Next meeting

7. The Comité noted the next meeting would be on 11th December 2017.

ChairmanL Norman..... Date11/12/2017.....