



17 September 2020

### Request

Please supply copies of all records and communications, notes etc between all parties and individuals in relation to the following FOI Requests -

PFOI- St John insurance documents

PFOI- St John insurance and legal advice

### Response

PFOI- St John insurance documents – please see attached.

**FOI exemption applied:** personal information redacted

**Article 25(2) - Personal Information - Personal data, applicant not subject but supply contravenes data protection principles**

Information is absolutely exempt information if – (a) it constitutes personal data of which the applicant is not the data subject as defined in the Data Protection (Jersey) Law 2018; and (b) its supply to a member of the public would contravene any of the data protection principles, as defined in that Law.

PFOI- St John insurance and legal advice – please see attached.

**FOI exemption applied:** personal information redacted

**Article 25(2) - Personal Information - Personal data, applicant not subject but supply contravenes data protection principles**

Information is absolutely exempt information if – (a) it constitutes personal data of which the applicant is not the data subject as defined in the Data Protection (Jersey) Law 2018; and (b) its supply to a member of the public would contravene any of the data protection principles, as defined in that Law.

**FOI exemption applied:** records and communications which relate to advice are redacted or omitted

**Article 31 - Advice by the Bailiff, Deputy Bailiff or a Law Officer**

Information is qualified exempt information if it is or relates to the provision of advice by the Bailiff, Deputy Bailiff or the Attorney General or the Solicitor General.

QE31 is a qualified exemption and therefore whether the disclosure of the advice would be in the interest of the public must be considered. Given the advice is from a Law Officer, there is an inherently high threshold to keep it confidential. In this instance, the public interest does not overcome the Law Officer privilege and the exemption is maintained.

**FOI request Parish of St John insurance documents – records/communications relating to request**

---

**From:** [redacted]

**Sent:** 21 July 2020 11:04

**To:** Parish of St John

**Subject:** Freedom of Information Request, St John Insurance Documentation

To

The Parish Secretary of St John Ms Sue Rodrigues  
The Parish Hall  
St John  
La Rue de la Mare Ballam  
St John, JE3 4EJ

Freedom of Information Request from

[redacted]

Dear Ms Rodrigues

I respectfully request that you supply the following documentation and information electronically to me at the the sending email address.

Insurance Documentation including a copy of the current certificate and full policy document, and similar documents covering the last three years.

Third party and legal cover for the parish of St John, covering the parish, and its officials for their actions when acting as parish officials whether criminal or civil.

Yours sincerely

[redacted]

Sent from my iPad

---

**From:** Parish of St John

**Sent:** 21 July 2020 11:47

**To:** FOIParish <FOI@parish.gov.je>

**Subject:** FW: Freedom of Information Request, St John Insurance Documentation

**From:** [redacted]

**Sent:** 21 July 2020 11:04

**To:** Parish of St John

**Subject:** Freedom of Information Request, St John Insurance Documentation

To

The Parish Secretary of St John Ms Sue Rodrigues  
The Parish Hall  
St John  
La Rue de la Mare Ballam  
St John, JE3 4EJ

Freedom of Information Request from

[redacted]

Dear Ms Rodrigues

I respectfully request that you supply the following documentation and information electronically to me at the the sending email address.

Insurance Documentation including a copy of the current certificate and full policy document, and similar documents covering the last three years.

Third party and legal cover for the parish of St John, covering the parish, and its officials for their actions when acting as parish officials whether criminal or civil.

Yours sincerely

[redacted]

Sent from my iPad

---

**From:** FOIParish  
**Sent:** 21 July 2020 15:30  
**To:** [redacted]  
**Cc:** Parish of St John  
**Subject:** PFOI-2020- redacted Parish of St John insurance documents

Ref No: PFOI-2020-[redacted]

Dear [redacted]

Thank you for your email dated 21 July 2020 regarding Parish of St John insurance documents.

Your request has been forwarded to the PFOI team in accordance with the parish's policy for handling requests – more information is available on <https://parish.gov.ie/Pages/FOI.aspx>, in particular the following explanation -

**How your FOI request will be handled**

It may not be obvious to a member of the public which parish(es) or bodies will hold the information which is sought. The parishes are therefore taking a pragmatic approach to the implementation of the FOI law and have set up the Parish FOI unit (PFOI). All FOI requests to the parishes will be handled by PFOI.

Your request is being dealt with under the terms of the Freedom of Information (Jersey) Law 2011 and assuming we hold this information, should be answered within twenty working days.

If you have any queries about this request, do not hesitate to contact me. Please remember to quote the reference number above in any future communications.

Yours sincerely

**Parish FOI (PFOI)**

Email: [FOI@parish.gov.je](mailto:FOI@parish.gov.je)

Write to: Parish FOI, East Wing RJA&HS, Route de la Trinité, Trinity JE3 5JP

---

**From:** FOIParish

**Sent:** 22 July 2020 13:40

**To:** FOI POSJ

**Subject:** RE: Freedom of Information Request, St John Insurance Documentation

Please let me know if your parish holds the information to answer the following FOI request - the reference is PFOI-2020- [redacted].

I have drafted the attached template response referencing the St John Employer's Liability insurance and also the group insurance policies. I understand Islands Insurance act as your broker and they also handle the group insurance policies. If you are content I will forward this draft response to Islands Insurance for comments/advice.

If you require further clarification please let me know and I will seek this ASAP.

Kind regards

**Parish FOI (PFOI)**

Email: [FOI@parish.gov.je](mailto:FOI@parish.gov.je)

Write to: Parish FOI, East Wing RJA&HS, Route de la Trinité, Trinity JE3 5JP

**Request**

I respectfully request that you supply the following documentation and information.

Insurance Documentation including a copy of the current certificates and full policy document, and similar documents covering the last three years.

Third party and legal cover for the parish of St John, covering the parish, and its officials for their actions when acting as parish officials whether criminal or civil.

**Response**

The Parish of St John holds Employer's Liability Insurance which provides cover of at least £6m in respect of any one incident. Employers' Liability Insurance policies include cover for volunteers.

The Connétable and members of the Honorary Police of the Parish of St John have third party and legal cover under the following group insurance policies –

- a) Public Liability and Torts policy - provides cover for the officer's legal liability for personal injury or damage to property of up to £15 million, which includes legal defence costs. There is also cover for specific torts (wrongful arrest, false imprisonment, malicious prosecution) of up to £1 million and an Officers Indemnity up to £2 million for other loss or damage caused by an error or omission as long as the Officer was acting within the scope of their official authority. Specific exclusions include slander, libel or defamation, fraud, dishonesty or criminal offence.
- b) Legal expenses policy - this policy is designed to pick up cases not involving the Public Liability & Torts policy (which automatically includes the legal costs of defending those claims) for Officers while on duty. Legal Defense pays up to £250,000 for any one claim including to:
  - a. Defend an officer's legal rights prior to the issue of legal proceedings when dealing with the police where it is alleged that the officer has or may have committed a criminal offence arising from their duties.
  - b. Defend an officer's legal rights if an event arising from their duties leads to them being prosecuted in a criminal court, or being subject to a civil action for discrimination (sex, race, disability, age, religious or political beliefs), Health & Safety at Work Law infraction, or Data Protection Law infraction.
  - c. Defend a prosecution for an offence connected with the use or driving of a motor vehicle excluding parking offences or failing to have valid insurance.

Documents for the last three years and attached.

---

**From:** Susan Rodrigues  
**Sent:** 28 July 2020 08:09  
**To:** Sue De Gruchy <S.DeGruchy@gov.je>  
**Cc:** Christopher Taylor <C.Taylor@gov.je>  
**Subject:** FOI Insurance X 2

Morning Sue

Ref the 2 x FOI we received from the same person on Insurance, I know we had a couple of chats about it, but now that the Constable is back at work can you remind us what you said as I think I've lost the plot a bit on this one?

Did you end up saying it was all your central insurances and you would work on that side of things or did you say it was also our insurance policies and we need to work on it too?

Sorry about this, but we have been a little manic here lately and I can't remember

Kind regards

Sue

Mrs S Y Rodrigues FMAAT MCMI  
Parish Secretary of St John  
The Parish Hall  
La Rue de la Mare Ballam  
St John Jersey  
JE3 4EJ  
[Tel:- 861999](tel:861999)

---

**From:** FOIParish  
**Sent:** 28 July 2020 09:36  
**To:** Susan Rodrigues <S.Rodrigues2@posj.gov.je>  
**Cc:** Christopher Taylor <C.Taylor@gov.je>  
**Subject:** RE: FOI Insurance X 2

Hi Sue

The first request – insurance cover documents – we need to do jointly. I'll do the HP group insurance but you'll need to do the St John parish police/ies. Draft outline attached as a starter but you're welcome to amend.

The second request – insurance and legal advice – is one the parish will have to answer as all advice (even on the HP group insurance) has been directly with the member covered by the policy and has not involved the Comite office.

Sue

**Sue de Gruchy**  
**Secretary, Comité des Connétables**  
**T: 01534-767555 | F: 01534-767666 | E: [s.degruchy@gov.je](mailto:s.degruchy@gov.je)**  
<https://parish.gov.je>

#### Request

I respectfully request that you supply the following documentation and information.

Insurance Documentation including a copy of the current certificate and full policy document, and similar documents covering the last three years.

Third party and legal cover for the parish of St John, covering the parish, and its officials for their actions when acting as parish officials whether criminal or civil.

#### Response

The Parish of St John holds Employer's Liability Insurance which provides cover of at least £5m in respect of any one incident. Employers' Liability Insurance policies include cover for volunteers.

The Connétable and members of the Honorary Police of the Parish of St John have third party and legal cover under the following group insurance policies –

- a) Public Liability and Torts policy - provides cover for the officer's legal liability for personal injury or damage to property of up to £15 million, which includes legal defence costs. There is also cover for specific torts (wrongful arrest, false imprisonment, malicious prosecution) of up to £1 million and an Officials Indemnity up to £2 million for other loss or damage caused by an error or omission as long as the Officer was acting within the scope of their official authority. Specific exclusions include slander, libel or defamation, fraud, dishonesty or criminal offence.
- b) Legal expenses policy - this policy is designed to pick up cases not involving the Public Liability & Torts policy (which automatically includes the legal costs of defending those claims) for Officers while on duty. Legal Defence pays up to £250,000 for any one claim including to:
  - a. Defend an officer's legal rights prior to the issue of legal proceedings when dealing with the police where it is alleged that the officer has or may have committed a criminal offence arising from their duties.
  - b. Defend an officer's legal rights if an event arising from their duties leads to them being prosecuted in a criminal court, or being subject to a civil action for discrimination (sex, race, disability, age, religious or political beliefs), Health & Safety at Work Law infraction, or Data Protection Law infraction.
  - c. Defend a prosecution for an offence connected with the use or driving of a motor vehicle excluding parking offences or failing to have valid insurance.

Documents for the last three years and attached.

---

#### Susan Rodrigues

**From:** Christopher Taylor  
**Sent:** 29 July 2020 09:49  
**To:** redacted  
**Cc:** susan.rodrigues  
**Subject:** Parish Insurance

Dear redacted

I hope you are well.

The Parish has received an FOI requesting copies of Insurance certificates for the last three years. I am sorry to say that when you changed our Insurers last year, the dates of cover changed from April to July, and islands failed to issue the necessary Certificates of cover during this period. The premiums were paid and I know we were covered, but the certificates were not issued. Please can you obtain copies and forward them to me.

Yours sincerely,  
Chris

Christopher Taylor  
Connétable de St Jean

**Susan Rodrigues**

---

**From:** Susan Rodrigues  
**Sent:** 29 July 2020 09:47  
**To:** Christopher Taylor; *redacted*  
**Subject:** RE: Parish Insurance

*redacted* – just to make clear, the Certificate we need is the “Employers Liability Insurance Certificate” covering the period 1<sup>st</sup> May to 30<sup>th</sup> June 2019.  
We have the previous one which ends 30<sup>th</sup> April, and then the next one we have commences 1<sup>st</sup> July.  
Kind regards  
Sue

---

**From:** Susan Rodrigues On Behalf Of FOI POSJ  
**Sent:** 05 August 2020 15:47  
**To:** FOIParish <FOI@parish.gov.je>  
**Cc:** Christopher Taylor <C.Taylor@gov.je>  
**Subject:** RE: Freedom of Information Request, St John Insurance Documentation no 2 further questions

Afternoon Sue

Ref the insurance and legal questions (*redacted* I think) the Constable has confirmed that the advice was all verbal and therefore it is not held by the Parish.

Ref *redacted* I am just waiting one further employees liability certificate which was missing and is being sent to us by our insurers and then I have them all to send you.

Please check everything for me to see if this is all?

Kind Regards

Sue

---

**From:** Susan Rodrigues On Behalf Of FOI POSJ  
**Sent:** 11 August 2020 10:48  
**To:** FOIParish <FOI@parish.gov.je>  
**Subject:** RE: FOI Insurance X 2

Hi Sue

Please find attached (finally) all the employers liability certs required for this FOI, to add to your central stuff. Hopefully this should be complete now?

Kind regards

Sue

---

**From:** Sue De Gruchy [<mailto:S.DeGruchy@gov.je>]  
**Sent:** 13 August 2020 14:16  
**To:** *redacted*  
**Cc:** *redacted*  
**Subject:** RE: Comite des Connetables - DAS Commercial Legal Protection - TT2/4017574  
**Importance:** High

Hi *redacted*

A parish has to provide information under FOI – the request is for “Insurance Documentation including a copy of the current certificate and full policy document, and similar documents covering the last three years.

Third party and legal cover for the parish of ....., covering the parish, and its officials for their actions when acting as parish officials whether criminal or civil.”

In relation to the Legal Expenses cover, are the 2 documents referred to in your email below the full information for 2020? If not, please provide any other documents.

Did the information for 2018 and 2019 differ at all? If so please provide copies of documents.

I have scanned the certificates for last 3 years – attached – is there anything else which should be provided for the certificate? If so please provide copies.

I look forward to your reply.

Kind regards

Sue

**Sue de Gruchy**

**Secretary, Comité des Connétables**

**T: 01534-767555 | F: 01534-767666 | E: [s.degruchy@gov.je](mailto:s.degruchy@gov.je)**

**<https://parish.gov.je>**

**From:** *redacted*

**Sent:** 23 April 2020 09:55

**To:** Sue De Gruchy <[S.DeGruchy@gov.je](mailto:S.DeGruchy@gov.je)>

**Subject:** Comite des Connetables - DAS Commercial Legal Protection - TT2/4017574

Good morning Sue

We trust that you are keeping all well, we refer to the above-mentioned and attach the following

- Insurance Product Information – (see 20465 01 (12771))
- Policy wording – (see 20464 01 (11209))

We trust that you find all to be in order

With kindest regards

*redacted*  
**Islands**

T: 01534 *redacted*  
[www.islands.je](http://www.islands.je)



**From:** FOIParish  
**Sent:** 13 August 2020 14:19  
**To:** FOI POSJ  
**Subject:** RE: FOI Insurance X 2

Thanks Sue, is there a policy document(s) as well? the request is for "the current certificate and full policy document"?

**Parish FOI (PFOI)**

Email: [FOI@parish.gov.je](mailto:FOI@parish.gov.je)

Write to: Parish FOI, East Wing RJA&HS, Route de la Trinité, Trinity JE3 5JP

<https://parish.gov.je>

---

**From:** Susan Rodrigues **On Behalf Of** FOI POSJ  
**Sent:** 14 August 2020 07:42  
**To:** FOIParish <[FOI@parish.gov.je](mailto:FOI@parish.gov.je)>  
**Subject:** RE: FOI Insurance X 2

Hi

We don't have a specific policy document for employees insurance as it is a part of our overall large policy for the Parish.

I don't suppose they want that surely?

What do you think?

Sue

P.S. I finish at 4pm today for 2 weeks holiday so could you cc Constable Taylor in all FOI emails as he will need to deal with them in my absence. Thanks Sue

---

**From:** *redacted*  
**Sent:** 17 August 2020 11:34  
**To:** FOIParish <[FOI@parish.gov.je](mailto:FOI@parish.gov.je)>  
**Subject:** Re: Freedom of Information Request, St John Insurance Documentation no 2 further questions

Hi just a quick note.

I calculate that the 20 days allowed for a reply expires on this Wednesday 19th of August coming. I take it I will receive a reply by this date

Regards

*redacted* Sent from my iPad

---

**From:** FOIParish  
**Sent:** 17 August 2020 12:49

**To:** Parish of St John <[stjohn@posj.gov.ie](mailto:stjohn@posj.gov.ie)>; FOI POSJ  
**Subject:** FW: FOI Insurance X 2

Hi – I understand Sue is away, can you send a copy of the Employers Liability policy document?  
Sue

**Parish FOI (PFOI)**

Email: [FOI@parish.gov.ie](mailto:FOI@parish.gov.ie)

Write to: Parish FOI, East Wing RJA&HS, Route de la Trinité, Trinity JE3 5JP

<https://parish.gov.ie>

---

**From:** FOIParish  
**Sent:** 17 August 2020 13:04  
**To:** Parish of St John <[stjohn@posj.gov.ie](mailto:stjohn@posj.gov.ie)>; FOI POSJ  
**Subject:** RE: FOI Insurance X 2

Hi – just spoken with *[redacted]* at Islands; please have a word with him as he hopes to provide the policy document for you.  
Sue

---

**From:** FOIParish  
**Sent:** 17 August 2020 13:22  
**To:** *redacted*  
**Subject:** RE: Freedom of Information Request, St John Insurance Documentation no 2 further questions

Dear *redacted*

Thank you for your email. Your request is being dealt with under the terms of the Freedom of Information (Jersey) Law 2011 and, assuming we hold this information, should be answered within twenty working days.

Kind regards

**Parish FOI (PFOI)**

Email: [FOI@parish.gov.ie](mailto:FOI@parish.gov.ie)

Write to: Parish FOI, East Wing RJA&HS, Route de la Trinité, Trinity JE3 5JP

<https://parish.gov.ie>

---

**From:** *redacted*  
**Sent:** 17 August 2020 13:25  
**To:** FOIParish <[FOI@parish.gov.ie](mailto:FOI@parish.gov.ie)>

**Subject:** Re: Freedom of Information Request, St John Insurance Documentation no 2 further questions

Thanks I look forward to it

Sent from my iPad

---

**From:** *redacted*

**Sent:** 17 August 2020 13:56

**To:** FOIParish <FOI@parish.gov.je>

**Subject:** Re: PFOI-2020- *redacted* Parish of St John insurance documents

Further to my previous email concerning a reply due this coming Wednesday, can I also remind you that this response is due by close of play tomorrow.

Regards

*redacted*

Sent from my iPad

---

**From:** Parish of St John

**Sent:** 17 August 2020 15:09

**To:** FOIParish <FOI@parish.gov.je>

**Subject:** RE: FOI Insurance X 2

Good afternoon Sue

We have now spoken with *redacted* and the Constable is happy for the information to be passed onto you by *redacted* of Island Insurance.

Kind Regards

*Redacted*

---

**From:** *redacted*

**Sent:** 17 August 2020 15:37

**To:** Sue De Gruchy <[S.DeGruchy@gov.je](mailto:S.DeGruchy@gov.je)>

**Subject:** RE: Comite des Connetables - DAS Commercial Legal Protection - TT2/4017574

Hi Sue

Thanks for the e-mail, following on from our telephone conversation, the two documents mentioned in my e-mail below are not the full information, and as my system was unable to open the scanned attachment, please find attached the policy schedules for the following in respect of the DAS Commercial Legal protection policy, for your safe-keeping.

- [Schedule 2018 to 2019 – scan 2020-08-17-13-41-43](#)

- Schedule 2019 to 2020 – scan 2020-08-17-13-42-06
- Schedule 2020 to 2021 – scan 2020-08-17-13-42-28

### **Parish documents**

At the request of the Parish Hall please find attached the copy of the policy schedules relating to this

- Schedule 2018 to 2019 – 04XHG9070825 Renewal docs
- Policy schedule - extend period 18th April 2019 31st May 2019 – see 04HXHG9070825 20190418 00000001.PDF
- Policy schedule – extended period 30th May 2019 to 30th June 2019 – see 04XHG9070825 20190530 00000001.PDF
- 12 month policy schedule from 1st July 2019 – see 06CHA0351153 20190628 00000001PDF
- 12 month policy schedule from 1st July 2020 – see 06CHA0351153 20200617 00000001PDF

We trust that you find all to be in order and if we can be of any further assistance to you, then please contact us

With kindest regards

*Redacted*

**From:** Sue De Gruchy

**Sent:** 18 August 2020 09:55

**To:** *Redacted*

**Subject:** RE: Comité des Connetables - DAS Commercial Legal Protection - TT2/4017574

**Importance:** High

*Hi Redacted*

Thank you for providing the Schedules for St John and also the group insurance policies, much appreciated.

Just one query - is the 'Schedule' the full policy document? Or might there be other document(s) that also form part of the policy?

I was just looking at the DAS document you sent me on 23/4/2020 which includes on page 6 –

1 This policy, the policy schedule and any endorsement shall be considered as one document. The proposal or any information supplied by the policyholder shall be incorporated in the contract.

The FOI request is for the "Insurance Documentation including a copy of the current certificate and full policy document, and similar documents covering the last three years."

Sue

**Sue de Gruchy**  
**Secretary, Comité des Connétables**

T: 01534-767555 | F: 01534-767666 | E: [s.degruchy@gov.ie](mailto:s.degruchy@gov.ie)  
<https://parish.gov.ie>

---

**From:** *Redacted*

**Sent:** 18 August 2020 10:41

**To:** Sue De Gruchy

**Subject:** RE: Comite des Connetables - DAS Commercial Legal Protection - TT2/4017574

Hi Sue

Thanks for the e-mail, and yes the schedule is the “full policy document” detailing cover, the only other thing would be the policy wording but for this scenario I don’t think is necessary

With kindest regards

*Redacted*

---

**From:** Sue De Gruchy [<mailto:S.DeGruchy@gov.ie>]

**Sent:** 18 August 2020 10:04

**To:** *Redacted*

**Subject:** RE: Comite des Connetables - DAS Commercial Legal Protection - TT2/4017574

**Importance:** High

Hi *Redacted*

Just re-reading the FOI request and am now thinking the group Torts policy should be referenced in the reply as it also provides legal defence costs cover – would you agree?

Could you therefore send me the policy schedules and documents for the last 3 years for that policy?

The proposed answer is as follows but I welcome any comments you have to clarify/correct the response –

The Parish of St John holds Employer’s Liability Insurance which provides cover of at least £5m in respect of any one incident. Employers’ Liability Insurance policies include cover for volunteers.

The Connétable and members of the Honorary Police of the Parish of St John have third party and legal cover under the following group insurance policies –

- a) Public Liability and Torts policy - provides cover for the officer’s legal liability for personal injury or damage to property of up to £15 million, which includes legal defence costs. There is also cover for specific torts (wrongful arrest, false imprisonment, malicious prosecution) of up to £1 million and an Officials Indemnity up to £2 million for other loss or damage caused by an error or omission as long as the Officer was acting within the scope of their official authority. Specific exclusions include slander, libel or defamation, fraud, dishonesty or criminal offence.

- b) Legal expenses policy - this policy is designed to pick up cases not involving the Public Liability & Torts policy (which automatically includes the legal costs of defending those claims) for Officers while on duty. Legal Defence pays up to £250,000 for any one claim including to:
- a. Defend an officer's legal rights prior to the issue of legal proceedings when dealing with the police where it is alleged that the officer has or may have committed a criminal offence arising from their duties.
  - b. Defend an officer's legal rights if an event arising from their duties leads to them being prosecuted in a criminal court, or being subject to a civil action for discrimination (sex, race, disability, age, religious or political beliefs), Health & Safety at Work Law infraction, or Data Protection Law infraction.
  - c. Defend a prosecution for an offence connected with the use or driving of a motor vehicle excluding parking offences or failing to have valid insurance.

Documents for the last three years are attached.

Kind regards  
Sue

**Sue de Gruchy**  
Secretary, Comité des Connétables  
T: 01534-767555 | F: 01534-767666 | E: [s.degruchy@gov.je](mailto:s.degruchy@gov.je)  
<https://parish.gov.je>

---

**From:** *Redacted*  
**Sent:** 18 August 2020 11:45  
**To:** Sue De Gruchy <[S.DeGruchy@gov.je](mailto:S.DeGruchy@gov.je)>  
**Subject:** RE: Comite des Connetables - DAS Commercial Legal Protection - TT2/4017574

Hi Sue

Thanks for the e-mail, the only thing I could mention in respect of the reply is to say regarding the Employers Liability cover "at least £5m" (total of £10m)

As for the public liability policy please find attached the following: -

- Copy policy schedule 12 moths from 1st May 2018 – see scan 2018-04-10-15-06-57pdf
- 2019 duplicated schedule – see scan 2019-08-08-13-52-15pdf
- Copt policy schedule 12 months from 1st May 2020 – see RKE509450 Renewal notice 2020 Liability .pdf

As we are sending copies of the public liability policy and as you have mentioned the total indemnity limit is £15m, please find attached copies of the "excess layer" polices

- Copy policy schedule 12 months from 1st May 2018 – see [Schedule00wef01.05.18.pdf](#)

- Copy policy schedule 12 months from 1st May 2019 – see Schedule00wef01.05.19pdf
- Copy policy schedule 12 months from 1st May 2020 – see 18022

We trust that you find all to be in order and if we can be of any further assistance then please contact us

With kindest regards

*Redacted*

---

**From:** Sue De Gruchy  
**Sent:** 18 August 2020 13:09  
**To:** *Redacted*  
**Subject:** RE: Comité des Connetables - DAS Commercial Legal Protection - TT2/4017574

Thanks *Redacted*, all noted/amended and your assistance is greatly appreciated.  
Kind regards  
Sue

Sue de Gruchy  
Secretary, Comité des Connétables  
T: 01534-767555 | F: 01534-767666 | E: [s.degruchy@gov.je](mailto:s.degruchy@gov.je)  
<https://parish.gov.je>

---

**From:** FOIParish  
**Sent:** 18 August 2020 12:59  
**To:** FOI POSJ <[F.POSJ@gov.je](mailto:F.POSJ@gov.je)>; Christopher Taylor <[C.Taylor@gov.je](mailto:C.Taylor@gov.je)>  
**Subject:** PFOI-2020- *Redacted* St John insurance documents  
**Importance:** High

Dear Colleague

Could you please review this draft response to an FOI request and reply to this email confirming:

- Authorisation to send, or
- Highlight any changes, comments or concerns.

The documents to be attached are just listed in the draft reply, but not sent with this email to you.

Many thanks

**Parish FOI (PFOI)**

Email: [FOI@parish.gov.je](mailto:FOI@parish.gov.je)

Write to: Parish FOI, East Wing RJA&HS, Route de la Trinité, Trinity JE3 5JP

Please remember to quote the reference number above in any future communications.

---

**From:** Christopher Taylor [mailto:[C.Taylor@gov.je](mailto:C.Taylor@gov.je)]  
**Sent:** 18 August 2020 13:32  
**To:** FOIParish <[FOI@parish.gov.je](mailto:FOI@parish.gov.je)>; FOI POSJ <[F.POSJ@gov.je](mailto:F.POSJ@gov.je)>  
**Subject:** RE: PFOI-2020- *Redacted* St John insurance documents

Dear FOI,  
I have examined the list of documents and am happy for it to be sent.  
Many thanks,  
Chris

---

**From:** FOIParish  
**Sent:** 18 August 2020 13:38  
**To:** *Redacted*  
**Subject:** PFOI-2020- *Redacted* St John insurance documents

Ref No: PFOI-2020- *Redacted*

Dear *Redacted*

Thank you for your email dated 21 July 2020 regarding Parish of St John insurance documents. The response is attached.

If you are dissatisfied with the handling of your FOI request, you may ask for an internal review (policy attached). Internal review requests should be submitted within 20 working days of the date of this communication by contacting us in writing as follows:

Email: [FOI@parish.gov.je](mailto:FOI@parish.gov.je)

Write to: Parish FOI, East Wing RJA&HS, Route de la Trinité, Trinity JE3 5JP

If you are not happy with the outcome of the internal review, you have the right to appeal directly to the Information Commissioner for a decision within 6 weeks of receipt of the outcome of the internal review. Contact details are: The Office of the Information Commissioner, 2<sup>nd</sup> floor, 5 Castle Street, St Helier, JE2 3BT. Email: [enquiries@jerseyoic.org](mailto:enquiries@jerseyoic.org) or telephone: +44 (0)1534 716530.

Please always quote the reference number above in any further correspondence with us about your request. Thank you.

Kind regards

**Parish FOI (PFOI)**

Email: [FOI@parish.gov.je](mailto:FOI@parish.gov.je)

Write to: Parish FOI, East Wing RJA&HS, Route de la Trinité, Trinity JE3 5JP

---

**From:** *Redacted*  
**Sent:** 19 August 2020 13:36  
**To:** FOIParish  
**Subject:** Re: PFOI-2020- *Redacted* St John insurance documents - issue with documents provided.

Can I thank you very much for the effort taken with this.



At the risk of being a pain I asked for full policy documentation and this would include the policy document or booklet.

It is this that contains the full terms and conditions.

Whilst you have gone to the trouble of giving me a summary I do need to see a copy of the full terms and conditions as per my original request.

Regards

*Redacted*

---

**From:** FOIParish

**Sent:** 19 August 2020 15:39

**To:** *Redacted*

**Subject:** RE: PFOI-2020- *Redacted* St John insurance documents - issue with documents provided.

Dear *Redacted*

We were advised the schedule is the “full policy document” detailing cover but will enquire further and be in touch shortly. In relation to your other request, a response is being prepared and we hope to issue it shortly.

Kind regards

**Parish FOI (PFOI)**

Email: [FOI@parish.gov.je](mailto:FOI@parish.gov.je)

Write to: Parish FOI, East Wing RJA&HS, Route de la Trinité, Trinity JE3 5JP

<https://parish.gov.je>

---

**From:** Sue De Gruchy [<mailto:S.DeGruchy@gov.je>]

**Sent:** 19 August 2020 15:42

**To:** *Redacted*

**Subject:** RE: Comite des Connetables - DAS Commercial Legal Protection - TT2/4017574

Hi *Redacted*

Sorry to trouble you again, the requester has replied to ask for “full policy documentation and this would include the policy document or booklet. It is this that contains the full terms and conditions.”

Can we provide these documents for the policies? I suspect they may be lengthy so, if there is no variation between the years, perhaps just one of each will suffice with a note that it's not changed?

I await your further advice on this!

Kind regards

Sue

**Sue de Gruchy**  
**Secretary, Comité des Connétables**  
**T: 01534-767555 | F: 01534-767666 | E: [s.degruchy@gov.je](mailto:s.degruchy@gov.je)**  
**<https://parish.gov.je>**

---

**From:** *Redacted*  
**Sent:** 19 August 2020 17:07  
**To:** Sue De Gruchy <[S.DeGruchy@gov.je](mailto:S.DeGruchy@gov.je)>  
**Subject:** RE: Comite des Connetables - DAS Commercial Legal Protection - TT2/4017574

Hi Sue

Thanks for the e-mail, please find attached the following policy wordings, for your safe-keeping: -

- DAS Commercial Legal protection policy wording, (no variation between years) – see 2046 01 (11029)
- Public Liability – policy wording (no variation between years)
- Excess layer policy for period up to 2019 with Barbican – see 02709125.pdf
- Excess layer policy from 2019 with incepta – see JRP UK Excess Liability Wording

### ***Parish Policies***

In respect of the Parish polices, please find attached the following

- Policy wording for the period up to 2019 under the “Hallguard” contract - see ME727 (ME674)
- Policy wording from 2019 onwards under “Charity and Community” contract – see ME866 charity and community

We trust that you find all to be in order

With kindest regards

*Redacted*

---

**From:** *Redacted*  
**Sent:** 19 August 2020 17:38  
**To:** FOIParish <[FOI@parish.gov.je](mailto:FOI@parish.gov.je)>  
**Subject:** Complaint - Re: PFOI-2020- *Redacted* St John insurance documents - issue with documents provided.

Thanks for your reply however the time scale is I think 20 days?

‘Shortly’ does not really cut it, and you will be aware that not producing the details within the required timescale is only allowed in specific circumstances.

Can you more specific than shortly?

In any event I would like to make a complaint about the failure to produce the requested documentation with in the specified timescale.

Regards

*Redacted*

Sent from my iPad

---

**From:** *Redacted*

**Sent:** 20 August 2020 12:06

**To:** FOIParish <FOI@parish.gov.je>

**Subject:** Re: PFOI-2020- *Redacted* St John insurance documents - issue with documents provided.

Please see attached re time limits and your responsibilities, I think it is clear you have not complied with these rules

Regards

*Redacted*

**What is the standard for responding to a request for information?**

Your main obligation under the Law is that you must 'deal with a request for information promptly,' with a time limit acting as the longest time you can take. Under the Law, SPAs may take up to 20 working days to respond, counting the first working day after the request is received as the first day.

Working day means any day other than a Saturday, Sunday, or public holidays and bank holidays; this may or may not be the same as the days you are open for business or staff are in work.

The time allowed for complying with a request starts when your organisation receives it, not when it reaches the freedom of information officer or other relevant member of staff to whom such requests are ordinarily delegated.

Regulations made under the Law may allow you extra time in which to respond. The ability to do so is only available when it is considered 'reasonable in all circumstances of the case,' and is not to exceed 65 working days following the day on which the request was received.

If seeking an extension you should still provide a written response to the applicant within the standard time limit. This should include reasons as to why you are seeking the extension and projected time for completion. In all cases where extension is sought it will be necessary to create a written record of why you consider it to be 'reasonable in all circumstances of the case.'

In terms of what is 'reasonable' the Law does not provide any formal definition and much will depend on the individual circumstances of the request. This may be linked to a need to obtain legal advice, recover archived information or school holiday closure making information unavailable. However in all cases it will be necessary for the SPA to justify 'reasonable' use of any extension which may be subject of later review by the Information Commissioner should any Appeal process occur.

However SPAs should always strive to respond 'promptly' and within the statutory 20 day limit, and that the use of any extension to response time, up to the maximum 65 days, should be capable of being fully justified and evidenced as 'reasonable' under the law

For further information, read our more detailed guidance:

- Time limits for compliance under the FOIL

18

Sent from my iPad

---

**From:** FOIParish

**Sent:** 20 August 2020 13:00

**To:** *Redacted*

**Subject:** RE: PFOI-2020- *Redacted* St John insurance documents - issue with documents provided.

Dear *Redacted*

Following further enquiry and provision of the policy documents, an amended response is attached.

If you are dissatisfied with the handling of your FOI request, you may ask for an internal review (policy attached). Internal review requests should be submitted within 20 working days of the date of this communication by contacting us in writing as follows:

Email: [FOI@parish.gov.je](mailto:FOI@parish.gov.je)

Write to: Parish FOI, East Wing RJA&HS, Route de la Trinité, Trinity JE3 5JP

If you are not happy with the outcome of the internal review, you have the right to appeal directly to the Information Commissioner for a decision within 6 weeks of receipt of the outcome of the internal review. Contact details are: The Office of the Information Commissioner, 2<sup>nd</sup> floor, 5 Castle Street, St Helier, JE2 3BT. Email: [enquiries@jerseyoic.org](mailto:enquiries@jerseyoic.org) or telephone: +44 (0)1534 716530.

Please always quote the reference number above in any further correspondence with us about your request. Thank you.

Kind regards

**Parish FOI (PFOI)**

Email: [FOI@parish.gov.je](mailto:FOI@parish.gov.je)

Write to: Parish FOI, East Wing RJA&HS, Route de la Trinité, Trinity JE3 5JP

**FOI request Parish of St John insurance/legal advice – records/communications relating to request**

**From:** *redacted*

**Sent:** 22 July 2020 16:18

**To:** Parish of St John <[stjohn@posj.gov.je](mailto:stjohn@posj.gov.je)>

**Subject:** Freedom of Information Request, St John Insurance Documentation no 2 further questions

To

The Parish Secretary of St John Ms Sue Rodrigues  
The Parish Hall  
St John  
La Rue de la Mare Ballam  
St John, JE3 4EJ

Freedom of Information Request from

*Redacted*

Dear Ms Rodrigues

I respectfully request that you supply the following documentation, written answers, and information electronically to me at the the sending email.

Question

Did Constable Taylor, or any officer or employee of St John Parish contact your insurers and advice to whether or not the insurer covered Constable Taylor for legal fees and liability in relation to the driving offence for which he is charged?

If the answer is yes can you please provide any documentation or recordings, or other records you may have.

Further Question

According to press reports a parish officer took legal advice concerning whether or not the parish could pay Constable Taylor's legal expenses.

Please can I have copies of records of conversations and documentation

I am aware there is a qualified exemption on release of this information but I would argue that it is in the public interest to have this information disclosed.

Regards

*Redacted*

---

**From:** Parish of St John

**Sent:** 22 July 2020 16:23

**To:** FOIParish <[FOI@parish.gov.je](mailto:FOI@parish.gov.je)>

**Subject:** FW: Freedom of Information Request, St John Insurance Documentation no 2 further questions

Sue

Another one

Sue

**From:** *redacted*

**Sent:** 22 July 2020 16:18

**To:** Parish of St John <[stjohn@posj.gov.je](mailto:stjohn@posj.gov.je)>

**Subject:** Freedom of Information Request, St John Insurance Documentation no 2 further questions

To

The Parish Secretary of St John Ms Sue Rodrigues  
The Parish Hall  
St John  
La Rue de la Mare Ballam  
St John, JE3 4EJ

Freedom of Information Request from

*Redacted*

Dear Ms Rodrigues

I respectfully request that you supply the following documentation, written answers, and information electronically to me at the the sending email.

Question

Did Constable Taylor, or any officer or employee of St John Parish contact your insurers and advice to whether or not the insurer covered Constable Taylor for legal fees and liability in relation to the driving offence for which he is charged?

If the answer is yes can you please provide any documentation or recordings, or other records you may have.

Further Question

According to press reports a parish officer took legal advice concerning whether or not the parish could pay Constable Taylor's legal expenses.

Please can I have copies of records of conversations and documentation

I am aware there is a qualified exemption on release of this information but I would argue that it is in the public interest to have this information disclosed.

Regards

*Redacted*

---

**From:** FOIParish

**Sent:** 23 July 2020 13:17

**To:** *redacted*

**Cc:** Parish of St John <[stjohn@posj.gov.je](mailto:stjohn@posj.gov.je)>

**Subject:** RE: Freedom of Information Request, St John Insurance Documentation no 2 further questions

Ref No: PFOI-2020- *redacted*

Dear *redacted*

Thank you for your email dated 22 July 2020 regarding Parish of St John insurance and legal advice.

Your request has been forwarded to the PFOI team in accordance with the parish's policy for handling requests – more information is available on <https://parish.gov.je/Pages/FOI.aspx>, in particular the following explanation -

**How your FOI request will be handled**

It may not be obvious to a member of the public which parish(es) or bodies will hold the information which is sought. The parishes are therefore taking a pragmatic approach to the implementation of the FOI law and have set up the Parish FOI unit (PFOI). All FOI requests to the parishes will be handled by PFOI.

Your request is being dealt with under the terms of the Freedom of Information (Jersey) Law 2011 and assuming we hold this information, should be answered within twenty working days.

If you have any queries about this request, do not hesitate to contact me. Please remember to quote the reference number above in any future communications.

Yours sincerely

**Parish FOI (PFOI)**

Email: [FOI@parish.gov.je](mailto:FOI@parish.gov.je)

Write to: Parish FOI, East Wing RJA&HS, Route de la Trinité, Trinity JE3 5JP

---

**From:** Susan Rodrigues  
**Sent:** 28 July 2020 08:09  
**To:** Sue De Gruchy <[S.DeGruchy@gov.je](mailto:S.DeGruchy@gov.je)>  
**Cc:** Christopher Taylor <[C.Taylor@gov.je](mailto:C.Taylor@gov.je)>  
**Subject:** FOI Insurance X 2

Morning Sue

Ref the 2 x FOI we received from the same person on Insurance, I know we had a couple of chats about it, but now that the Constable is back at work can you remind us what you said as I think I've lost the plot a bit on this one?

Did you end up saying it was all your central insurances and you would work on that side of things or did you say it was also our insurance policies and we need to work on it too?

Sorry about this, but we have been a little manic here lately and I can't remember

Kind regards

Sue

Mrs S Y Rodrigues FMAAT MCFI  
Parish Secretary of St John  
The Parish Hall  
La Rue de la Mare Ballam  
St John Jersey  
JE3 4EJ  
[Tel:- 861999](tel:861999)

---

**From:** FOIParish  
**Sent:** 28 July 2020 09:36

**To:** Susan Rodrigues <S.Rodrigues2@posj.gov.je>  
**Cc:** Christopher Taylor <C.Taylor@gov.je>  
**Subject:** RE: FOI Insurance X 2

Hi Sue

The first request – insurance cover documents – we need to do jointly. I'll do the HP group insurance but you'll need to do the St John parish police/ies. Draft outline attached as a starter but you're welcome to amend.

The second request – insurance and legal advice – is one the parish will have to answer as all advice (even on the HP group insurance) has been directly with the member covered by the policy and has not involved the Comite office.

Sue

**Sue de Gruchy**  
**Secretary, Comité des Connétables**  
**T: 01534-767555 | F: 01534-767666 | E: [s.degruchy@gov.je](mailto:s.degruchy@gov.je)**  
**<https://parish.gov.je>**

#### Request

I respectfully request that you supply the following documentation and information.

Insurance Documentation including a copy of the current certificate and full policy document, and similar documents covering the last three years.

Third party and legal cover for the parish of St John, covering the parish, and its officials for their actions when acting as parish officials whether criminal or civil.

#### Response

The Parish of St John holds Employer's Liability Insurance which provides cover of at least £5m in respect of any one incident. Employers' Liability Insurance policies include cover for volunteers.

The Connétable and members of the Honorary Police of the Parish of St John have third party and legal cover under the following group insurance policies –

- a) Public Liability and Torts policy - provides cover for the officer's legal liability for personal injury or damage to property of up to £15 million, which includes legal defence costs. There is also cover for specific torts (wrongful arrest, false imprisonment, malicious prosecution) of up to £1 million and an Officials Indemnity up to £2 million for other loss or damage caused by an error or omission as long as the Officer was acting within the scope of their official authority. Specific exclusions include slander, libel or defamation, fraud, dishonesty or criminal offence.
- b) Legal expenses policy - this policy is designed to pick up cases not involving the Public Liability & Torts policy (which automatically includes the legal costs of defending those claims) for Officers while on duty. Legal Defence pays up to £250,000 for any one claim including to:
  - a. Defend an officer's legal rights prior to the issue of legal proceedings when dealing with the police where it is alleged that the officer has or may have committed a criminal offence arising from their duties.
  - b. Defend an officer's legal rights if an event arising from their duties leads to them being prosecuted in a criminal court, or being subject to a civil action for discrimination (sex, race, disability, age, religious or political beliefs), Health & Safety at Work Law infraction, or Data Protection Law infraction.
  - c. Defend a prosecution for an offence connected with the use or driving of a motor vehicle excluding parking offences or failing to have valid insurance.

Documents for the last three years and attached.

---

**From:** Susan Rodrigues **On Behalf Of** FOI POSJ  
**Sent:** 03 August 2020 14:37  
**To:** FOIParish  
**Subject:** RE: Freedom of Information Request, St John Insurance Documentation no 2 further questions



Hi Sue

Gradually going through these FOIs

The Constable (our Data Officer) says that the request for "legal Advice" documentation or recordings etc is actually exempt because it is Privilege & cannot be disclosed.

That's the first answer. Can you confirm please that the constable is correct on this.

Will be sending you another one in a mo

Sue

---

**From:** FOIParish

**Sent:** 03 August 2020 15:14

**To:** FOI POSJ <F.POSJ@gov.je>

**Subject:** RE: Freedom of Information Request, St John Insurance Documentation no 2 further questions

Hi Sue

Legal advice may be qualified exempt information – that means that other tests have to be applied to decide if the information is issued. The tests are the PREJUDICE TEST and the PUBLIC INTEREST TEST. The following is from the Parish FOI Handling document.

#### **PREJUDICE TEST**

Some FOI exemptions are prejudice-based. In order for them to be engaged there must be likelihood that disclosure would cause prejudice to the interest that the exemption protects.

In legal terms, prejudice means 'harm'. To say that disclosure would or would be likely to prejudice the interests specified in the exemption implies that it would (or would be likely to) harm those interests.

#### **Exemptions to which the Prejudice Test applies:**

- Commercial Interests (QE33)
- The Economy (QE34)
- Audit Functions (QE37)
- Endangering the safety of health of Individuals (QE38)
- Employment (QE39)
- Defence (QE40)
- International Relations (QE41)
- Law Enforcement (QE42)

#### **The test of prejudice involves several steps:**

Identify the applicable interests within the relevant exemption

Identify the nature of the prejudice

This means that the public authority must:

- Show that the prejudice claimed is real, actual or of substance;
- And show that there is a causal link between the disclosure and the prejudice claimed.

Decide on the likelihood of the prejudice occurring. This means deciding whether the prejudice would or would be likely to occur. 'Would' and 'would be likely' imply different levels of likelihood.

The prejudice test relates to circumstances at the time when the authority received the request or within the statutory time for compliance.

However, the damage or detrimental effect of disclosure does not have to be current – it could be deemed to be prejudicial in the future. It would not usually be possible to prove this, but it must be a logical connection, and more than a mere assertion.

The Prejudice must be real, actual or of substance

The disclosure must at least be capable of harming the interest in some way, ie damaging, or having a detrimental effect on it.

There must be a causal link between the prejudice claimed and the disclosure – parishes must be able to show how disclosure of the specific information requested would, or would be likely to lead to the prejudice. Once the exemption has been engaged on the basis of the prejudice test, it is then necessary to consider the balance of public interest.

**PFOI will maintain records and documentation on:**

- The applicable interests within the relevant exemption
- The nature of the prejudice, the causal link and the substance of the prejudice
- Considerations given to likelihood of recurrence

### **PUBLIC INTEREST TEST (PIT)**

Where an exemption applies, it is vital that you undertake, and document, a public interest test.

At this point, call PFOI for support.

**The Public Interest means what is in the public interest/good, rather than what the public may be interested in.**

**The Public Interest Test applies to all Qualified Exemptions**

The following factors may assist the PFOI team in coming to a decision:

- General public interest in the information being available
- General public interest in the disclosure of reasons for most decisions

You must determine whether disclosure would:

- Contribute to ensuring effective oversight of the expenditure of public funds
- Contribute to ensuring that an authority with regulatory responsibilities is adequately discharging its functions
- Contribute to ensuring that the public obtain value for money
- Affect economic interests
- Contribute to keeping the public adequately informed of any danger to public health and safety, or to the environment
- Contribute to the debate on a matter of public interest
- Prejudice the protection of an individual's right to privacy

**The following considerations must NOT be taken into account:**

- Possible embarrassment of the parishes applying the test
- Possible loss of confidence in the parish applying the test
- The sensitivity of the people involved in the subject matter
- The risk of the applicant misinterpreting the information

Decisions on the PIT will be made on a case by case basis and consistency is vital. In assessment, the timing of the release of the information may be a crucial factor in the decision making process.

The information needs to be gathered together and then, having reviewed it, the Parish can apply the two tests – depending on the decision about releasing (or not releasing) any particular information we can, if necessary, seek *redacted*. However the clock is ticking so the information should be gathered as soon as possible.

Kind regards

Sue

**Parish FOI (PFOI)**

Email: [FOI@parish.gov.je](mailto:FOI@parish.gov.je)

Write to: Parish FOI, East Wing RJA&HS, Route de la Trinité, Trinity JE3 5JP

<https://parish.gov.je>

---

**From:** Susan Rodrigues On Behalf Of FOI POSJ  
**Sent:** 05 August 2020 15:47  
**To:** FOIParish <FOI@parish.gov.je>  
**Cc:** Christopher Taylor <C.Taylor@gov.je>  
**Subject:** RE: Freedom of Information Request, St John Insurance Documentation no 2 further questions

Afternoon Sue

Ref the insurance and legal questions (*redacted* I think) the Constable has confirmed that the advice was all verbal and therefore it is not held by the Parish.

Ref *redacted* I am just waiting one further employees liability certificate which was missing and is being sent to us by our insurers and then I have them all to send you.

Please check everything for me to see if this is all?

Kind Regards

Sue

---

**From:** FOIParish  
**Sent:** 07 August 2020 14:00  
**To:** FOI POSJ <F.POSJ@gov.je>  
**Cc:** Christopher Taylor <C.Taylor@gov.je>  
**Subject:** RE: Freedom of Information Request, St John Insurance Documentation no 2 further questions

Afternoon Sue

Thanks for the updates. Will review and get back to you early next week.

Kind regards

**Parish FOI (PFOI)**

Email: [FOI@parish.gov.je](mailto:FOI@parish.gov.je)

Write to: Parish FOI, East Wing RJA&HS, Route de la Trinité, Trinity JE3 5JP

<https://parish.gov.je>

---

**From:** FOIParish  
**Sent:** 20 August 2020 15:59  
**To:** *redacted*  
**Subject:** PFOI-2020- *redacted* St John advice

Dear *redacted*

We apologise for the delay in issuing a response to your request (our ref PFOI-2020- *redacted*). For the purposes of the FOI law, information is 'held by a public authority' if – (a) it is held by the authority, otherwise than on behalf of another person; or (b) it is held by another person on behalf of the authority. The Parish has been asked to check whether there is information relating to your request which falls within this definition.

To enable this further check to be completed, and the response prepared, we would ask you allow a further period (to 28 August 2020) for the issue of the response in accordance with Article 13(4)(b) of the FOI Law. Article 13(4) provides –

- (4) If a scheduled public authority fails to comply with a request for information –
  - (a) within the period mentioned in paragraph (2); or
  - (b) within such further period as the applicant may allow,the applicant may treat the failure as a decision by the authority to refuse to supply the information on the ground that it is absolutely exempt information.

We apologise for the inconvenience caused by the delay and await confirmation that the period for response is extended as requested.

Kind regards

### Parish FOI (PFOI)

Email: [FOI@parish.gov.je](mailto:FOI@parish.gov.je)

Write to: Parish FOI, East Wing RJA&HS, Route de la Trinité, Trinity JE3 5JP

<https://parish.gov.je>

---

**From:** FOIParish [<mailto:FOI@parish.gov.je>]

**Sent:** 21 August 2020 14:46

**To:** *redacted*

**Subject:** St John FOI request re insurance advice

Dear *redacted*

As mentioned to you, the Parish of St John has a FOI request which requires a response. The request includes:

*Did Constable Taylor, or any officer or employee of St John Parish contact your insurers and advice to whether or not the insurer covered Constable Taylor for legal fees and liability in relation to the driving offence for which he is charged?*

*If the answer is yes can you please provide any documentation or recordings, or other records you may have.*

For the purposes of the Freedom of Information Law, information is held by a public authority if –

- (a) it is held by the authority, otherwise than on behalf of another person; or
- (b) it is held by another person on behalf of the authority.

‘Information’ means information recorded in any form.

*redacted*

Our understanding is contact with Islands Insurance may have been made and may relate to the Honorary Police group insurance policies or, possibly, Parish of St John policies. The Connétable of St John has asked we assist by collating the information so that the response may be prepared.

Please therefore let me know whether Islands Insurance hold any 'information' and, if so, provide a copy of that information. Please also advise if you consider the content to be commercially sensitive and, in this event, we will seek guidance as to whether an exemption may be applied.

We would appreciate a response early next week, if at all possible, and do get in touch if you require any further information on the FOI process.

Kind regards  
Sue

**Parish FOI (PFOI)**

Email: [FOI@parish.gov.je](mailto:FOI@parish.gov.je)

Write to: Parish FOI, East Wing RJA&HS, Route de la Trinité, Trinity JE3 5JP

<https://parish.gov.je/Pages/FOI.aspx> <https://parish.gov.je>

---

**From:** *redacted*  
**Sent:** 24 August 2020 09:06  
**To:** *redacted*  
**Subject:** FW: St John FOI request re insurance advice

Hi *redacted*

FOI request on behalf of Parish of St John

Thanks

*redacted*  
**Islands**

T: 01534 *redacted*  
[www.islands.je](http://www.islands.je)

---

**From:** *redacted*  
**Sent:** 24 August 2020 10:07  
**To:** FOIParish <[FOI@parish.gov.je](mailto:FOI@parish.gov.je)>  
**Subject:** Re: PFOI-2020- *redacted* St John advice

I have little option other than to accept a delay until the 28th although you have not complied with FOI rules over the initial 20 period.

There are two questions on the request can you tell me which one the extension request applies to and why I cannot have the answer to the other which should be available

Sent from my iPad

*redacted*

---

**From:** *redacted*  
**Sent:** 24 August 2020 11:36  
**To:** FOIParish <[FOI@parish.gov.je](mailto:FOI@parish.gov.je)>  
**Subject:** FW: St John FOI request re insurance advice

FAO Sue

Morning – your request to my colleague *redacted* has been passed to me for attention.

Unfortunately, whilst in no way meaning to be unhelpful, I don't believe we are in a position to release information to you based on your request.

As you'll appreciate we are a private company so are not bound by FOI. Information we hold is not, as you suggest, held on behalf of the Parish it is held by us for our and insurer's needs.

I'm sorry that we cannot be of more help.

We can of course respond to questions directly from our client.

Kind regards - *redacted*

*redacted*  
Islands

T: 01534 *redacted*  
M: *redacted*  
[www.islands.je](http://www.islands.je)

---

**From:** FOIParish <[FOI@parish.gov.je](mailto:FOI@parish.gov.je)>  
**Sent:** 24 August 2020 12:44  
**To:** *redacted* ; Sue De Gruchy <[S.DeGruchy@gov.je](mailto:S.DeGruchy@gov.je)>  
**Subject:** RE: St John FOI request re insurance advice

Dear *redacted*

Thank you for your response. I note you are able to respond to questions from your client – I take this to be the Parish of St John, is that correct?

*redacted*

If it would assist to discuss please don't hesitate to call.

Kind regards  
Sue

**Sue de Gruchy**  
Secretary, Comité des Connétables  
T: 01534-767555 | F: 01534-767666 | E: [s.degruchy@gov.je](mailto:s.degruchy@gov.je)  
<https://parish.gov.je>

---

**From:** *redacted*  
**Sent:** 25 August 2020 16:01  
**To:** Parish of St John <[stjohn@posj.gov.je](mailto:stjohn@posj.gov.je)>; FOIParish <[FOI@parish.gov.je](mailto:FOI@parish.gov.je)>  
**Cc:** Sue De Gruchy <[S.DeGruchy@gov.je](mailto:S.DeGruchy@gov.je)>  
**Subject:** Parish of St John Insurance Arrangements

Dear Sirs

Islands are the insurance brokers to the Parish.

As you will see from the email chain below we have been asked to release information regarding your policies to the Comité des Connétables in connection with a Freedom of Information request that has been received.

We are not able to do that but we can of course provide answers to any questions that you as our client might ask or supply any documentation that you need.

If you can confirm what you want/need to know I will do everything I can to supply the information that you need as quickly as possible. If you are happy that I release this directly to Comité des Connétables please do let me know.

I understand that there is some urgency to respond.

Kind regards – *redacted*

---

**From:** Christopher Taylor  
**Sent:** 26 August 2020 09:15  
**To:** *redacted*  
**Cc:** Parish of St John <[stjohn@posj.gov.je](mailto:stjohn@posj.gov.je)>; Sue De Gruchy <[S.DeGruchy@gov.je](mailto:S.DeGruchy@gov.je)>  
**Subject:** RE: Parish of St John Insurance Arrangements

Dear *redacted*,

I am happy for you to release the emails, and please could it be direct to Sue de Gruchy at the Comité des Connétables, but please copy me in.

Many thanks and stay safe,  
Christopher Taylor  
Connétable de St Jean

---

**From:** Sue De Gruchy  
**Sent:** 26 August 2020 13:26

**To:** Christopher Taylor <C.Taylor@gov.je>; *redacted*  
**Cc:** Parish of St John <stjohn@posj.gov.je>; FOIParish <FOI@parish.gov.je>  
**Subject:** RE: Parish of St John Insurance Arrangements - UPDATE to request  
**Importance:** High

Dear *redacted*

Thank you for your emails and to Chris for confirmation. I am grateful to all for assistance in responding to this FOI request. *redacted*

However, a public authority has a duty to advise and assist a requester on the submission of a request and if the request is phrased differently then information held might need to be provided.

Before Islands Insurance provide any documents; could the Parish confirm –

- Whether it has any record of contacting the insurer for advice?
  - a. If 'no', no further action required (at present)
  - b. If 'yes' then please provide the documentation

The response is to be issued by Friday. Thank you again for your assistance and my apologies if earlier emails have caused any misunderstanding as we have sought to ensure compliance with the FOI law.

If you have any queries please do get in touch.

Kind regards  
Sue

**Sue de Gruchy**  
**Secretary, Comité des Connétables**  
**T: 01534-767555 | F: 01534-767666 | E: [s.degruchy@gov.je](mailto:s.degruchy@gov.je)**  
**<https://parish.gov.je>**

---

**From:** FOIParish  
**Sent:** 26 August 2020 14:26  
**To:** Christopher Taylor <C.Taylor@gov.je>; FOI POSJ <F.POSJ@gov.je>  
**Cc:** Parish of St John <stjohn@posj.gov.je>  
**Subject:** PFOI-2020- *redacted* St John legal/insurance advice

Dear Chris

Thank you for your assistance in preparing the response to this FOI request. The response is being drafted for your approval as it due to be issued this Friday. In relation to the second part which is as follows –

**According to press reports a parish officer took legal advice concerning whether or not the parish could pay Constable Taylor's legal expenses.**

**Please can I have copies of records of conversations and documentation.**

**I am aware there is a qualified exemption on release of this information but I would argue that it is in the public interest to have this information disclosed.**



Please advise whether the Parish holds any records/documents. If none are held the response will be – “The information is not held.”

If the Parish has any records/documents the legal professional privilege exemption MAY be applied subject to the ‘Public interest test’. This will require the records/documents to be checked as, should a subsequent internal review or appeal be requested, there needs to be a record as to why it was deemed not in the public interest to disclose the information.

So this part of the response may be prepared please advise which of the above applies.

If you require any further assistance please get in touch.  
Kind regards

**Parish FOI (PFOI)**

Email: [FOI@parish.gov.je](mailto:FOI@parish.gov.je)

Write to: Parish FOI, East Wing RJA&HS, Route de la Trinité, Trinity JE3 5JP

<https://parish.gov.je>

---

**From:** Christopher Taylor  
**Sent:** 26 August 2020 15:20  
**To:** Sue De Gruchy <S.DeGruchy@gov.je>; *redacted*  
**Cc:** Parish of St John <stjohn@posj.gov.je>; FOIParish <FOI@parish.gov.je>  
**Subject:** RE: Parish of St John Insurance Arrangements - UPDATE to request

Dear Sue,

I can confirm, to the best of my memory, the Parish did not seek advice from Islands. Our first contact was with *redacted* of Islands to inform him of a claim, this was at the soonest opportunity, the 21<sup>st</sup> January 2020, having been Charged on the evening of the 20<sup>th</sup> January. I was away on holiday and only returned to the Island last thing Sunday 19<sup>th</sup>.

I hope this clears the position.

Stay safe,  
Chris

---

**From:** Christopher Taylor [mailto:C.Taylor@gov.je]  
**Sent:** 26 August 2020 15:38  
**To:** FOIParish <FOI@parish.gov.je>; FOI POSJ  
**Cc:** Parish of St John <stjohn@posj.gov.je>  
**Subject:** RE: PFOI-2020- *redacted* St John legal/insurance advice

Dear Sue,

I was not at the meeting and so I can only go on what the Minutes and people tell me. I can find no record of the Procuruers saying they took legal advice, however they did say at the Parish Assembly ".....went on to explain how expensive lawyer .....Was it the wish of the Assembly that even more money be spent on obtaining such legal advice. This offer was not taken up."

Clearly the Press got it wrong! The Parish holds no information.

Stay safe,  
Chris

---

**From:** Sue De Gruchy  
**Sent:** 26 August 2020 17:23  
**To:** FOI POSJ ; Christopher Taylor  
**Subject:** PFOI-2020- *redacted* St John legal/insurance advice

Dear Colleague

Thank you for emails clarifying whether information is held. Could you please review this draft response to an FOI request and reply to this email confirming:

- Authorisation to send, or
- Highlight any changes, comments or concerns.

Many thanks

**Parish FOI (PFOI)**

Email: [FOI@parish.gov.je](mailto:FOI@parish.gov.je)

Write to: Parish FOI, East Wing RJA&HS, Route de la Trinité, Trinity JE3 5JP

*Please remember to quote the reference number above in any future communications.*

---

**From:** Christopher Taylor  
**Sent:** 26 August 2020 17:37  
**To:** Sue De Gruchy <[S.DeGruchy@gov.je](mailto:S.DeGruchy@gov.je)>; FOI POSJ  
**Subject:** RE: PFOI-2020- *redacted* St John legal/insurance advice

Dear FOI,  
Please send this reply.  
Many thanks,  
Chris

---

**From:** FOIParish  
**Sent:** 27 August 2020 12:38  
**To:** *redacted*  
**Subject:** PFOI-2020- *redacted* St John legal and insurance advice

Ref No: PFOI-2020- *redacted*

Dear *redacted*

Thank you for your email dated 22 July 2020 regarding Parish of St John insurance and legal advice. We are grateful to you for permitting an extension to the timescale for a response.

Following careful consideration, the attached responds to the requests you specifically posed on this matter. We recognise, however, this response may not provide the information you hoped to receive.

You may wish to consider rephrasing a question and if we can assist in any way please do get in touch. As a SPA, the law requires we must make reasonable efforts to ensure that a person who makes, or wishes to make, a request for information is supplied with sufficient advice and assistance to enable the person to do so.

If you are dissatisfied with the handling of your FOI request, you may ask for an internal review (policy attached). Internal review requests should be submitted within 20 working days of the date of this communication by contacting us in writing as follows:

Email: [FOI@parish.gov.je](mailto:FOI@parish.gov.je)

Write to: Parish FOI, East Wing RJA&HS, Route de la Trinité, Trinity JE3 5JP

If you are not happy with the outcome of the internal review, you have the right to appeal directly to the Information Commissioner for a decision within 6 weeks of receipt of the outcome of the internal review. Contact details are: The Office of the Information Commissioner, 2<sup>nd</sup> floor, 5 Castle Street, St Helier, JE2 3BT. Email: [enquiries@jerseyoic.org](mailto:enquiries@jerseyoic.org) or telephone: +44 (0)1534 716530.

Please always quote the reference number above in any further correspondence with us about your request. Thank you.

Kind regards

**Parish FOI (PFOI)**

Email: [FOI@parish.gov.je](mailto:FOI@parish.gov.je)

Write to: Parish FOI, East Wing RJA&HS, Route de la Trinité, Trinity JE3 5JP

---

**From:** *redacted*

**Sent:** 27 August 2020 14:55

**To:** FOIParish <[FOI@parish.gov.je](mailto:FOI@parish.gov.je)>

**Subject:** Re: PFOI-2020- *redacted* St John legal and insurance advice

A quick question before I go further.

Is the information not held as per your previous email in as much it is held for a third party as below?

'We apologise for the delay in issuing a response to your request (our ref PFOI-2020- *redacted*). For the purposes of the FOI law, information is 'held by a public authority' if – (a) it is held by the authority, otherwise than on behalf of another person; or (b) it is held by another person on behalf of the authority. The Parish has been asked to check whether there is information relating to your request which falls within this definition.

To enable this further check to be completed, and the response prepared, we would ask you allow a further period (to [28 August 2020](#)) for the issue of the response in accordance with Article 13(4)(b) of the FOI Law. Article 13(4) provides –

(4) If a scheduled public authority fails to comply with a request for information –

(a) within the period mentioned in paragraph (2); or

(b) within such further period as the applicant may allow,

the applicant may treat the failure as a decision by the authority to refuse to supply the information on the ground that it is absolutely exempt information.'

Sent from my iPad

*Redacted*

---

**From:** FOIParish

**Sent:** 28 August 2020 12:49

**To:** *redacted*

**Subject:** PFOI-2020- *redacted* St John legal and insurance advice

Dear *redacted*

"information" means information recorded in any form – emphasis added. The response is that the information requested – about taking/seeking advice - is **not held** (as defined in Article 3 of the [Freedom of Information \(Jersey\) Law 2011](#)) by the SPA.

Kind regards

**Parish FOI (PFOI)**

Email: [FOI@parish.gov.je](mailto:FOI@parish.gov.je)

Write to: Parish FOI, East Wing RJA&HS, Route de la Trinité, Trinity JE3 5JP

<https://parish.gov.je>

---

**From:** *redacted*

**Sent:** 28 August 2020 14:31

**To:** FOIParish <[FOI@parish.gov.je](mailto:FOI@parish.gov.je)>

**Subject:** Re: PFOI-2020- *redacted* St John legal and insurance advice

Are you are holding this information on behalf of another SPA or group of SPAs

*redacted*

Sent from my iPad

---

**From:** FOIParish

**Sent:** 28 August 2020 15:43

**To:** *redacted*

**Subject:** RE: PFOI-2020- *redacted* St John legal and insurance advice

Dear *redacted*

Your request about St John legal/insurance advice was responded to by the Parish of St John. Would a brief telephone conversation assist perhaps? I note your original request included a mobile number – would you wish me to telephone and, if so, when would be convenient?

Kind regards

**Parish FOI (PFOI)**

Email: [FOI@parish.gov.ie](mailto:FOI@parish.gov.ie)

Write to: Parish FOI, East Wing RJA&HS, Route de la Trinité, Trinity JE3 5JP

<https://parish.gov.ie>

---

**From:** *redacted*

**Sent:** 28 August 2020 15:03

**To:** FOIParish

**Subject:** Re: PFOI-2020- *redacted* St John legal and insurance advice

I am in *redacted* at the moment but can call you now if you like?

Sent from my iPad

---

**From:** FOIParish

**Sent:** 28 August 2020 15:16

**To:** *redacted*

**Subject:** RE: PFOI-2020- *redacted* St John legal and insurance advice

Thank you – good to have a brief word and trust it assists as you consider a future request on this matter.

Kind regards

**Parish FOI (PFOI)**

Email: [FOI@parish.gov.ie](mailto:FOI@parish.gov.ie)

Write to: Parish FOI, East Wing RJA&HS, Route de la Trinité, Trinity JE3 5JP

<https://parish.gov.ie>