

## Written Submission from Mr R R Jeune CBE, 23rd February 2010

I would like to make a submission to your Panel as I believe I have substantial experience on which to give an opinion.

I qualified as a Solicitor of the Royal Court of Jersey in 1945 and practised as a Partner in a large firm in this Island until my retirement.

In 1962 I was elected a Deputy of the States of Jersey representing No.3 district of St. Helier, until my election as a Senator in 1972, and I remained a Senator until my retirement in December 1996. This represented a total of 34 years of unbroken service to the States of Jersey. During all this time, (except for the first six months) I held the presidencies of the following committees; Public Works, Education, Finance and Economics and finally Policy and Resources.

I served under four Bailiffs, Sir Robert Le Masurier, Sir Frank Ereaut, Sir Peter Crill and Sir Philip Bailhache.

Through all these years I cannot recall any occasion upon which a Bailiff exceeded his powers, and in my view they have always remained strictly impartial.

I believe that the people of Jersey are proud of the fact that the office of Bailiff dates back many centuries, and gives a unique flavour to the Island which should only be changed if there could be shown any breakdown or failure in the occupant of that office and the States of Jersey. The office has been examined from time to time and notably the Kilbrandon Commission (Lord Kilbrandon is a very distinguished Scottish judge), a commission which included several distinguished lawyers and professors and they examined the role of Bailiff in both Islands. They came to a conclusion which is worth repeating, and I quote:

“The Commission concluded that the objection to the combination of the dual functions of the Bailiff would be justified only if it were established that in the States the Bailiff exercised undue influence in the course of deliberations or that in the court he allowed his political position to influence his decisions. No evidence had been tendered to the committee in support of such contention.”

I submit that these conclusions are as relevant today, and I believe have continued to be strictly observed by the occupants of that office.

I am not aware that there is any move for changes to be made to the office of Bailiff in our sister island of Guernsey, and it would seem odd if one island changed and not the other.

Over the years our island has had the benefit of very distinguished holders of that office. In addition I would of course mention Lord Coutanche and the present holder of the office Mr Michael Birt. In visits to other lands, notably the Commonwealth and France, the presence of the Bailiff or “Monsr Le Bailli” gave an added prestige to our small island.

In any event I believe that so many people in this island would support the status quo relating to the Bailiff, that it surely would necessitate an island referendum before such a dramatic step could take place.

As far as the Crown Officers are concerned, I offer no comments except to say that over the years I have been impressed with the integrity of the holders of these positions, as obviously I have had close contact with them both in relation to the Royal Court and the States of Jersey.

I can however see that the Clothier changes in the States might necessitate closer examination. The question arises as to who advises; a) the Council of Ministers; b) the Scrutiny Committees; and c) the States Members individually and generally.