

Assise D'Heritage
16th September 2022

1. Members of the Court, ladies and gentleman.
2. The Assize d'Heritage is always a special occasion- it is, outside of the Channel Islands, - the oldest land court in Europe where the attendance at Court of the seigneurs to acknowledge their fealty to the monarch is required and when the members of the bar renew their oaths.
3. I begin by welcoming most warmly my brother Bailiff from Guernsey, Mr Richard McMahon, and I am only sorry that, because of his other commitments in Guernsey, he cannot join us for dinner tonight. The connection between Jersey and Guernsey, especially at the level of the judiciary, is a strong one and I am grateful for the working relationship and the friendship between us. We have, whilst Deputy Bailiffs, travelled far afield together on Commonwealth business.

4. I am also delighted that we are joined by the Chief Minister. She is most welcome and we are very pleased that she has been able to take time out of her busy schedule to be here.
5. I am equally delighted to welcome Eleanor Platt KC who will be speaking to us this evening. She has almost unparalleled experience in matters of family law and we look forward very much to hearing from her. Her CV states that she is fluent in French. Whether that has been an advantage or disadvantage to her in today's proceedings is a matter that I will leave for her comment this evening if she wishes to make one!
6. This is an unusual Assise d'Heritage for a number of reasons.
7. Firstly, there is no Lieutenant-Governor present, we are in the interregnum following the retirement of Sir Stephen Dalton and the swearing-in of Admiral Jerry Kyd in October, and I am discharging the duties of Lieutenant-Governor for the time being. That is why I answered before the fief for which the Lieutenant-Governor would normally be responsible.

8. The second thing to remark about this Assise d'Heritage is that it follows a new format. Although a significant number of members of the Bar have renewed their oaths in the customary manner at this first sitting, the remaining members of the Bar will renew their oaths at a sitting later today. This evening, we will gather together at the Law Society dinner. This marrying up, if you will, between the Assise d'Heritage and Law Society dinner is in my view a very positive step indeed.

9. The connection between the legal profession and the Court is a very important one and over the years, it seems to me, the opportunities of reinforcing and maintaining that connection have dwindled somewhat. The Assise d'Heritage has always, to my mind, been an important point of connection as we get to see members who do not appear in the courts regularly and I think moving from the formal renewal of oaths to a very pleasant social event – at least Madam President, I assume it will be so! – is I think a very good way of

fostering that relationship. It mirrors in some respects the Chefs Plaid d'heritage in Guernsey where the renewal of oaths is followed by a dinner and, indeed, it always used to be the case many years ago that the Jersey Assise d'Heritage was similarly followed by such an event. It seems to me to be entirely sensible and indeed a very positive development that members of the profession gather with the Court in this room today and will gather in a much more relaxed and social environment this evening. These changes to the format and linking the sitting of this court with the Law Society Dinner came about as a result of the wish by the profession to review the way the Assize d'Heritage continued. May I congratulate the Batonnier and President and Law Society on this initiative.

10. The third reason that this Assize d'Heritage is unusual is that this is the first time that we have had a full sitting since Covid. Covid of course brought its restrictions and the last Assize d'Heritage was conducted with no speeches from the Bailiff, or the Attorney General or the Batonnier. I am sure that members of the profession will have considered that an enormous loss and amongst the worse

consequences of the pandemic, and will be very pleased indeed to return to the old format!

11. Covid posed real challenges to all of us and I am proud of the way the court and the profession rose to those challenges. We used technology, we modified procedures, and we sat remotely from time to time and at unusual locations and we were able to continue to serve the public and the interests of justice with little disruption. I would like to pay a tribute to the work of the Judicial Greffier and his staff and to my Chambers for their work and commitment during that challenging time. In thanking them I would also like to thank members of the profession for the part that they played and this illustrates how well the profession and the Court can work together when the need arises. We have much, as I said, to be proud of.

12. It would be remiss of me not to mention the new legal aid system which is in its early stages. In terms of numbers of certificates the sense is that the profession is as busy as ever and that means that many members, those on the Tour de Role are working at discounted

rates and sometimes without charge. The Court is very grateful for the help that it gets from the profession in this respect.

13. The last thing that makes this Assise d'Heritage unusual is, of course, the circumstances in which it occurs. The Mace in front of me is shrouded for the first time since 1952 and we have over the last week or so faced, together with all islanders and Britons more generally, the demise of a much respected and loved Sovereign and Duke followed by the Proclamation on Sunday last of the Accession of King Charles III. That we have started this sitting with a one minute silence and the Royal Mace is shrouded during this period of mourning for the former monarch and the advocates oath has been renewed not to the Queen as we have done for every year that we have been in practice, but to the King for the first time, indeed shows what a remarkable period this is.

14. What we have seen over the last few days may on one level seem ritualistic or formulaic as indeed it is. On another level, however, it is deeply symbolic and provides a structure within which we as a

people may grieve and at the same time inevitably welcome and look forward to the new. It is a Chinese curse '*May you live in interesting times*', but it is also a great privilege for us all to have witnessed and been part of these historic events.

15. In the months to come we will lose some familiar faces and meet some new. There will be two new Commissioners, a new Master. We already have a new Viscount. The world changes and our small part of it changes as well. Let us face those changes and the year ahead with optimism and resolve.