



Her Majesty's Attorney General for Jersey

Code on the decision to prosecute

Supplementary guidance

Environmental protection: guidelines for the charging of offenders

Introduction

- 1) This guidance is supplementary to the Code on the Decision to Prosecute dated 1 March 2016 ("the Code"). It does not modify or amend the Code but is rather guidance on the charging process and guidance as to how the Code might be applied in relation to offences investigated by Environmental Protection, Department for Growth, Housing and Environment.

Guidance

- 2) Following receipt of instruction from the Law Officers that a person should be put before the Court, Environmental Protection should:
 - a) Contact the Chef de Police from the relevant Parish to advise them of the incident (if they are not already aware);
 - b) Provide the Chef de Police with a copy of the prosecution file and a copy of the charge as advised by Law Officers. (Normally delivered to the Parish Hall).
- 3) The Chef de Police/duty Centenier will contact the Criminal Justice Department (CJD) at Police Headquarters and ask them to forward a copy of the offender's previous history. (Normally by e-mail to: pnc@jersey.pnn.police.uk).
- 4) The Chef de Police/duty Centenier will contact (normally in writing) the offender and notify them to attend at the Parish Hall where they will be charged and summonsed to Court. (Charging can be done at Police Headquarters if the Centenier prefers).
- 5) The Chef de Police/duty Centenier will have arranged a time and date for the offender to attend Court and will tell the offender when they are charged at the Parish Hall.

- 6) All environmental protection cases should be dealt with by prosecution in Court save where the Centenier has obtained the written consent of the Attorney General, Solicitor General or Legal Adviser employed by the Law Officers' Department to dispose of the matter in another way.
- 7) If Chefs de Police have any queries they should be directed to Dr Tim du Feu, Head of Environmental Protection, Howard Davis Farm, La Route de la Trinite, Trinity. JE3 5JP. Tel 01534 441691 Email t.dufeu3@gov.je

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