6 October 2025

Scrutiny Panel: The Parishes and States Review

Mourier House, St Helier

1. Introduction

This is a personal submission to the Scrutiny Panel based on my interactions with Parish authorities. Except where explicitly stated the matters referred to relate to the Parish of Grouville. To assist the Panel my comments are separated into different areas of activity that the Panel may wish to review.

I am a ratepayer in three Parishes and am a resident of Grouville. For the last three years I have been an elected member of the Grouville Accounts Committee. I have extensive experience in compliance, risk and governance matters having worked in the States of Jersey Police for nearly 29 years and at a senior level in the Finance sector for 10 years. I hold relevant qualifications to support these roles including governance and audit. During my time in the Police Service, I held several management positions which required close working relationships with Parish Authorities.

I am content for this submission to be made public as part of the Scrutiny Panels work. This submission relates to different areas of activity or responsibility where the service provided to the public is shared between, or links between the parishes and the Government of Jersey.

Each topic is set out identifying current practice, current problems or issues and ends with suggestions for improvements. The first topic, relating to Rates Assessments includes an extra section relating to my personal experiences of the last three years in appealing the rates assessment for my home in Grouville.

The topics referred to are

1. Rates Assessments.
2. Road Signage and Safety.
3. Parish Hall Assemblies.
4. Parish Accounts.
5. Complaints against Parish Officers.
6. Driving Licences.

1. **Rates**

1a. **Current practice**

- Before the 2005 law was introduced every parish determined its own land and property rate assessment methodology. Each parish had its own, different methodology.
- This arrangement been in place for many decades, if not centuries and so long as assessments and the budget were confined within parish boundaries, there was no need nor capacity to accurately compare either assessments or the value of quarters between parishes.
- The introduction of the 2005 law fundamentally changed that situation in that it required assessments across the parishes to be compared and for substantially similar properties to be assessed with the same number of quarters. The law also introduced the Island Wide rate.
- Since 2005, instead of applying a consistent assessment methodology as required by the Law, individual parishes have continued to use pre 2005 assessments, unless there a change to the property/ land.
- Each parish has now written down their own assessment guidelines, effectively recording their 2005 practices.
- The twelve parish guidelines vary considerably.
- If does not report a change to their property in the annual rate return, the assessment is left unchanged.
- If a change is reported the assessors use their parish assessment guidelines to review and amend the assessment.
- The rate payer may request a review of their assessment, but only in writing and within 14 days of being notified of the assessment.
- The review is conducted by the same assessors that set the assessment.
- In Grouville, and probably other parishes, no or very limited written information is recorded regarding the assessment considerations, only the total number of quarters allocated.
- If the rate payer is not satisfied with the review outcome they may submit an appeal to the States Rates Appeal Board within 14 days of the review on a prescribed form. That form requires inclusion of specific attribute information relating to substantially similar comparative properties.
- That attribute data is held by the Constables, who have refused to publish or share it with asked by enquiring rate payers.
- The assessor's submission to the Appeal Board is not copied to the appellant until a few days before the hearing allowing the appellant little time to review and verify the alternate comparators suggested.
- Rate payers must provide details and specific information about the comparative properties they are relying on to support the appeal. Assessors and the Board do not have to provide the same level of detail regarding the comparators they have selected.

1.b **Problems with the current system**

- The twelve parish assessment guidelines vary considerably in content and format leading to difficulty in comparing assessments across parishes.
- None of the existing guidelines align to the five attributes defined in the Law.

- Most parish guidelines do not cover all Attributes, only some. (Size, location, accommodation, use and condition).
- The Comite des Connetables has also issued its own set of assessment guidelines.(June 2025). These guidelines are not mandatory for parishes to follow and do not set out how to conduct an assessment.
- Using the twelve parish versions of the guidelines to assess the same property a wide range of results are achieved, with more than 100% variation in the number of quarters assigned to the same property.
- Not all thirteen sets of guidelines are published in the Comite des Connetables website.Those that are can be found under the FOI response pages but are not easy to find.
- There is no formal oversight or checking or the work or conduct of parish rates assessors.
- Where assessors have been found to be "non compliant with the rates law" by the States Rates Appeal Board (2023), the Comite nor the parish Constable took action to resolve the matter, resulting in the same failures the following year.
- The parishes decision to rely on either pre 2005 assessments or reassess using their written guidelines, effectively creates a two tier assessment methodology in each parish.
- Attribute information entered into a Comite des Connetables database contains a high level of factual errors in spellings and formatting and property details, resulting in neighbouring properties listed in different places, making searches for comparisons difficult and assessments based on incorrect data.
- The Rates Appeal Board is restricted to hearing information about the specific property assessment that is being appealed and is not able to consider systemic failings, breaches of the law or the conduct of assessors.
- The current interpretation of the law is that the Comite des Connetables believes they, and their assessors do not have a power to review property assessments where there is no change reported (Article 9 of the law). That view is not universally held. It makes sense that where systemic failures have been evidenced that errors should be put right by the body responsible for the Law – the Constables Supervisory Committee.
- The current law has a very strong emphasis on domestic or residential property. Such property should be assessed relative the the five attributes in the law. These attributes do not correlate with land in the parish, nor with commercial premises.This implies the current law is not conducive with appropriate assessments of non domestic land and property,

1.c **Potential changes**

- Introduce a single mandatory assessment guideline, based on the five attributes set out in the law.
- Make it mandatory for all parishes to use those guidelines when assessing land and property.
- Conduct a review of all existing assessments against the approved island wide guidelines.
- Introduce a system to quality assure assessments that are completed and investigate any systemic issues resulting in land and property not being appropriately assessed.

- Review and confirm the attribute data of all rateable property and land and publish it in a consistent format, within an online search capability to allow comparisons by the public.
- Consider introducing an on line self assessment tool using the single island wide guidelines.
- Both an appealing rate payer and the assessors should be given sufficient time to consider material presented to an appeal hearing.
- The remit of the Rates Appeals Board should be extended to include consideration of, and recommendations about, the conduct of assessors, systemic failings and breaches of the law.

1.d **Personal experience of the Rates System**

- When I moved to Grouville it became clear and obvious to me that there are discrepancies between the assessments of land and properties between parishes.
- In 2022 I was unable to appeal my assessment because I missed the 14 day period to request a review. No discretion of the time limit was allowed. Without a review a rate payer cannot appeal their assessment.
- In 2023 I successfully requested a Review of my assessment. At the review hearing (clinic) the Assessors admitted that there were problems with all Grouville rate assessments.
- The Assessors refused to change my assessment because they said that they would have to review all assessments in the parish.
- They said the problem was too hard to resolve.
- I considered the language used by the Assessors to be threatening e.g. “If you win an appeal, we will only put it up next year”.
- The Assessors said previous Grouville Assessors had made a request to the Constable several years before to reduce all Grouville Assessments by 10% across the parish to bring Grouville assessments closer to assessments in other parishes. The request was refused.
- My assessment was not changed so I lodged a formal appeal.
- I was provided the Assessors case, including attribute information and the identification of the comparative properties that the assessors would rely on, just 2 days before the hearing. I had to visit and assess those properties, many were not substantially similar to my property.
- At the appeal The Rate Appeal Board determined that my property had been 75% over assessed and instructed the parish to reduce it. In monetary terms this lowered my annual bill by £660.00.
- As there had been no changes to my property for many years previously, this implied that it had been over assessed since the law was introduced18 years earlier.
- The Board also found that the assessors methodology was “Non-compliant with the Law”.
- In its annual report the Board reminded the Comité des Connétables of their article 41 responsibility to promote and encourage consist assessment methodologies.
- Subsequently I met the Chair of Island Assessors Association to better understand the differing parish practices. He confirmed a lack of consistency in assessment methodologies across the parishes.

- The Constable of Grouville refused to meet to discuss the apparent systemic problems – his many reasons for not meeting me included that he was conflicted as he himself was a rate payer, and that he would not meet without his Assessors, who refused to meet.
- In 2024 my house was vacant and undergoing significant renovation works at the 'rateable day' January 1st. No changes had been finalised at that time so the attributes had not changed.
- Despite there being no change in attributes my assessment was increased by 52% without reason.
- This confirmed the previous years " threat" to increase my assessment even if I won an appeal.
- I sought another review, at that review the Assessors confirmed that they had not visited my house to look at changes, they had ignored my 2024 Rates Return notifying them that no changes had been finalised, and they could not justify the increase.
- I appealed. I also assisted several other rate payers with challenging their appeals.
- Several elderly rate payers were visibly shaken and angry by the assessors behaviour, which they considered to be threatening with such phrases as "If we lower your assessment, we will have to increase your neighbours- how does that make you feel".
- The Assessors also initially refused representatives access to those hearings to support the rate payers.
- At the multiple review hearings that I attended, the Grouville Assessors confirmed that the" non compliant" assessment conduct reported the previous year was still in place.
- As part of my research to identify substantially similar properties in other parishes, I wrote to and visited other parish halls to request a list of properties that had similar attributes to mine. I was advised by St John's parish secretary that Staff or Officers from Grouville took active steps to block key information from being released to me that would support an appeal.
- I submitted a Freedom of Information request to obtain the details of properties, (not owners personal information), that were similar to mine. The Comite des Connétable refused to provide this legitimate information. However, when challenged they did later provide the details of a small number of examples two days before the appeal was held.
- The Appeal Board confirmed the 52% increase imposed by the Parish Assessors was unjustified.
- In their annual report the Rates Appeal Board reminded the Comite des Connétables of article 41responsibility for a second year.
- Together with other rate payers I met with the Chair and Vice Chair of the Comite des Connétables- who were unaware of differing assessment practices across the parishes and agreed to look further into the matter.
- On 24 July 2024, the Chair of the Comite des Connetables repeatedly stated to the States Assembly, in response to written questions from Deputy Renouf, that there was consistency in assessment methodologies across the parishes. This appears to be a contradictory statement he made when we met.
- In 2025, following changes made to may house, my own rate assessment increased by 48% and I requested a review for a third consecutive year.
- At the Review hearing the assessors confirmed that in determining the increased assessment they had not visited the house since the renovations were completed, so could not assess the condition or changes made, and had not referred to the annual rate return that set out the changes.

- The Assessors confirmed that they assumed what changes had been made and used the unpublished Grouville assessment guidelines, which introduced a 25% premium for beach front properties. This beach front premium had not been applied to all properties in Grouville and none in any other parish, introducing yet another inconsistency in the parish methodologies.
- The Assessors declined to amend my assessment at the Review so a formal appeal was launched again.
- The Assessors submission to the Appeal Board was copied to me shortly before the hearing. Of the nine properties considered as substantially similar to my three bedroomed house most were not similar. Some were four or five bedroom properties, some had substantial gardens with tennis courts or swimming pools and others were not beach front.
- The Appeal Board again found in my favour, and reduced the assessment by 3,500 quarters.
- However, the RatesAppeal Board's mistakenly considered my property to be a four bedroom house when it has three bedrooms.This meant their decision was incorrect.
- There is no right of appeal on the Boards decision, other than to appeal again next year.

2. **Road signage and safety.**

2a. Current Practice

- Main roads in Jersey are administered and maintained by the Government of Jersey (DFI). Designated minor roads are maintained by the relevant Parish in which the road is situated, but changes to the use of those roads requires Ministerial approval, and DFI implementation.
- Changes to the use of parish administered roads such as road layout and speed limits, can only be requested by Parish authorities. That work is undertaken within a six year cycle set by DFI.
- Facilitating and funding of repairs and maintenance to parish administered roads falls to the Parish, however DFI funds repairs for major roads.

2.b **Problems with current practice.**

- Each parish operates in isolation of other parishes, leading to inconsistent approach to road networks, eg, the green lanes, safer school routes, tourism cycle routes etc.
- Parishes have taken a different approach to road safety, e.g. St Clements has a blanket maximum speed limit of 30 mph, other parishes do not.
- With the agreement of the Comite des Connetables, DFI will only consider approvals and works on parish roads in two parishes a year, meaning some parishes will wait six years to implement changes agreed by a parish assembly.
- Each Parish can determine their own road signage leading to confusion for road users and inconsistency. E.g. Grouville now have red painted pavements and Trinity have white painted lines with footprints.
- There is no formal process in the parishes for parishioners to request changes to road safety measures.
- The Island has 13 roads authorities, who generally act independently of each other, with 13 funding streams to maintain the road network . This lack of coordination could lead

to the incorrect prioritisation of works, and missed opportunities for better procurement savings or economies of scale in contract tendering.

- There is a lack of consistency and criteria for determining speed limits and other road safety matters consistently across the parishes, leading to driver confusion.e.g. on a single road, such as La Grande Route de St Martin, which runs through St Saviour and St Martin, and administered by DFI, there are sections of the same road with differing speed limits (20 mph, 30 mph, and 40 mph).
- Each parish and the DFI contract with third parties under their own name for maintenance work to be completed on Parish roads.
- The Parishes are as a matter of process invited to comment on building applications, including the impact on the roads infrastructure and road safety. They rarely do.

2.c Potential changes

- Create a single government body responsible for the maintenance and use of all public roads in Jersey.
- Determine a roads budget contribution from each parish.
- Centralise the arrangements to prioritise, and undertake works.
- Centralise all contracted road works.
- Make it mandatory for Parishes to consider and comment on the impact of road safety on every planning application.
- Income for all traffic related fines, where imposed at a parish hall enquiry or at court, to be directed to the Centralise budget for the improvement of road safety measures.

3. Parish Assemblies

3.a Current practice

- An Assembly is made up of the principals and rate payers of the parish. Each has one vote. However votes can only be cast by persons present at the assembly.
- The Constable sits as president of the assembly and determines who may speak, how long for, and on what matters.

3.b Problems with the current practice.

- The Assembly cannot discuss any other business.
- Parishioners cannot call an assembly, only a racquette.
- A racquette may request a constable to do, or not do something, but not compel them to.
- Only matters set out on the published agenda can be discussed.
- An Assembly only needs two days notice, displayed in the church notice board.
- There is not a minimum number required for an assembly to be quorate.
- The Constable has absolute authority of the meeting and can decide not to follow recognised governance protocols.
- The Chair of the Comite des Connetables has stated each Constable can run the assembly as they see fit, there are no written governance rules.
- Voting is held in person only.
- Assemblies are often held at times not suited to family life or modern living.

- Items previously discussed or approved at an assembly cannot be raised if they are not an agenda item except when approving minutes, meaning the parish officers cannot be held to account.
- Parishioners have no right of audience with the Constable other than at an assembly, where the Constable decides who may speak.

3.c **Potential changes**

- Introduce mandatory governance rules for the conduct of assemblies.
- Make assemblies available as a streamed on-line resource.
- Permit proxy voting.
- Introduce at least 14 days notice of an assembly
- Permit proposals to add items to the next Parish Assembly agenda.

4. Parish Budget and accounts

4.a Current practice

- Each parish formats its financial accounts in its own way, making comparisons between parishes, or even between different years in the same parish difficult.
- A draft budget is prepared for the following, after the financial year has started.
- The draft accounts and budget are shared with the Parish Accounts Committee for advice only.
- The assembly votes on the accounts and budget after the accounts have been audited.

4.b**. Problems with current practice**.

- Parish expenditure is not consistently recorded, so comparisons between different parishes is difficult. E.g. different account headings are used for expenditure.
- Expenditure lacks detail. eg £10,000s spent on road works but no detail in the published accounts as to how much was spent for each road project etc.
- Each Constable creates their own accounting policies, which vary parish to parish.
- Accounting practices of most Parishes do not follow accepted accounting standards (eg GAPP)
- The Auditors' opinion is restricted to the Constables accounting policy, and not on the format or use of funds.
- There is no equivalent of the Auditor General to oversee parish accounts/ expenditure.
- There is evidence of incorrect accounting practices, eg; In Grouville reserves have been created for current year planned expenditure, and Depreciation previously accounted for has been removed deliberately by the Constable.
- Capital budget items slipped into accounts without parishioners realising –e.g. In Grouville the purchase of a new electric car was included within maintenance of existing fleet. In 2023 a £1m contract was not an itemised expense.
- The parish tendering process is opaque and linked to perceived favoured providers. E.g.David Cummings Ltd is providing road maintenance and is the Chair of the roads committee.

- The Parish Accounts committee have no official standing, and their advice can be ignored by the Constable.
- There is no prescribed timetable for presenting the previous year's account. Two of Grouville's last three years accounts have been presented more than halfway through the following financial year.
- Budgets/ estimates are not submitted for approval until after the previous year's accounts have been approved. Therefore, parish expenditure in any financial year occurs without assembly approval until the estimates are approved, (sometimes more than halfway through the year, resulting in significant expenditure without having gained Assembly approval.
- There is no reason why Parish budgets for the following year cannot be presented before the year end, as every other public and commercial organisation does.
- Minutes of the elected Parish Accounts Committee are not published and there are no terms of reference of the Committee.
- There is a disconnect between States strategic planning and parish expenditure and liability- for example Sandy Park lease was given up by DFI, and Grouville parish had to step in with a parish assembly with less than 1 weeks notice to secure its future.
- There is a Lack of coordinated expenditure across all of the parishes – eg refuse collection, recycling, road maintenance.
- Each is conflicted as the Accounting Officer in law as they set accounting policies, and then preside over the Assembly set to approve the accounts.

4.c. Potential changes

- Standardise the format of parish accounts.
- Introduce GAAP accounting standards to all parish accounts.
- Budget approval to be made before commencement of the financial year.
- A minimum of two weeks notice of the Accounts approval Assembly and two weeks publication of the draft accounts before the Assembly.
- All annual accounts to be presented to an Assembly by 31 July each year.
- Parish Accounts Committee to have terms of Reference and given greater powers to challenge expenditure records.
- Extend the remit of the Auditor General to cover Parish accounts and expenditure.

5. Complaints against Parish officials

5.a Current practice

- Complaints made against elected officers of the Parish must be made to the Constable in the first instance.
- The next recourse is to the Royal Court through the Law Officers.

5 b. Problems with current practice.

- Constables are often conflicted when dealing with complaints against their officers. Even if not conflicted the perception of conflict is very strong.
- The bar set by the Law Officers to bring a matter to the attention of the Court is extremely high and was set out in the precedent of AG v the Constable of St John.

- It is a matter of judgement for the Law Officers whether to accept a complaint, with no right for an appellant to take the matter further.
- Conduct and behaviours of the elected officers of the Parish are not covered by the States Complaints Board.
- There is no formal or consistent complaints procedure across the parishes.
- Each parish may have a complaints policy, not all do.
- It is unclear to what extent the States Complaints Board have in considering activities that involve both Parish and States bodies. E.g.rates are set by individual parishes, the island wide rate is set by the Constables Supervisory Board based on the Parish assessment, which the parish collects on behalf of the Treasury. Rate appeals are heard by the Rates Appeals Board, a body elected by the States, but who report to the Comite des Connetables.

5.c Potential changes

- Introduce a single complaints procedure for all elected parish officers.
- Introduce an investigatory body to review such complaints and report to the Comite des Connetables or H.M. Attorney General.
- Comite des Connetables or A.G. to consider escalation to Royal Court or Police if necessary.
- Extend the remit of the States Complaints Board to cover elected officers of the Parishes.

6. Driving Licences

6a. Current practice

- Each parish is a separate licensing authority,
- Driving licenses are issued by each Parish.
- The parish records driver information and sends it to DVS to produce the license.
- DVS record /copy the data, print the license and send it to the parish.
- The parish issue the license.
- Revoking a license is the decision of the Constable, unless a court imposes it as a penalty.

6.b Problems with the current practice.

- Duplication of recording data.
- Inefficient use of resources.
- No added value by inclusion of the Parish within the process.
- In the event of consideration of revoking a license, a Constable may not have the necessary knowledge or understanding to determine the correct decision. They may personally know the individual so could be conflicted.
- International Driving permits are also issued by the parishes in paper format. There are two types of permit issued, dependent on the jurisdiction it is to be used in.Each licences requiring a form, photo and a fee.

6.c Potential changes

- Centralise the issuing and production of driving licenses by the Government of Jersey.
- Remove the role of licensing administration completely from the parishes and Constables.
- Introduce an online driving license application and change of address system.
- International driving licence applications should also be processed on line and issued centrally.

7. Firearm Registration

7.a Current practice

- Persons may currently possess a firearm in one of three ways. By issuance of a firearms licence to cover all designated firearms, by issuance of a Port D'Armes licence allowing use of a shot gun with the permission of a land owner, or possessing a shotgun on your own land, in this case no licence is required.
- Firearms and Port D'Armes licences are issued by the Constable of the parish that the applicant is resident in.
- Applications are submitted to a Parish Hall on a prescribed form that is sent to the Central Firearms Index Registrar at Police Headquarters.
- The registrar conducts checks as to the nature and need for those firearm, it's intended use and safety controls and the suitability of the applicant.
- The registrar then prints a draft licence and sends it back to the Parish with a recommendation to the Constable as to the approval of the licence. The Constable decides whether to issue a licence or not.

7.b Problems with the current practice.

- The process is inefficient in that parish staff add no value to the process.
- The process is paper based
- Constables may not have the necessary expertise to make a decision regarding the firearms or the applicants suitability.
- The Constable may be conflicted in making impartial decisions about the suitability of parishioners they may know.

7.c Potential changes

- Make all applications on line.
- Centralise the whole processing of applications, both firearms and Port D'Armes, with the central Firearms Registrar.
- Delegate the Constables authority to issue or revoke a licence to the Chief of Police.

This concludes the submission to the Scrutiny Panel.