

Second submission: Should the Comité des Connétables become a statutory body?

By Jennifer Bridge

Introduction

Following my first submission, I have given further thought to the relationship of the parishes and the government and conclude that serious consideration should be given to the Comité des Connétables becoming a statutory body with clearly defined coordinating powers and limits. Without this, it is hard to see how Jersey can resolve long-standing problems of fragmented parish services and unclear island-wide authority, while still respecting parish autonomy and the historic role of the Connétables. A modern enabling Law would give the Comité its own legal personality, set out its functions, and subject it to appropriate scrutiny and accountability.

What is the Comité des Connétables?

At present, the Comité des Connétables is the non-statutory forum where Jersey's twelve Connétables meet to discuss shared parish issues and agree, as far as they can, on common approaches. The Comité itself acknowledges that it "is not a statutory Committee of the States Assembly". In practice, this means that, in its ordinary mode, the Comité has no separate legal personality, its positions are not legally binding on parishes, and there are limited bespoke accountability mechanisms for the Comité as a body, even though it routinely takes stances on matters affecting all parishes.

<https://comite.je/comite-des-connetables/>

The same twelve Connétables sit in a different statutory capacity as the Supervisory Committee under the Rates (Jersey) Law 2005, where their powers and duties in relation to island-wide rates are clearly set out in primary legislation. This contrast underlines the gap between the Comité's informal coordinating role, and the more modern, clearly defined model used elsewhere in Jersey's public administration.

https://www.jerseylaw.je/laws/current/l_8_2021_20240110

What does the Comité discuss?

From the publicly available "A" agenda minutes for 2023–2025, several themes recur and can reasonably be treated as the most common topics, though some agenda items inevitably span more than one theme. It must be stressed that these are the non-exempt items; there is a separate "B" agenda for business taken in private, for which no detailed information is published.

<https://comite.je/meeting-minutes/>

1. Honorary Police and policing issues
2. Parish assemblies, elections and electoral law
3. Rates, accounts and budgets
4. Legislation and States propositions affecting parishes
5. Events, commemorations and national or royal occasions
6. Dog licensing and animal-related regulation
7. Data-sharing, digital and information governance

8. Social support and parishioner services
9. Island identity, culture and external representation
10. Transport, highways and environmental infrastructure

This ordering reflects how often themes appear in the published 2023–2025 minutes, not a full statistical analysis; a precise ranking would require systematic coding of all items.

Why make the Comité a statutory body?

Turning the Comité into a statutory body would require a dedicated Law. In outline, that Law would:

- establish the Comité as a legal entity (a body corporate);
- define its coordinating mandate across agreed areas of parish business.
- give it practical powers, such as the capacity to enter contracts or run joint services on behalf of several parishes; and
- build in modern accountability through reporting, audit, scrutiny and legal challenge where necessary.

This is not a radical step in Jersey terms. Other public bodies that exercise authority and spend public money are now generally created or clearly recognised by statute, rather than relying solely on custom and habit. If the Connétables, acting together, are to take decisions that shape shared parish services, it is reasonable that they do so within a framework as clear and accountable as other public authorities.

The problem: fragmented authority and an unclear mandate

The core problem is straightforward: Connétables are increasingly expected to act collectively in the island's interest, particularly on cross-parish services such as waste and recycling, yet the body through which they meet has no recognised legal status, no binding powers in its ordinary mode and no bespoke statutory lines of accountability. At present, joint action depends heavily on tradition and goodwill. That can work for small, routine matters, but it is not a solid foundation for long-term planning, shared contracts or consistent standards across all twelve parishes.

This institutional gap risks three things: ad hoc arrangements that vary from parish to parish, duplication of effort and cost, and a lack of clarity, for parishioners, States Members and suppliers, about who is responsible when things go wrong. Evidence from comparative work on inter-municipal cooperation shows that, over time, informal coordination alone tends to struggle with complex shared services unless backed by a structured, legally supported joint body.

How would statutory status help?

A dedicated Law making the Comité statutory could address three linked issues: authority, capacity to coordinate, and accountability.

Clear mandate and defined authority

The Law could constitute the Comité as a body corporate composed of the twelve elected Connétables, with a specific statutory role to coordinate defined parish services and to represent the collective interests of the parishes on agreed matters. In those agreed areas, decisions, or at least certain categories of decision, could be made binding on participating parishes, moving away from purely informal understandings and providing greater certainty for parishes, the Government and external partners.

Equally important, the Law would spell out what the Comité cannot do. A statutory statement of limits would ensure that coordination does not become a backdoor means of overriding parish autonomy on purely local issues. The Jersey Law Commission's emphasis on subsidiarity offers a clear guiding principle for drawing that line in legislation.

<https://statesassembly.je/publications/assembly-reports/2024/r-187-2024>

Practical tools for coordination

Legal personality would allow the Comité to sign contracts, run joint services and procure on behalf of several parishes at once, rather than replicating negotiations twelve times. Carefully framed delegated powers could enable the Comité to set common standards in specified areas – for example, minimum service levels or basic policy frameworks – always within limits set by the States and subject to independent legal advice.

Experience elsewhere suggests that such joint bodies make it easier for small local authorities to deliver modern services, especially where specialist expertise or capital investment is required that would be hard for each parish to secure alone.

Modern accountability and transparency

A statutory Comité would be expected to publish its key decisions, report annually on its activities and have its finances subject to formal scrutiny, just like other public bodies. Its decisions could be challenged in court if it exceeded the powers given to it, complementing the Royal Court's long-standing supervisory role over individual parish officers.

https://www.jerseylaw.je/publications/jglr/Pages/JLR0310_Pallot.aspx

The Law could also determine how the Comité fits into existing transparency frameworks, including Freedom of Information and audit arrangements, rather than leaving these questions to implication and practice. This would give parishioners and States Members a clearer view of what the Comité is doing on their behalf.

<https://jerseyoic.org/guidance/freedom-of-information/freedom-of-information-topic/what-is-the-freedom-of-information-law>

Consistent with Jersey's constitutional evolution

This reform would build on, rather than break with, Jersey's constitutional traditions. The office of Connétable is one of the oldest elements of the Island's constitutional order, with roots in medieval Norman administration and a title derived from *comes stabuli* (count of the stables), later associated with local leadership and peace-keeping. Over centuries, Connétables have evolved from primarily local officials into parish heads who also sit in the States Assembly, a shift acknowledged in historical records from at least the late fifteenth century.

The Jersey Law Commission has already proposed modernising and codifying aspects of parish legislation, explicitly recognising that long-standing customary institutions now operate in a world of written constitutions, human rights norms and contemporary expectations of openness. Giving the Comité a clear statutory footing would be a logical next step: it would codify what the Comité already does, give parishes better tools to work together on shared challenges, and ensure that when Connétables act collectively, they do so with authority, visibility and accountability.

<https://statesassembly.je/publications/assembly-reports/2024/r-187-2024>

In short, making the Comité des Connétables a statutory body would make it easier for parishes to cooperate effectively without sacrificing their independence, and would bring an ancient institution into line with the standards Islanders now rightly expect of any public body acting in their name.