

**Response to a Question Pursuant to Rule 14
of The Rules of Procedure of the States of Deliberation and their Committees**

Subject: STATUTORY PARDON

States' Member: Deputy Gavin St Pier

Date received: Tuesday, 23rd February, 2021

Date acknowledged: Tuesday 23rd February, 2021

Date of reply: Tuesday 9th March, 2021

Questions

In response to my Rule 11 question in relation to the conviction in 1942 of a number of police officers, on 15th December 2020, Deputy Ferbrache advised that:

"This matter was briefly discussed as an AOB item by the Policy and Resources Committee, however, it has not been formally raised with and considered by the Committee to date, therefore I cannot provide any further information."

It is understood that the matter has now been formally considered by the Policy & Resources Committee and the Committee does intend to prepare a policy letter recommending a statutory pardon for the police officers involved in this case, and any other islanders involved in petty crime of a similar nature during the Occupation.

- a) Could the Committee please confirm that this understanding is correct?
- b) If so, could the Committee please:
 - a. Further confirm that neither the policy letter nor the legislation need be long and complex?
 - b. Provide an indication of by when this policy letter will be lodged for debate?
 - c. Provide an indication of by when the legislation will be lodged for debate?

Responses

The Policy & Resources Committee has great sympathy with all those individuals who faced injustice during the Occupation years and their families. I can confirm that the Committee is looking at this issue to explore all options with the aim of reporting to the States this year.

Whilst an assessment of the options will include the possibility of a form of 'statutory pardon' it is too early at this stage to commit to what the form of response might be. These

matters are complex, particularly where any cases relate to convictions which remain criminal offences in modern times. In this particular case, the convictions have been reviewed through judicial processes including referral to the Judicial Committee of the Privy Council, the highest court of appeal for the Bailiwick.

It is the Committee's view that some families are still dealing with the burden of acts that took place during the Occupation, including those who feel that their families were affected by injustices that took place when cases were investigated and tried during the period of the German Occupation. This includes the families of the police officers whose cases have recently brought new attention to this issue.

A Policy Letter will be prepared and brought before the States of Deliberation this year.

Deputy Peter Ferbrache
President
Policy & Resources Committee