



POLICY & FINANCE COMMITTEE.

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Extending of the Bench – **The Court of the Seneschal - Public Meeting** **Thursday 03rd June 2021**

Following the request for feedback from Sark residents regarding the matter of extending the bench through the Court of the Seneschal a meeting was held on Thursday 03rd June 2021 to discuss the results of the feedback that was received. There were 17 people in attendance, not including the 2 members from the Policy & Finance Committee and the Seneschal.

Below is a summary of what was discussed:

- The Seneschal started by apologising that it had taken so long to get where we are today and felt that given that the Court of the Seneschal had been operating for 350 years under the present system any change should not just be undertaken because people thought it was a good idea, proper consideration was needed.
- Whilst the Venne Report was welcomed by everyone at the meeting, and initially the thought of having additional persons, “Jurats”, sitting with the Seneschal to help make decisions, and having an equal say in the decision making, it did raise areas of concern especially if they were not legally trained jurats and it would perhaps diminish the role of the Seneschal. The Seneschal also felt strongly that if Chief Pleas, Sark, went ahead with the recommendations of the report then the Seneschal should retain the ability to sit alone as most cases, as a large part of them, were mostly routine.
- The introduction of the Lt Seneschal into the Sark court process was discussed at length and the current Seneschal felt that were there had been concerns around certain matters being heard by the Seneschal, these had been addressed by there being four Lt Seneschals, who all had various areas of expertise that they could bring to our process, thus allowing cases that were more complex being heard and dealt on Sark. However, it was noted that if Chief Pleas decided to go with having Jurats that the Lt. Seneschals made it clear that they would always wish to sit alone.
- A lengthy discussion was had around the Venne Report and the amount of time he spent focusing on the role of the Greffier and essentially the role of a Greffier within the court system. The feeling was that the Seneschal required more legal support, a legal advisor, like that of the clerk of a court and that the existing Greffier role could potentially be altered/split to allow for an additional person to be integrated into the system. The Seneschal also felt that it could a huge time saver, especially on the occasions when he

had to seek advice from the Law Officers in Guernsey and commented that because of the Venne Report there was now remote access available through the court, however it could take at least two years for any amendments in the Reform Law, which was needed for any changes to the role to be implemented.

- In the summary of the discussion, it was felt that the Court of the Seneschal needed on island, preferably legally trained, support and given that a new Seneschal was being sought, the time was now to get the matter sorted out. The matter now needed to be discussed and finalised by Policy & Finance, as it was now a political decision, but the current Seneschal could be there to advise and attend discussions about the next steps.