

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

PROJET DE LOI

Entitled

THE PAROLE REVIEW COMMITTEE (VALIDATION) (GUERNSEY) LAW, 2020

The States are asked to decide:-

Whether they are of the opinion to approve the draft Projet de Loi entitled "The Parole Review Committee (Validation) (Guernsey) Law, 2020", and to authorise the Bailiff to present a most humble petition to Her Majesty praying for Her Royal Sanction thereto.

This proposition has been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications in accordance with Rule 4(1) of the Rules of Procedure of the States of Deliberation and their Committees.

EXPLANATORY MEMORANDUM

This Projet de Loi validates retrospectively decisions of the Parole Review Committee taken during the period 1 July 2019 to 18 August, 2020. During that period, due to an administrative oversight, the term of office of the Chairperson of that Committee had ceased and the Committee was not, therefore, validly constituted. The Chairperson was re-appointed by the States on 18 August, 2020 and the decisions of the Committee during the intervening period were ratified by the Committee immediately thereafter. This Projet ensures the validity of those decisions.

PROJET DE LOI

ENTITLED

The Parole Review Committee (Validation) (Guernsey) Law, 2020

WHEREAS the Parole Review Committee ("**the Committee**") is a body established by Resolution of the States in accordance with section 1 of the Parole Review Committee (Guernsey) Law, 1989^a;

WHEREAS by their Resolution of 14th December, 1989^b the States resolved that the constitution of the Committee shall include a Chairperson appointed by the States and the term of office of such appointment shall be three years;

WHEREAS by their Resolution of 30th July, 2003^c the States set a maximum total term of office of 16 years for a person appointed as Chairperson of the Committee;

WHEREAS by their Resolution of 7th September, 2016^d the States appointed Mr Philip John Taylor ("**Mr Taylor**") as Chairperson of the Committee for three years

^a Ordres en Conseil Vol. XXXI, p. 414; amended by Order in Council No. IX of 2005; Ordinance No. XV of 2004.

^b Article XXI of Billet d'Etat No. XXV of 1989.

^c Article VII of Billet d'Etat No. XVI of 2003.

^d Article I of Billet d'Etat No. XXI of 2016.

with effect from 1st July, 2016;

WHEREAS therefore on 1st July 2019 Mr Taylor ceased to hold office, but this was not noticed and Mr Taylor purported to continue to perform his functions as Chairperson of the Committee; and

WHEREAS by their Resolution of 18th August, 2020 the States approved the re-appointment of Mr Taylor as Chairperson of the Committee retrospectively, for three years with effect from 1st July, 2019.

NOW THEREFORE THE STATES, in pursuance of their Resolution of the 18th August, 2020^e, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Island of Guernsey.

Validity of decisions etc.

1. (1) Nothing done during the period commencing on 1st July, 2019 and ending on 18th August, 2020 ("**the relevant period**") by Mr Philip John Taylor ("**Mr Taylor**") in the purported discharge of his functions as Chairperson of the Parole Review Committee ("**the Committee**"), shall be deemed to be, or ever to have been, unlawful or invalid by reason only of the expiration of Mr Taylor's term of office immediately before the beginning of the relevant period.

(2) No purported determination of or other thing done by, on behalf of, or in relation to the Committee during the relevant period shall be deemed to be, or ever to have been, unlawful or invalid by reason only of the expiration of Mr Taylor's term of office immediately before the beginning of the relevant period.

^e Article II of Billet d'État No. XVIII of 2020.

Citation.

2. This Law may be cited as the Parole Review Committee (Validation) (Guernsey) Law, 2020.