

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

Subject: Statutory Pardons
States' Member: Deputy Gavin St Pier
Date received: 22nd November 2021
Date acknowledged: 22nd November 2021
Date of reply: 30th November 2021

Question

The Committee has previously indicated its intent to bring a policy letter to the States of Deliberation to provide for statutory pardons for certain criminal convictions during the Occupation including, most notably, those secured against a number of police officers in 1942. Could the Committee please provide an update on progress and indicate by when the policy letter will be published?

Response

The Committee still aims to bring a policy letter to the States of Deliberation to recognise the issues and complexities associated with certain criminal convictions during the Occupation. The possibility of a statutory pardon is being considered but is not the only possible outcome (as recognised in the Committee's response to Deputy St Pier's Rule 14 questions in March this year). These issues need careful consideration. A statutory pardon would require a number of complex constitutional and legal issues to be overcome, which may take significant time and resources to deal with if supported by the Assembly. Other options, such as a Resolution or statement by the States of Deliberation, may provide an alternative which carries sufficient political weight to address the issue for the relatives concerned, and the wider community, and which may be more expedient. Work has already started on the policy letter, but there is not a final draft yet. This specific matter is not in the Government Work Plan (GWP).

Competing demands have to be managed and, the same as in other parts of the States, the External Relations and Constitutional Affairs team has to prioritise work which aligns to the priorities identified and agreed in the GWP. Apart from anything else, work to manage the effects of Brexit continues to have a significant impact on workloads.

Work on the Occupation period matter will recommence as soon as possible, provided that it can be progressed alongside the GWP priorities; hopefully early in the New Year.

Consequently, the policy letter will not be available for consideration by the States by the end of 2021 as had previously been intended.

Deputy Peter Ferbrache
President
Policy & Resources Committee