



The Law Society of Jersey

THE LAW SOCIETY OF JERSEY
DISCIPLINARY PANEL - LAY MEMBERS
INFORMATION PACK

1. Introduction

The Law Society of Jersey is the statutory regulatory body for Advocates and Solicitors of the Royal Court of Jersey. Established in 1899, it was incorporated under The Law Society of Jersey Law 2005, which came into force in 2007.

The Law Society of Jersey is responsible for the promoting and protecting the interests of its members and in upholding high standards of professional conduct.

All Solicitors and Advocates of the Royal Court are required to adhere to a Code of Conduct, breaches of which are considered to represent professional misconduct.

2. Purpose of The Law Society of Jersey Disciplinary Panel

The Law Society of Jersey Law 2005 provides for the appointment of a Disciplinary Panel to consider and adjudicate complaints of professional misconduct against members of The Law Society of Jersey.

In accordance with Article 18(1) of the law, the Disciplinary Panel consists of no fewer than 7 lay members, together with no fewer than 7 members of the legal profession. Complaints against legal practitioners are submitted to the President of the Law Society and, where the President is satisfied that that the complaint represents a prima facie case of misconduct (and is not vexatious, frivolous or trivial), it is referred to a disciplinary committee which is made up of members from the Disciplinary Panel (each committee comprising 3 members, of which 2 are lay members).

3. The Role of Lay Members

Lay members play a critical role in the Law Society's disciplinary process, serving to demonstrate the integrity and independence of the process and to enhance public confidence. Lay members will participate fully in disciplinary committees (and any stages prior to formal hearings e.g. Directions hearings). Decisions made by the disciplinary committee are based on a simple majority.

A disciplinary committee has the following powers and authority:

- a. To dismiss a complaint
- b. To issue a practitioner with a private rebuke
- c. To issue a practitioner with a public reprimand
- d. To fine a practitioner (up to £10,000)
- e. To find a complaint proven and refer to the Royal Court for sentence
- f. To refer the matter to the Attorney General without making a finding

4. Terms of Appointment

The appointment of Lay members of the Disciplinary Panel is made by the States Assembly, on the recommendation of the Chief Minister. Appointments are made for a 5 year term and may be renewed for a period not exceeding four years, subject to States Assembly approval.

The position is honorary, although reasonable expenses will be reimbursed.



5. Time Commitment

The time commitment for lay members is dependent upon the number of disciplinary matters being considered but, based on the number of lay members available, is not particularly onerous. Due consideration is always taken in relation to lay members' other commitments.

6. Skills Profile

Lay members will have high standards of integrity and objectivity and be able to demonstrate experience at a senior or executive level in the business, professional, community or voluntary sector.

Lay members should possess excellent communications, interpersonal and analytical skills.

Training on the Law Society's disciplinary process will be given.

Individuals who are admitted in any jurisdiction as a legal practitioner are not eligible for appointment as a lay member.

7. Conduct of Lay Members

Lay members are required to undertake their role on a confidential basis, due to the sensitive nature of the disciplinary process.

All hearings are held in private and the outcomes are confidential to the parties involved, other than where a public reprimand is issued or where a disciplinary matter is referred to the Royal Court and the matter comes into the public domain.

8. Further Information

The following documents will provide candidates with a more detailed knowledge of The Law Society of Jersey's rules relating to conduct and the disciplinary process:

- [The Law Society of Jersey Law 2005](#)
- [The Law Society of Jersey \(Disciplinary Proceedings\) Rules 2018](#)
- [The Law Society of Jersey Code of Conduct](#)

9. How to Apply

Applications, in the form of a Curriculum Vitae, along with an accompanying letter, outlining the relevant skills and experiences that individuals could bring to the role, should be submitted to Neville Benbow, Chief Executive Officer, The Law Society of Jersey, PO Box 493, St Helier, Jersey JE4 5SZ or by email to ceo@jerseylawsociety.je

Applications should be submitted no later than **29 April 2023**.