



2 October 2020

## Request

I refer to the document named 'DAS Commercial Legal protection policy wording 2018-2021', which was made public as a result of this FOI request, dated 20 August 2020:

<https://parish.gov.je/Documents/Parish%20of%20St%20John%20insurance%20policies.pdf>

In the above mentioned document, the insurance company indicates that it will cover the legal costs of a person acting in their duties as Constable, if an event leads to that person being prosecuted in a criminal court, including for an offence connected with the use or driving of a motor vehicle.

But on page 10, under bullet point 3, it says the insurance company will not pay for 'Costs and expenses incurred before our written acceptance of a claim.'

Given that, please can you provide a copy of the letter from the insurer to the Parish of St John, in which the insurer accepts it will cover the Constable of St John's legal costs resulting from his charge and subsequent conviction for dangerous driving.

Please also provide any relevant documents, to show the St John parish assembly decision to use £7,000 of parish funds to cover Constable Taylor's legal costs was made after the insurer had agreed to return that money at a later date.

## Response

The correspondence and documents requested are exempt.

### FOI exemptions applied:

#### Article 23 - Information accessible to applicant by other means

Information is absolutely exempt information if it is reasonably available to the applicant, otherwise than under this Law, whether or not free of charge. A scheduled public authority that refuses an application for information on this ground must make reasonable efforts to inform the applicant where the applicant may obtain the information.

#### Justification for exemption

**Parish FOI requests** are published on [parish.gov.je](http://parish.gov.je); please refer to response issued to the following request:

- St John insurance claim – includes:
  - email dated 17 March 2020 to Connétable of St John confirming DAS have agreed to contribute towards legal costs,
  - excerpts from the draft minutes of the Comité Paroissiale meeting held on 7 July 2020 and
  - excerpts from the draft minutes of a Parish Assembly held on 15 July 2020.