



25 September 2020

### Request

I would like to make a further PFOI request concerning the same subject on Constable Taylor of St John, his conviction for dangerous driving and parish legal protection insurance.

Has an insurance claim been submitted?

If so can you please supply all information held on this matter

### Response

The following information relating to the insurance claim is attached 

1. Hand written file note and Email correspondence

**FOI exemption applied:** personal information redacted

**Article 25(2) - Personal Information - Personal data, applicant not subject but supply contravenes data protection principles**

Information is absolutely exempt information if – (a) it constitutes personal data of which the applicant is not the data subject as defined in the Data Protection (Jersey) Law 2018; and (b) its supply to a member of the public would contravene any of the data protection principles, as defined in that Law.

**FOI exemption applied:** records and communications which relate to advice are redacted

**Article 31 - Advice by the Bailiff, Deputy Bailiff or a Law Officer**

Information is qualified exempt information if it is or relates to the provision of advice by the Bailiff, Deputy Bailiff or the Attorney General or the Solicitor General.

QE31 is a qualified exemption and therefore whether the disclosure of the advice would be in the interest of the public must be considered. Given the advice is from a Law Officer, there is an inherently high threshold to keep it confidential. In this instance, the public interest does not overcome the Law Officer privilege and the exemption is maintained.

2. Comité Paroisalle meeting – excerpts from the draft minutes

**DRAFT – SUBJECT TO APPROVAL**

**Minutes of the Meeting of the Comité Paroissiale  
Held on Tuesday 7th July 2020 at 6.30pm**

**4. Update on 2019/2020 Accounts**

There was an increase in spending over the budget for Legal Fees and the Constable handed over to Don Connolly to explain. Mr Connolly began by stating that following a meeting last week with the Constable and Procureurs, it had been agreed that the Constable had incurred legal fees whilst carrying out his official duties as Constable and therefore it was correct for them to be included in the Parish Accounts. It had also been agreed that Alex Picot would add an explanatory note to the accounts stating that it was hoped that most, if not all the money would be reimbursed to the Parish by the Parish

Insurance Policy. The Constable also added that if the case was won the legal costs could be claimed back through the Court Expenses. Mr Crocker asked if there any presidents set in other Parishes for this. Mr Connolly replied that he was not aware of anything similar. He also said that Parishes are guided by the Rates Law which states that the Constable prepares his accounts and budget and presents it to the Parishioners.

Mr Langhorn insisted that the Constable should leave the room whilst these kind of questions were asked. The Constable said he would and left the meeting.

Mr Langhorn asked if there had been anything done to mitigate the level of expenditure on these legal expenses. Mr Crocker said he was surprised at the £7000 as this seemed quite a lot. He also asked what disciplines had been applied and if the Parish had any insurance which would cover this type of expense. Mr Stephen Hewlett, Procureur, replied that the Parish insurance company had been consulted and it had taken quite some time for them to admit that the claim would be met.

Mr Langhorn asked if the Parish Insurance Company had said that they would pay the claim. Mr Hewlett replied saying that they had not exactly said yes but they would not pay anything until the case is completed. Mr Langhorn asked again if he had contacted the insurers and if they had said they would pay. Mr Hewlett responded that they had said they would cover something but have not said how much.

Mr Crocker asked if there could be a note in the accounts to explain why the legal expenses were so high. Mr Connolly replied it could be possible to put a breakdown of the figures.

A discussion then took place as to how much detail should be put into the accounts so that Parishioners could ask questions if they wished. This would show openness.

Mr Connolly stated that the explanation should also include that there is the hope of recovery via the insurance company or legal reimbursement of costs.

It was then agreed that the meeting would suggest that a note be added to the Constables Accounts.

The Constable was then asked to return to the meeting.

Mr Crocker explained to him that after discussion it was felt that a note should be added to the accounts to explain the excess legal spend over the budget. The Constable said that he was happy to have a note added. Mr Connolly readout his suggestion for the note. The Constable said he would be happy for this note to be added and that it would reassure Parishioners that the hope would be to recover the expenditure.

### 3. Parish Assembly meeting – excerpts from the draft minutes

#### DRAFT – SUBJECT TO APPROVAL

#### **Minutes of a Parish Assembly held in the Parish Hall on Wednesday 15<sup>th</sup> July 2020 at 7.30pm**

**2. Receive and if deemed advisable adopt the audited accounts of the Connétable for the financial year ended 30 April 2020. The said accounts having been examined and unanimously approved by the Committee named for that purpose.**

Legal and Expenditure - This included the legal fees of £3000 in regards to the gift of land for the Bus Shelter at Sion and £7,078 for Legal fees incurred by the Constable in relation to the ongoing Court case. It was explained that as the Constable was on Parish business, it was agreed with the two Procureurs that the Parish would incur the legal costs. It was hoped that the Parish would be reimbursed but it was not guaranteed.

Mr Larose asked if there were any questions.

Mr Rondel (ex. Constable of the Parish) confirmed that the Parish had appropriate Insurance cover in place. A discussion then took place with the Rector and Mr John Woodward who said the Insurance Policy should be looked at. Mr David Ward questioned if the Parish may be out of pocket at the end of the proceedings and Mr Larose confirmed this was not known.

A further discussion took place between Mr Crocker and Mr Hewlett who said that the Parish were morally obliged to support any of the Municipality, to which Mr Crocker replied that the Procureurs

also had a duty to the Parish funds. At this point Mr. Hewlett went onto to explain how expensive lawyers were and advised that the cost of just receiving a gift of a piece of land for Sion Bus Shelter had cost the Parish approx. £3000.00. Was it the wish of the Assembly that even more money be spent obtaining such legal advice. This offer was not taken up.

Parishioner, Helen Hadjam said that if the Constable were to be found guilty, the public should not have to bear the costs of his legal fees. She asked if the Insurers did not pay the full amount, who would pay the balance. Mr Larose said that he did not know yet and Mr Hewlett confirmed that the Insurers had admitted liability and would decide the amount of money to be paid. He also advised that he felt confident that the Constable would pay any shortfall, which would be reflected in the 2021 Accounts.

Mr Crocker said he would be surprised if the Insurers would pay the full amount if the Constable were to be found guilty.

As there were no further questions, Mr Larose asked if there was a proposer that the Accounts be adopted. Mr Rondel proposed that they should and this was seconded by Mr Woodward. This was then agreed by a show of hands of 12 for and 3 against.

4. Parish of St John accounts for the year ended 30 April 2020 – relevant excerpts

**Parish of St John Financial Accounts for Year Ended 30 April 2020.**

**Page 3, Expenditure**

<b>Expenditure</b>	<b>Notes</b>	<b>2020 Budget</b>	<b>2020 £</b>	<b>2019 £</b>
Legal and professional fees	10	3,000	10,003	-

**Page 7, Notes to the Accounts**

**10 Legal and Professional Fees**

Included with Legal and Professional Fees is an amount of £7,078 relating to legal services incurred by the Constable in relation to a matter which occurred while acting in his capacity as Constable of the Parish. There is a reasonable expectation that the Parish will receive reimbursement, either in full or in part, for the amounts paid by the Parish in this respect.



835383

21/1/

2020

has read the

insurance policy & would

recommend that you speak

to Islands Insurance immediately

to discuss the situation as

nothing can be retrospective. It

looks hopeful that we may

be able to claim.

S

Please can you contact

Islands to

initiate a claim on:

22/1/2020

- 1 legal cost
- 2 Reputation

will 9.15 ish

Speak to claims Dept Manager

You can call this afternoon to speak to ~~claims~~

to 18 expert

learn  
phone  
He back appu  
of save he a  
Islands notifs on  
insurance company

18 expert  
(18 expert)

**Christopher Taylor**

---

**From:**  
**Sent:** 12 February 2020 16:41  
**To:** Christopher Taylor  
**Subject:** Incident 2nd June

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Connetable,

I have spoken with DAS and the Parish of St Johns Insurer Ecclesiastical today.

I am waiting to hear back from both of them and will update you tomorrow.

Regards,

**Islands**

T: 01534  
[www.islands.je](http://www.islands.je)

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**Christopher Taylor**

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**From:**  
**Sent:** 14 February 2020 17:03  
**To:** Christopher Taylor  
**Subject:** Claim 98510 Legal Expenses  
**Attachments:** Scanned image from Islands Insurance Sharp 4112

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Chris,

Following our recent conversation I confirm that we are still talking to the insurers about the Reputational Damage element of the policy cover under the Parish Policy.

I attach a copy of the wording in the Ecclesiastical Policy.

As you will see there is cover in place for Libel and Slander. This is, however, in circumstances of a claim being made against the Parish for committing a libel or slander and not the other way around so I cannot see that it will be of any use to us in this situation.

I have checked and there is presently no cover under Crisis Communication. Cover A Nor Cover B

Having read through the terms of the cover in Crisis Communication I am not certain how far the Crisis Communication cover would have been engaged and how it would have helped in this situation.

It would help my discussions with the insurers if I had a better understanding of what you would like the Ecclesiastical Policy to pay for and we can then see if we can make any progress on this for you.

As we discussed there is DAS legal Expenses cover on the policy issued to the Comite Des Connetables and this would be your preferred source of assistance.

I am waiting for you to confirm that you have spoken to them to agree that the DAS cover can be arranged. If there is any problem with this please tell me and we will discuss it again and explore other options. I would like to press on getting DAS instructed for you as soon as possible so that any further legal costs can be authorised by them and paid for by them.

I am back in the office on Monday morning. I look forward to hearing from you.

Regards,

**Islands**

T: 01534  
[www.islands.je](http://www.islands.je)

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Claim Re  
Legal exps

**Susan Rodrigues**

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**From:** Christopher Taylor  
**Sent:** 18 February 2020 17:14  
**To:**  
**Subject:** RE: Claim 98510 Legal Expenses

Hello

I have finally got hold of DAS. I feel I should let you know straight away I am totally unimpressed with them. I was given a strong impression that they will not honour the claim.

May I also ask about the claim for "Reputational Damage" and what stage this is, as I will be claiming on this as well, but have received claim number or claim forms.

Many thanks,  
Chris

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**From:**  
**Sent:** 18 February 2020 14:36  
**To:** Christopher Taylor <C.Taylor@gov.je>  
**Subject:** RE: Claim 98510 Legal Expenses

Afternoon Chris,

I really need to know which policy you are using Your own Motor Policy or the Constables policy so that I can try to help.

If you let me know which one it is I will call them for you and get them to ring you back. They have to take instructions from you.

I look forward to hearing from you.

Regards,

---

**From:** Christopher Taylor [<mailto:C.Taylor@gov.je>]  
**Sent:** 18 February 2020 11:50  
**To:**  
**Subject:** RE: Claim 98510 Legal Expenses

Morning

I have no reference number, just a phone number and a name

**From:**  
**Sent:** 18 February 2020 10:16  
**To:** Christopher Taylor <C.Taylor@gov.je>  
**Subject:** RE: Claim 98510 Legal Expenses

Morning Chris,

I am sorry you are having problems with them.

Can you confirm please if you have been given any reference number by Das at all?

What number you are calling and which policy you are using and I will try calling them too. I can ask them to call you back.

---

**From:** Christopher Taylor [mailto:C.Taylor@gov.je]

**Sent:** 18 February 2020 09:46

**To:** -

**Subject:** RE: Claim 98510 Legal Expenses

Morning

I have tried to call DAS three times this morning to get hold of

I am not impressed by the service I am receiving.

Many thanks,

Chris

Christopher Taylor

Connetable de St Jean

**From:**

**Sent:** 17 February 2020 15:39

**To:** Christopher Taylor <C.Taylor@gov.je>

**Subject:** RE: Claim 98510 Legal Expenses

Afternoon Chris,

Sorry about the delay. The Policy Number for the Constables and Honorary Police DAS Policy is TT2 /4017574

Your own Motor Policy DAS reference number is 5002162

We agreed last week that you would probably be best using the Constables policy but you were going to check with the Constables secretary?

Can you let me know please which one you will be using.

I look forward to hearing from you.

Regards,

**Islands**

T: 01534

[www.islands.je](http://www.islands.je)

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## Susan Rodrigues

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**From:** Christopher Taylor  
**Sent:** 24 February 2020 07:53  
**To:**  
**Cc:** Susan Rodrigues  
**Subject:** RE: Claim 98510 Reputational Damage Parish of St John and Legal Expenses Claim 98607 Comite Des Connetables

Dear

I am angry at the fact I need to complain yet again. DAS emailed me the letter in an attachment that I cannot open. I replied within minutes last Wednesday asking for the document to be sent as a PDF so I can open it. I have had no response. I also have not received the letter they are supposed to have sent me.

DAS is supposed

to support me and they most certainly are not!

Yours sincerely,  
Chris

**From:**  
**Sent:** 19 February 2020 16:38  
**To:** Christopher Taylor <C.Taylor@gov.je>  
**Subject:** Claim 98510 Reputational Damage Parish of St John and Legal Expenses Claim 98607 Comite Des Connetables

Good Afternoon Chris,

Thank you for your E mail of the 18<sup>th</sup> February.

I am really sorry that you had problems making contact with DAS yesterday. I have asked a colleague to look into your complaint and you will be hearing from her shortly.

I have spoken with DAS this morning. I understand that they require some documentation from you in order to validate the claim. I have asked them to E mail the letter to you. Once you have provided all that they have requested they will be able to confirm what help they can give you.

We have spoken to Ecclesiastical your insurers again today about the Reputational Risks claim. They are considering it.

I will let you know if they need any further information as soon as I have heard back from them.

Regards,

**Islands**

T: 01534

[www.islands.je](http://www.islands.je)

## Susan Rodrigues

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**From:**  
**Sent:** 24 February 2020 09:10  
**To:** Christopher Taylor  
**Cc:** Susan Rodrigues  
**Subject:** RE: Claim 98510 Reputational Damage Parish of St John and Legal Expenses Claim 98607 Comite Des Connetables

Dear Chris,

I am really sorry that this has happened.

I have called DAS they have apologised but we are recording the complaint for you and will be following it up.

They are re sending the E mail to you with the PDF and they are copying me in.

I will also be chasing up Ecclesiastical and will update you later today.

Regards,

### Islands

T: 01534  
[www.islands.je](http://www.islands.je)

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## Susan Rodrigues

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**From:**  
**Sent:** 24 February 2020 09:22  
**To:** Christopher Taylor  
**Cc:** Susan Rodrigues  
**Subject:** RE: Claim 98510 Reputational Damage Parish of St John and Legal Expenses Claim 98607 Comite Des Connetables

Hi Chris,

They are sending another E mail with the correct letter attached in a few minutes.

Regards

### Islands

T: 01534  
[www.islands.ie](http://www.islands.ie)

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## Susan Rodrigues

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**From:** Christopher Taylor  
**Sent:** 24 February 2020 12:34  
**To:** Claims  
**Cc:**  
**Subject:** RE: DAS Legal Expenses - 20/0235866 - Mr Christopher Taylor  
**Attachments:** SKM\_C36820022412030.pdf; SKM\_C36820022412390.pdf

Dear DAS,

I note it has taken 5 days for you to send this email. I wish it placed on record that my Insurers were first informed of this Charge on the 21<sup>st</sup> January and the delays have all been NOT of my making.

Yours sincerely,  
Christopher Taylor  
Connetable de St Jean

**From:** Claims [mailto:claims@das.co.uk]  
**Sent:** 24 February 2020 09:25  
**To:** Christopher Taylor <C.Taylor@gov.je>  
**Cc:** '  
**Subject:** DAS Legal Expenses - 20/0235866 - Mr Christopher Taylor

Dear Mr Taylor,

Thank you for your email.

Please find attached a copy of the letter initially sent to you on 19 February in a PDF format as requested.

We look forward to hearing from you.

Kind Regards

Claims Department

DAS UK Group  
DAS House, Quay Side, Temple Back, Bristol BS1 6NH

Tel:  
Fax: 0117 934 2007

[www.das.co.uk](http://www.das.co.uk)

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Website: [www.das.co.uk/newclaim](http://www.das.co.uk/newclaim)  
E-mail: [furtherinfo@das.co.uk](mailto:furtherinfo@das.co.uk)  
Telephone: 0117 934 2167

Office Hours : 9am-5pm  
Claim Number: 20/0235866  
Please quote your full Claim Number to avoid delays

**PRIVATE & CONFIDENTIAL**

Mr Christopher Taylor  
La Rue de la Mare Ballam  
St. John  
JERSEY  
Channel Islands  
JE3 4EJ

Date: 18 February 2020

Dear Mr Taylor,

**Your Legal Expenses Claim (20/0235866):**

**Further information required**

Thank you for contacting us. As discussed, please provide the following information so we can progress this matter for you:

1. Copies of the Notice/Summons

Please email your response to [furtherinfo@das.co.uk](mailto:furtherinfo@das.co.uk) quoting reference number 20/0235866.

Until we receive this information we will be unable to confirm whether we can provide any assistance under the terms of your policy. Please note that cover under your policy will not start until a representative has been formally appointed by us and any costs you incur before this point will not be covered.

We will keep this matter open for 21 days. If we have not heard from you within that time we will assume you do not wish to proceed and close your file. **Please be aware that any delay in providing this information (especially if you are aware of any legal deadlines) or action you may take in the meantime, may affect cover. We advise you to take legal advice on any legal deadlines your claim may have.**

We look forward to hearing from you.

Yours sincerely,

DAS Claims Administration

**Christopher Taylor**

---

**From:**  
**Sent:** 25 February 2020 11:26  
**To:** Christopher Taylor  
**Subject:** Comite Des Connetables DAS Legal Expenses Claim 98607

Dear Chris

I spoke with DAS yesterday to try to move this along again. They have registered your complaint and will respond to it within 72 hours.

I have also E mailed and called them today and requested that they deal with this urgently I am doing all I can to get a decision from them on the cover as soon as possible for you.

I will let you know as soon as I hear back from them.

Regards,

**Islands**

T: 01534  
[www.islands.je](http://www.islands.je)

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## Susan Rodrigues

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**From:** Christopher Taylor  
**Sent:** 25 February 2020 18:36  
**To:**  
**Subject:** RE: Parish Of St John Policy Reputational Damage Claim 98510

Dear

I can confirm there was no damage to either persons or property.

All the best,  
Chris

**From:**  
**Sent:** 25 February 2020 11:22  
**To:** Christopher Taylor <C.Taylor@gov.je>  
**Subject:** Parish Of St John Policy Reputational Damage Claim 98510

Morning Chris,

We have heard back from the insurers.

They have asked if you could confirm whether apart from the Dangerous Driving Charge against you there may be any allegation that you caused damage to property or injury.

I realise that there is no charge in respect of either of these but if there could be a claim for either property damage or injury to another party please tell me.

I look forward to hearing from you.

Regards,

**Islands**

T: 01534  
[www.islands.je](http://www.islands.je)

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## Susan Rodrigues

---

**From:** Christopher Taylor  
**Sent:** 26 February 2020 15:45  
**To:**  
**Cc:** Susan Rodrigues  
**Subject:** RE: Your legal expenses claim: 20/0235866

Dear

Yes you may speak to \_\_\_\_\_ at BCRLaw.

Islands Insurance were informed of this claim on Tuesday 21<sup>st</sup> January. You only became involved after I chased up Islands Insurance as to why I had heard nothing. I am grateful that you are doing all you can to help, but my secretary Sue Rodrigues, phoned Islands insurance on the 21st January. I was Charged on my return from Holiday on Monday 20<sup>th</sup> in the afternoon and when I returned to my office I tried to call Islands but your office had closed, as it was around 6pm. I was in the States on Tuesday and was unable to phone Islands insurance which is why my secretary did it on my behalf.

I hope this clarifies the start date of my claim.

All the best,  
Chris

**From:**  
**Sent:** 26 February 2020 12:28  
**To:** Christopher Taylor <C.Taylor@gov.je>  
**Subject:** RE: Your legal expenses claim: 20/0235866

Morning Chris,

I understand your frustration. I am sorry that the claims process is causing you problems and there have been some delays since you contacted me on the 12<sup>th</sup> February to make the claim. I am doing all I can to help.

I have had confirmation early this morning that DAS are speaking to your advocates today and that DAS are asking for The Terms of Agreement from BCR.

We did discuss the issues arising from using your own solicitors rather than the DAS panel solicitors. I fully understand that you have very good reason to use BCR Law but until BCR Law sign the Terms of Agreement DAS cannot agree any work with the solicitors.

Once the BCR have signed up to the DAS terms the process will move forward for you.

We are looking at the complaints you have made with DAS but that will not delay the claims process and you will get a separate response to the complaint about service.

If you give me authority to speak to \_\_\_\_\_ BCR Law I will see if he has got the papers and signed them.

Regards,



Islands

T: 01534

[www.islands.je](http://www.islands.je)

---

**From:** Christopher Taylor [<mailto:C.Taylor@gov.je>]  
**Sent:** 25 February 2020 19:09  
**To:**  
**Cc:** Susan Rodrigues  
**Subject:** FW: Your legal expenses claim: 20/0235866

Morning

Yes I have heard from DAS the email is below. Quite frankly there are a TOTAL waste of space. I have already been to Court on the 28<sup>th</sup> January, and I have had to make a reply to the Court by yesterday 25<sup>th</sup> February. Islands Insurance were contacted on the 21st January, and so I expect cover from that date. This has taken over four weeks and DAS's timetable is slower than Jersey's Legal process and so is completely unsuitable for Jersey. It took them five days to reply to an email.

I will when this case is over be taking this matter up and will not rest until I have full satisfaction.

Yours sincerely,  
Chris

Christopher Taylor  
Connetable de St Jean

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**From:** Claims [<mailto:claims@das.co.uk>]  
**Sent:** 25 February 2020 16:54  
**To:** Christopher Taylor <[C.Taylor@gov.je](mailto:C.Taylor@gov.je)>  
**Subject:** Your legal expenses claim: 20/0235866

Dear Mr Taylor

#### **Your Claim for Legal Expenses Insurance**

I am pleased to advise I can consider cover for your claim and the appointment of your requested solicitor, SOLICITOR , under your legal expenses insurance policy.

#### **What happens now?**

Before I can confirm cover I require full details of the case from your solicitor to assess that all policy criteria have been met In particular I need to ensure that your claim has reasonable prospects of success. This is a specific requirement of cover and will be kept under continual review. I have written to your solicitor requesting completion of a claims management form which will provide me with this information. To avoid any unnecessary delay in progressing your claim, I have asked your solicitor to return the report to me within the next 10 days.

I can also confirm that our terms of appointment have been sent out to \_\_\_\_\_ to avoid any further delay.

I would point out this letter should not be taken as confirmation of cover, or that your solicitor is authorised to incur any costs under your policy. Cover under the policy will not commence until I have received the signed terms of appointment from your solicitor.

I will contact you again once I have completed my assessment, however in the meantime if you have any questions please don't hesitate to contact me on \_\_\_\_\_

Yours sincerely,

Senior Claims Handler

DAS UK Group  
DAS House Quay Side, Temple Back, Bristol BS1 6NH

Telephone:  
[www.das.co.uk](http://www.das.co.uk)

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DAS Head and Registered Office: DAS House, Quay Side, Temple Back, Bristol BS1 6NH

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\*\*\*\*\*  
\*\*\*\*\*

Christopher Taylor

original  
+ my note  
To CT

**From:**  
**Sent:** 26 February 2020 16:43  
**To:** Christopher Taylor  
**Cc:** Susan Rodrigues  
**Subject:** RE: Your legal expenses claim: 20/0235866 98607

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Chris,

I have had an E mail from DAS confirming that they are awaiting a response from

I have also called and spoken to [redacted] who confirmed that DAS had contacted them.

She has told me that [redacted] will be contacting you as soon as he can. He is in court today.

DAS have also confirmed to me that they are requesting details of all the legal costs incurred to date to see how they can assist on those.

I have checked the notification aspect. I have traced two [redacted] They are both from the [redacted]

Both are with [redacted] and both say they are going to contact us by phone to make a claim. We had very little detail about the circumstances. I cant find anything on the 21<sup>st</sup> January.

As it is I think DAS are going to look at all the legal costs from the start so I suggest we put the date of notification to one side while we try to get DAS to agree the legal costs. We can re visit the subject later if it is needed.

I will check with DAS tomorrow how they are getting on and if you hear from [redacted] please let me know.

I will catch up with you tomorrow to see what progress has been made.

Regards,

As I recall, in the Phone Call I said that you/we are making a claim. At one conversation I was asked if you were acting as Constable at the time of the incident & I said most definitely you were.

Islands

T: 01534  
[www.islands.ie](http://www.islands.ie)

27/2/2020 [Signature]

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## Susan Rodrigues

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**From:**  
**Sent:** 28 February 2020 11:34  
**To:** Christopher Taylor  
**Cc:** Susan Rodrigues  
**Subject:** FW: Parish of St John - Reputational Risks Claim 98510

Dear Chris,

We have heard back from your insurers Ecclesiastical regarding a claim under the Reputational Risks cover.

I am attaching below the text of the response.

I am sorry but they are declining the claim. The Reputational Risks cover is triggered by a valid claim under another section of the Parish of St John policy.

You have confirmed that there is no damage to property nor any injury involved in the incident.

I cannot identify any other cover that will assist based on what I know at the moment and I have reached the end of my discussions with the insurers to try to get the claim accepted.

I realise that this will be a disappointment for you. I am more than happy to arrange for you to meet with the brokers here to go through the cover with you and explain it in more detail if that will help.

Just let us know when you would like to come in and I will set that up.

Regards,

**Islands**

T: 0153-  
[www.islands.ie](http://www.islands.ie)

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**Subject:** Parish of St John Policy Number - Our Ref: 399982 - Reputational Risks

Dear

Apologies for not e mailing you last night but I left work earlier than planned in the end.  
There are two levels of cover available under the Reputational Risks Section of the policy for PR Crisis Communication which will cover the reasonable costs of marketing or public relations specialists as follows:

**Cover A - Claims Related**

Cover is provided to help minimise the risk of damage to our customer's reputation or public and market confidence in our customer's business provided that the incident in our opinion could result in a claim under the Liabilities Professional indemnity or Trustees' and management liability sections of the policy.

We won't always know that a claim will occur so we take a view as to whether on the balance of probabilities we think it is reasonable to assume that a claim could be forthcoming against our customer.

Cover B - Any incident

With this cover there is no requirement for the need for PR support to derive from an incident that could result in a claim under the policy.

With the case at hand the customer has Cover A. We therefore need to consider whether there is a risk of damage to our customer's reputation or public or market confidence in our customer's business. While market confidence is not an issue, our customer's reputation and public confidence could be affected by the allegations of Dangerous Driving against the Constable and the altercation that occurred.

We do however also have to consider whether this incident could result in a claim against our customer which would be covered under the Liabilities Professional indemnity or Trustees' and management liability sections of the policy. From the information provided there is no indication that the Constable caused injury or damage to another party so there is no claim under the Liabilities Section. The Professional Indemnity Section is not in force and no claim has been made against the Trustees and management and it is difficult to see how such a claim could be made. In the circumstance we do not consider the requirements for Cover A have been triggered and we are unable to assist with any marketing or public relations costs they incur.

I trust the above adequately explains the position on cover but if you require any further clarification please do not hesitate to contact us.

Regards

Claims Specialist Consultant  
Direct tel:  
Mobile Tel:  
[technicalclaims@ecclesiastical.com](mailto:technicalclaims@ecclesiastical.com)  
[www.ecclesiastical.com](http://www.ecclesiastical.com)



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## Susan Rodrigues

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**From:**  
**Sent:** 28 February 2020 11:40  
**To:** Christopher Taylor  
**Cc:** Susan Rodrigues  
**Subject:** Claim 98607 Comite Des Connetables DAS Legal Expenses

Dear Chris,

I have spoken with DAS earlier this morning they say that they are awaiting the documents from [REDACTED] at BCR Law.

I have E mailed [REDACTED] to find out what is happening. You may like to follow that up too. Until DAS have the signed papers they cannot move forward.

I will let you know if I hear anything.

Regards,

**Islands**

T: 01534 [REDACTED]  
[www.islands.je](http://www.islands.je)

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## Susan Rodrigues

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**From:**  
**Sent:** 02 March 2020 15:25  
**To:** Christopher Taylor  
**Cc:** Susan Rodrigues  
**Subject:** RE: Letter from DAS regarding claim 20/0235866  
**Attachments:** DAS POLICY WORDING

Good afternoon Chris,

I am sorry that your advocates are not able to work with DAS.

I believe that you already have a copy of the DAS Policy wording but I attach a copy just in case. As you will see under Policy Conditions page 11 DAS are free to choose an appointed representative with their standard terms and Conditions.

I am going to try to resolve the issue with DAS and to see whether they will still help you with the legal costs if you continue with BCR Law.

If you have a copy of the terms you have agreed with BCR law can you please send them to me so that I can show them to DAS.

There remains the alternative option to move to a firm which will agree with the DAS terms. I believe I mentioned Steensons when we first discussed lawyers. I know that they regularly work with DAS

I realise that may have a downside in that they would have to start again but that would give you the full financial protection you are looking to have from the policy.

I will let you know how I get on with DAS/BCR Law argument as soon as I have a response to my call and E mail to DAS. I look forward to having a copy of the BCR contract with you in the meantime.

Regards,

**Islands**

**T: 01534**  
[www.islands.ie](http://www.islands.ie)

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## Susan Rodrigues

---

**From:** Christopher Taylor  
**Sent:** 08 March 2020 09:17  
**To:**  
**Cc:** Susan Rodrigues  
**Subject:** RE: Das Legal Expenses Claim 98607

Dear

Sorry I have not replied to you emails.

I understand the UK Ombudsman ruled against DAS saying the client has the right to use their own Lawyer, and that DAS must pay up to the maximum per hour under the Insurance Policy to the client. If this had been the stance from the start there would of course have been NO issue.

Please confirm this is the case.

Yours sincerely,  
Chris

Christopher Taylor  
Connetable de St Jean

**From:**  
**Sent:** 03 March 2020 16:50  
**To:** Christopher Taylor <C.Taylor@gov.je>  
**Cc:** Susan Rodrigues <S.Rodrigues2@posj.gov.je>  
**Subject:** Das Legal Expenses Claim 98607

Dear Chris,

I have been talking to DAS about your legal expenses claim.

The claim is currently being reviewed by their Customer Complaints team.

I have been promised an update in the next 24 hours.

For the present they continue to say that they will deal with your legal expenses claim if you use a lawyer that will agree to their terms. It is a shame BCR could not do that.

DAS have repeated that Steenson Nicholls are their preferred law firm and that they can appoint them if you agree.

It is DAS who have to agree the terms. Their policy is written on that basis.

I cannot get them to confirm that they will pay anything towards your legal costs unless you use Steenson or another lawyer that will agree to their terms.

I am awaiting the outcome of the complaint process in the next 24hours to see if there will be any change.

It would still be helpful if we could see a copy of the bill to you from BCR law so that we can present it to DAS.



I will let you know as soon as I have an update from DAS

Regards

**Islands**

T: 01534 .

[www.islands.je](http://www.islands.je)

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## Susan Rodrigues

---

**From:** Christopher Taylor  
**Sent:** 09 March 2020 18:55  
**To:**  
**Cc:** Susan Rodrigues  
**Subject:** RE: Das Legal Expenses Claim 98607

Dear

I have been in the states all day today and will be again tomorrow ( except for a brief Court hearing to set the trial date). I'll try and phone you during the day.

All the best,  
Chris

**From:**  
**Sent:** 09 March 2020 09:57  
**To:** Christopher Taylor <C.Taylor@gov.je>  
**Cc:** Susan Rodrigues <S.Rodrigues2@posj.gov.je>  
**Subject:** RE: Das Legal Expenses Claim 98607

Dear Chris,

I can only guess at the strain you are under and I know that this DAS legal expenses matter is just another added complication.

I have tried calling you this morning. I understand that you are out for part of the day and as I am in and out of things here we may not catch each other.

I am chasing Das for you to try to get them to pay towards your legal costs. If you can get a bill from BCR Law that would be useful.

If you would like to speak to me and I am not available just leave a message or ask to speak to direct dial

I am afraid that I will be away from the office on Thursday and Friday.

I will let you know when if I hear anything from DAS

Regards,

**Islands**

T: 01534  
[www.islands.ie](http://www.islands.ie)

## Susan Rodrigues

---

**From:** Christopher Taylor  
**Sent:** 13 March 2020 07:30  
**To:**  
**Cc:**  
**Subject:** RE: DAS Legal Expenses Claim 98607

Dear

Thank you for the partially good news. This insurance is done through the Comite des Connetables and I shall naturally be reporting this at our next meeting which is on Monday.

Yours sincerely,  
Chris

**From:**  
**Sent:** 12 March 2020 17:15  
**To:** Christopher Taylor <C.Taylor@gov.je>  
**Cc:**  
**Subject:** DAS Legal Expenses Claim 98607

Dear Chris,

is away from the office for the next couple of days so I am picking things up in his absence.

I am aware that he has been dealing with you over your on-going complaint with DAS. I have taken a call from DAS today in which they confirmed that they are prepared to consider reasonable costs from BCR Law. Their advice is for you to continue to deal with BCR and upon completion of your case submit their invoice to them for their consideration.

Although DAS stressed that they may not be able to consider the full extent of their costs I hope that this is good news for you and gives you some peace of mind.

Regards

**islands**

T: 01534  
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## Christopher Taylor

---

**From:** Christopher Taylor  
**Sent:** 17 March 2020 16:30  
**To:**  
**Cc:** Susan Kourigues  
**Subject:** RE: DAS Legal Expense Claim 98607  
**Attachments:** SKM\_C36820031716340.pdf

Dear

The case comes before the Court on the 17<sup>th</sup> April so the final account will not be issued until after that date.

I have attached the interim account that I have received.

All the best,  
Chris

**From:**  
**Sent:** 17 March 2020 15:44  
**To:** Christopher Taylor <C.Taylor@gov.je>  
**Subject:** DAS Legal Expense Claim 98607

Dear Chris,

update letter attached. Please call me if I can be of any further help. Regards

Connetable C Taylor  
St John's The Parish Hall  
St John  
Jersey  
JE3 4EJ

17th March 2020

Dear Chris,

Claim Number 98607 DAS Legal Expenses Comite Des Connetables

As you know DAS have now agreed to contribute towards your legal costs. They are awaiting the invoice from BCR law

I have called them today to see if they have issued a final response letter to your complaint. The file handler is away from the office working from home. I have asked that a final response letter is issued as soon as possible.

We apologise for the delay in issuing the final response letter but I am afraid that processing documentation is taking longer at the moment in the current environment.

We hope DAS will be able to provide you with a full response very soon.

In the meantime, if you have any further queries or concerns please do not hesitate to contact us.

Yours sincerely

**Trevor Pointon**  
**Sun 26/07/2020 15:01**

**To:**

**Cc:**

- **You;**
- **Christopher Taylor**

**CONNÉTABLES.doc**  
**38 KB**

**Hi**

**I understand that there is disquiet amongst the people of the parish, as there is for me, dedicated as I am to the interests of our Parish it is difficult to ignore issues that have a potential to bring the Parish into disrepute.**

**I cannot answer your question properly as there has been no indication from the Connetable and Proceurers that I am aware of, about why they took the decision they did. In my humble view the insurance paid by the Parish is to cover third party liabilities and or civil actions that arise against the Parish in relation to what might be considered negligent actions or actions of omission.**

**It has not been established whether or not decisions were taken because there is law permitting the administration of the parish to make such an intervention. I am not aware of any such law**

**My understanding is that the only Law that places an obligation upon the Connetable to pay legal costs, (only in relation to civil matters) is Article 22 of the Honorary Police Law.**

**In relation to your comment I draw your attention to the law relating to the Connetables role in the Parish and that role in relation to civil misdemeanors, (torts) being defended by the parish, e.g. Incidents that Honorary Police have been involved with and have become the subject of civil action, (not criminal action). Please see attached**

**You will see that the Connetable is excluded from any defence arrangement described in Article 22 because since 2014 the role has not been a warranted Police Officer role with powers of arrest and charge, therefore the role does not fall within that Article of the Honorary Police Law, other than that the Connetable has a responsibility for funding the legal fees of officers in litigation distress. Please see attached.**

**This is why I pursued the Proceurers and others for clarification about the background to the transfer of funds. It is interesting that the Proceurers did not hesitate to ask the Connetable for a refund.**

**In mitigation, as a States member I am relating to legislation and debate. The Proceurers may not have felt as comfortable having a direct and urgent conversation**

**Latterly Insurance is paid to ensure certain liabilities are mitigated, (usually civil), an alleged criminal act and subsequent prosecution is likely not be one of them. A definitive written answer from the insurers would be necessary for the parish to progress in the Connetables favour in this matter.**

**There is ire in our community and we have to find a resolution to this unsettling episode by establishing a clear decision pathway in relation to the past and also for the future. The Parish has to know that it can depend on the integrity of officials for the future. The transfer of funds was made before the accounts closed on 30th April, but there was no consultation with the parish community and there was no Parish Assembly to confirm a request for such a transaction. The matter came to light at an Assembly to approve the accounts three months after the decision. This is a suspect way of proceeding.**

**The Parish has also, as suggested earlier, to establish with insurers in writing that they would be willing to reimburse legal fees**

connected with a criminal conviction should that be the result of the impending criminal court proceedings in relation to the Connetable.

The insurance company should also be asked to commit in writing, to reimbursing legal fees in the event that the Connetable is acquitted.

If the Connetable and Proceurers took the decision they did in relation to other legal provisions/advice they should be publishing that advice and if they did that I would be more than happy to listen, but at present it would seem to be misguided unless there is overriding evidence that another more compelling view prevails.

Best regards

Trevor

---

From:  
Sent: 23 July 2020 17:25  
To: Trevor Pointon  
Subject:

Hi

If a parish cannot use rates to pay for legal fees for criminal cases, how is that reconciled with habitually using rates to buy insurance to pay those same legal fees?

Was there not also precedent for doing so?

Mon 27/07/2020 08:55

□  
□

To:

- Trevor Pointon;
- 

Cc:

- You;
- 
- 

Dear Trevor,

I am fully aware you are ignorant of what took place, and as the matter is sub-judice I cannot comment. However I can say the following;

1 I am totally innocent and I have done nothing I would not do again in exactly the same way.

2 The action I took was in my capacity as Connetable, and purely as Connetable.

3 Any member of the St John's Municipality I will support, because it is totally wrong that any unpaid volunteer is forced to pay a penny. What if this case was a member of the Honorary Police who does not have the financial resources I have. How can you defend endangering the family finances of someone who has volunteered to help the Parish? Especially as this is covered by Insurance.

4 What has happened to the foundations of British Law, "you are innocent until proven guilty"?

5 I paid the legal costs in order to protect my Procuruers, who unlike you have been most supportive to me during these very difficult times.

I have to say I am bitterly disappointed in your actions, as you did not at any time contact me to get the truth

Yours sincerely,  
Christopher Taylor



**Re: Parish funding of Connetable legal fees**

Steve Hewlett

Fri 14/08/2020 09:40

To: Trevor Pointon

Cc: Parish hall Parish secretary Sue Rodrigues &lt;s.rodrigues2@posj.gov.je&gt;

Good morning

I regret that I am unable to reply to personal e-mails on this matter.

I am sure that if you make an appointment to meet the Connetable and Procureurs we would be happy to discuss your concerns insofar as we are able, and to keep minutes of any such meeting.

You must bear in mind that the case concerning our Connetable is still live and that we do not wish to fuel further disgusting comment and ill-advised speculation on the media etc such that has been seen so far.

Until we meet, I shall keep dignified silence on this matter.

Kind Regards,  
Stephen Hewlett  
Procureur du Bien Publique  
Parish of St John

REPLY

---

**From:** Trevor Pointon

**Sent:** 13 August 2020 22:34

**To:** Steve Hewlett

**Subject:** Parish funding of Connetable legal fees

IN

Hello Steve:

Would you please let me have sight of the legal advice that led to the decision to fund the Connetable's legal fees back in April / May 2020.

There are a number of parishioners asking questions and I, as the deputy, should be able to answer those questions.

Can we get together, (physically distanced) to discuss the events that preceded the decisions that lead to the release of funds to the Connetable.

I trust we can work out an amicable resolution to events that have been compared to the behavior of the previous Connetable incumbent who was imprisoned as a result of that behavior.

Best regards

Trevor

**Christopher Taylor**

---

**From:**  
**Sent:** 02 September 2020 13:32  
**To:** Christopher Taylor  
**Subject:** Legal Expenses Question

Hello Chris,

Following on from our conversation this morning. I remember calling into the Parish Hall before lockdown began in March, and having a discussion about a legal expenses claim you were submitting.

You advised me that DAS wanted you to use their appointed lawyer for your case but you wanted to use the Parish's lawyer instead.

My comment was that this would be DAS's standard approach, but I was aware of some commentary issued by the UK Financial Ombudsman. A client can request a legal expenses insurer to appoint a different lawyer, and the insurer may agree if the client has a reasonable reason or explanation. However, most importantly this request would have to be granted by DAS up front before any costs were incurred, and the Parish's lawyer would presumably have to agree to DAS's terms and conditions.

regards