

Sark's woes reveal something much more significant, whi...

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The [Guardian and other papers](#) report concerns about good governance in Sark this morning, based on a report published by the House of Commons Select Committee on Justice.

Sark is, of course, a perverse place and there are in all likelihoods no rights or wrongs in the disputes going on there: the old order was rotten to its core in permitting enormous tax abuse and the new order of the Barclay Brothers is deeply unattractive to many, I am sure. But that is not my point of concern. That is that this highlights [an important finding](#) from the same committee in 2010, confirmed as correct by the UK government at that time, which said:

The independence and powers of self-determination of the Crown Dependencies are, in our view, only to be set aside in the most serious circumstances. We note that the restrictive formulation of the power of the UK Government to intervene in insular affairs on the ground of good government is accepted by both the UK and the Crown Dependency governments: namely, that it should be used only in the event of a fundamental breakdown in public order or of the rule of law, endemic corruption in the government or the judiciary or other extreme circumstance, and we see no reason or constitutional basis for changing that formulation.

A shot has been issued across the bows of Sark based on this thinking [in the Committee's latest report](#), and I am hardly surprised by that, but yet again that is not my main point, because Sark is now (thankfully) of little tax concern of itself.

No, my point is that the UK government has the right to intervene if there is a breakdown in the rule of law. I do, of course, argue that this happens daily despite the supposed reforms that are going on in the Crown Dependencies of Guernsey, Jersey and the Isle of Man. Their legal systems are used, quite blatantly, to undermine the rule of law in the UK and in very many other countries around the world, including a great many in the developing world where as yet any form of information exchange with the Crown Dependencies is almost non-existent.

If anyone wonders why the Crown Dependencies comply with demands made of them it

is the right of the UK to intervene that explains why. They know when the UK demands they have to jump.

If anyone also wonders whether the UK could do more for other countries to reform relationships with these places, which reforms so far only favour the UK and a relatively few other states, this is why I say it could.

And this is also why I still criticise the UK for failing to take that action to demand full accountability and openness from these places. It is only a lack of political will on the part of the UK that lets this situation persist. At least, that and self interest of the sort that sees [David Cameron make it his highest priority to defend the City of London](#).