

2.14 Deputy M. Tadier of The Minister for Home Affairs regarding the reasons for the suspension of the former Chief Officer of Police:

Will the Minister advise the Assembly whether he kept the former Chief of Police suspended on the strength of the letter from the Deputy Chief Officer who became Acting Chief Officer alone?

Senator B.I. Le Marquand (The Minister for Home Affairs):

I will give a brief answer initially. In relation to the preliminary question I will advise the Assembly. In relation to the substantive question the answer is no.

2.14.1 Deputy M. Tadier:

Did the Minister say no?

Senator B.I. Le Marquand:

In relation to the substantive question I said no, yes.

Deputy M. Tadier:

That is to say he did not keep the former Chief of Police suspended on what was known as the “Warcup letter” alone? Is that correct?

Senator B.I. Le Marquand:

That is correct, yes. It is fairly well known; there were transcripts of the full hearings that I conducted. If Deputy Tadier wishes to check what I am saying he merely has to look at those transcripts. There also, of course, is a Royal Court case on judicial review where the Royal Court upheld my decision. He can also look and see what that says about it.

2.14.2 Deputy M. Tadier:

Thank you for that response. It is my understanding that in March 2009, when the suspension reviews were going on, that the Minister did say that he kept the Chief of Police suspended on what is known as the “Warcup letter” so if the Minister is saying that is not the case, would he say on what other evidence or legal advice he kept the Chief Officer suspended, initially that is.

Senator B.I. Le Marquand:

Yes, I will do that. This will take a bit longer than my initial answer. I reconsidered the suspension of the former Chief Officer I think (for the avoidance of doubt we are talking about Mr. Power) in February and March 2009 and decided to maintain the suspension. I considered 2 documents; firstly the letter of Mr. Warcup which, as Members know, I deleted some parts from because there were references in it to the interim report of the Metropolitan Police. Secondly, I considered the text of the press release for the press conference conducted jointly by Mr. Warcup and a senior investigating officer, a Superintendent Gradwell, which had taken place on the day before the original suspension. I also considered issues such as the loss of public confidence in the Police Chief. Mr. Power brought an application for judicial review to the Royal Court and in August 2009 that application was dismissed. But by May 2009 I was aware of the existence of Operation Blast which was secret, unauthorised files kept by the police on every States Member including a criminal record check on every States Member. In July 2009 I held a separate suspension hearing for Mr. Power and decided to suspend him upon that basis alone as a separate suspension to the original suspension. In October 2009 of course I received the interim report of the Wiltshire Police in relation to the Haut De La Garenne non-finance matters. I reviewed the suspension monthly and notified Mr. Power monthly of the reviews which I had conducted.

Deputy M.R. Higgins:

I would just like a clarification from something the Minister has just said. The Minister mentioned that he had studied 2 documents; one was the letter from David Warcup and the other was the transcript for the press conference? The Minister said, I believe, that it took place on the 11th. The

press conference took place on the 12th, at the same time almost, or within hours of the Police Chief being suspended. Can the Minister please confirm is that transcript available?

Senator B.I. Le Marquand:

I am sorry if I have made a mistake on the date but I was under the impression that the suspension hearing took place on the next day. If I am wrong on that I apologise.

2.14.3 The Connétable of St. John:

The Minister mentioned Operation Blast; could the Minister confirm that the records of Operation Blast have been destroyed and, if not, what has happened to those files?

Senator B.I. Le Marquand:

I have asked questions on this of the police in the past. I am trying to remember what the answer to that was. They were held for a period obviously in relation to disciplinary matters. There was also advice at one stage that they should be held for further reasons but I am afraid I have lost the details on that. They are certainly not going to be used in any way and I will make further inquiries to see whether they have now been destroyed but there were reasons not to destroy them for quite substantial periods. I will check on the current status.

2.14.4 The Connétable of St. John:

Will the Minister revert back to the House once he has found out the information?

[11:00]

Senator B.I. Le Marquand:

I do not think it warrants my making a statement but I will happily put out information to Members as to what had happened and if there is still an outstanding reason why they should be kept, as to why that is so.

2.14.5 Deputy T.M. Pitman:

Could the Minister clarify; he said one of the reasons for keeping the Chief of Police suspended was a lack of public confidence. Now that seems a very subjective matter and, to be fair, if there was any lack of confidence in the Chief of Police it was largely created by the Minister for Home Affairs and a couple of Senators who are no longer with us who spent more time undermining the child abuse investigation than they did doing political work.

Senator B.I. Le Marquand:

The test which I applied in relation to the suspension was very a complicated one. I cannot remember the precise details of it but one of the issues that arose in which I considered was an issue of public confidence; I had to formulate a view in relation to that. I would accept that of necessity that would be subjective but I did so formulate a view.

2.14.6 Deputy M. Tadier:

It seems that the Minister is giving a lot of supplementary reasons afterwards why he found good reason to keep the Chief of Police suspended but does the Minister first of all acknowledge that he initially suspended him on the Warcup letter alone?

Senator B.I. Le Marquand:

No. I have made it clear that I also considered I think it was copies of the slides which I had in relation to the press release. I considered that important because it meant that I had a second senior police officer, namely the senior investigating officer, corroborating what was being said by Mr. Warcup.

2.14.7 Deputy M. Tadier:

Can I ask for the date of that, simply for the record? Did those slides come into the Minister's hands before the suspension date?

Senator B.I. Le Marquand:

It was those which related to the press conference which I thought took place on the day before the initial suspension by the former Minister, Deputy Lewis, although I may be incorrect on that but it was that press conference.