

### **2.13 Deputy T.M. Pitman of the Chief Minister regarding the potential suspension of the Chief Executive:**

Following the suspensions of the consultant gynaecologist and the Chief Officer of Police, which were both described as neutral acts, would the Chief Minister state whether the suspension policy is being applied consistently when concerns have also been expressed about the Chief Executive relating to the destruction of handwritten notes, to Operation Blast and to an attempt to involve other civil servants in political activity but he is not suspended?

#### **Senator T.A. Le Sueur (The Chief Minister):**

In my opinion there is no inconsistency. In the 2 cases cited by the Deputy there were specific reasons why the decisions to suspend or exclude were taken and which I cannot refer to here. In the case of the Chief Executive, either the issues mentioned by the Deputy do not amount to gross misconduct or there is simply insufficient evidence to warrant suspension. The Deputy himself acknowledges that there are concerns rather than hard evidence.

#### **2.13.1 Deputy T.M. Pitman:**

Given the answer to my written question number 15 in today's order paper where the Chief Minister states that he has not suspended the C.E.O. (Chief Executive Officer) because he has denied the allegations against him, considering that the consultant gynaecologist also denied any wrongdoing but was suspended for 3 long years, the Chief of Police similarly for 14 months now, I ask the Chief Minister again please could he explain how this can possibly be consistency.

#### **Senator T.A. Le Sueur:**

I suppose all I can do is repeat my answer that in the 2 cases, which for legal reasons I am not going to go into, there were specific reasons to exclude or suspend the persons concerned. In the case of the Chief Executive, there is no evidence of gross misconduct or other evidence to suggest or warrant suspension.

#### **2.13.2 The Deputy of St. Martin:**

Again referring to the written answer given by the Chief Minister, he mentions that an internal investigation was carried out. Could the Chief Minister explain or inform Members who carried out the investigation and how independent was it? Again, would it not have been considered appropriate to remove the Chief Executive Officer from his office while that investigation was going on, indeed, around his office?

#### **Senator T.A. Le Sueur:**

It was an investigation which was proportionate to the allegations made. It was an investigation carried out internally by the States H.R. (Human Resources) Department and it maintained on the basis of information provided by third parties that there was no grounds whatsoever for considering any suspension or exclusion.

#### **2.13.3 Deputy R.G. Le Hérissier:**

I wonder, in developing that point, whether the Chief Minister could tell us the criteria against which a decision is made in regard to suspension. Is it the weight of the evidence? Is it the seriousness of the allegation? Is it the position of the person? Is it a combination of all 3? What are the criteria that are applied when the allegation is received?

**Senator T.A. Le Sueur:**

It is certainly not the status of the person concerned. It would be a mixture of the degree of evidence available, the severity of the case and any other circumstances in that particular case. One is hard pushed to have strict guidelines or strict criteria for these matters. It is a question of taking each case on its merits or lack of merits.

**2.13.4 Deputy M. Tadier:**

**We have seen this question raised before. Will the Chief Minister acknowledge that there is inconsistency in approach? We know that, for example, another chief officer in a different department who was being investigated was not suspended. Will the Minister just inform the House that the honest truth is if you are mates with the right person you will not get suspended, but if you are not mates with that person then you are likely to get suspended when there is an investigation going on? That is the bottom line. That is how it works in Jersey.**

**Senator T.A. Le Sueur:**

That is a frivolous allegation which I reject.

**2.13.5 Deputy M. Tadier:**

Would the Chief Minister confirm or deny that the real reason the Chief Executive has not been suspended is that he threatened significant legal action if that action was pursued?

**Senator T.A. Le Sueur:**

No, that is an allegation made totally without foundation and I suggest to the Deputy it is ill-judged to make such allegations in this place when the person concerned has no means of refuting it, but on his behalf I refute it completely.