



THE STATES assembled on Tuesday,
6th November, 1984 at 10.15 a.m.
under the Presidency of the Bailiff,
Sir Frank Ereaut.

His Excellency the Lieutenant Governor, General Sir Peter
Whiteley, G.C.B., O.B.E., was present.

All members were present with the exception of –

Senator Bernard Thomas Binnington – out of the Island.

Senator Anne Baal – out of the Island.

Senator John Stephen Rothwell – out of the Island.

Sir Martin Le Quesne, Deputy of St. Saviour – out of the
Island.

Mervyn Renouf Billot, Deputy of St. Saviour – out of the
Island.

Prayers.

Assassination of Mrs. Indira Gandhi, Prime Minister of India.

The Bailiff informed the House, that as President of the Jersey Branch of the Commonwealth Parliamentary Association, he had written to the Indian High Commissioner in London and to the President of the Indian Branch of the Commonwealth Parliamentary Association, who was also the Speaker of the Lok Sabha, expressing the shock and sympathy of the Jersey Branch over the assassination of Mrs. Indira Gandhi, the Prime Minister of India.

Subordinate legislation tabled.

The following enactments were laid before the States, namely –

1. Fire Service (General Provisions) (Amendment No. 4) (Jersey) Order, 1984. R & O 7332.
2. Cremation (Fees) (Amendment) (Jersey) Order, 1984. R & O 7333.
3. Food and Drugs (Ice-Cream Stalls Etc.) (Amendment No. 5) (Jersey) Order, 1984. R & O 7334.
4. Nursing Agencies (General Provisions) (Amendment No. 2) (Jersey) Order, 1984. R & O 7335.
5. Nursing Homes (Registration) (Fees) (Jersey) Order, 1984. R & O 7336.
6. Old Persons' Homes (Registration) (Fees) (Jersey) Order 1984. R & O 7337.

Report of the Medical Officer of Health 1983.

The Public Health Committee by Act dated 24th September, 1984, presented to the States a Report of the Medical Officer of Health for the year 1983.

THE STATES ordered that the said Report be printed and distributed.

Matters noted – land transactions.

THE STATES noted an Act of the Finance and Economics Committee dated 31st October, 1984, showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved –

- (a) as recommended by the Housing Committee, with the support of the Island Development Committee, the purchase from Mr. John Ernest Farmer and Mrs. Elizabeth Ann Farmer, née Fisher-Obren, of No. 19 Dorset Street, St. Helier for a consideration of £23,000, with the Committee being responsible for the payment of all legal fees;
- (b) as recommended by the Housing Committee, the grant to The Jersey Electricity Company Limited of the right to install and maintain a section pillar on the western side of the site of No. 40 New St. John's Road, St. Helier, and to install cables across the site of the development, as shown on Drawing No. 581/J, all for a consideration of £1 plus the payment of legal expenses;
- (c) as recommended by the Housing Committee, with the support of the Island Development Committee, the purchase from Mr. Albert Edward Shenton of No. 30 Clos des Sables, St. Brelade, for the sum of £57,290 for the realty and £1,600 for the contents, with each party being responsible for the payment of its own legal fees;
- (d) as recommended by the Public Health Committee, the leasing to Mr. Barry Clement Rondel of Field 1547, Westmount, St. Helier, for a period of one year with effect from 1st January, 1985, at an annual rent of £45;
- (e) as recommended by the Education Committee, the lease from the Trustees of Aquila Road Methodist Church Trust of No. 28 Raleigh Avenue, St. Helier, for a period of one year with effect from 1st September, 1984, at an annual rent of £3,500;
- (f) as recommended by the Agriculture and Fisheries Committee, the leasing to the Parish of St. Brelade of 7.7 vergées of land to the north of Field 690 at Warren Farm, Noirmont, St. Brelade, for a period of nine years at a nominal rent of £100 a year, with the option to review the rent every three years, for use by St. Brelade's Social Club as a football pitch.

Matters lodged.

The following subjects were lodged “au Greffe –

1. **Consumer Protection Legislation. P.150/84.**
Presented by Deputy Norman Stuart Le Brocq of St. Helier.
2. **Draft Amendment (No.) to the Standing Orders of the States of Jersey. P.151/84.**
Presented by Senator Pierre François Horsfall and referred to the Legislation Committee.
3. **1, 3 and 3A Windsor Road, St. Helier: approval of drawings. P.152/84.**
Presented by the Housing Committee.
4. **Jersey Heritage Trust: development of Museums and Arts Services. P.153/84.**
Presented by the Public Works Committee. The States decided to take this subject into consideration on 20th November, 1984.
5. **Draft Social Security (Reciprocal Agreement with the United States of America) (Jersey) Act, 198 . P.154/84.**
Presented by the Social Security Committee. The States decided to take this subject into consideration on 20th November, 1984.

The Day Inquiry, States of Jersey Police Force. Question and answer.

Deputy Graham Douglas Thorne of St. Brelade asked Senator John William Ellis, President of the Defence Committee, the following question –

“Would it not be beneficial to the public as a whole and to the States Police Force if the complete report of what is generally known as the Day Inquiry were made public?”

The President of the Defence Committee replied as follows –

“The inquiry, referred to by Deputy Thorne as the ‘Day Inquiry’, was an inquiry carried out by Superintendent Day of the Hampshire Constabulary at the request of the then Chief Officer of the States of Jersey Police Force, Mr. E. Cockerham, in his capacity as Disciplinary Authority for the Force under the provisions of Article 25 of the Police Force (General Provisions) (Jersey) Order, 1974, which in turn was made under Article 8 of the Police Force (Jersey) Law, 1974.

The inquiry was a confidential internal disciplinary inquiry conducted to determine whether or not certain Members of the States of Jersey Police Force had committed breaches of Police Discipline, or more seriously whether they had been guilty of criminal offences.

The inquiry commenced on 13th June, 1979, was concluded on or about 15th February, 1980, and Superintendent Day’s confidential report was forwarded to Chief Officer Cockerham.

As a result of the inquiry, certain Officers were dealt with by the Chief Officer for breaches of discipline; there was no evidence to justify instituting criminal proceedings against any Officer.

At the conclusion of the inquiry the then President of the Defence Committee, Senator John Riley, made a comprehensive statement to the States and to the media, both of which were widely reported.

All inquiries into allegations of criminal conduct or breaches of discipline involving Police Officers are absolutely confidential. Without the protection of such a high degree of confidentiality, it would be impossible for the Investigating Officer to gain the full support of those whom he may have need to interview and obtain written statements from, and to produce a full and frank report to the Chief Officer, States of Jersey Police Force.

It is nearly five years ago now that the inquiry by Superintendent Day was completed. The issues which led to the inquiry have long since been resolved and all the action deemed necessary by the Defence Committee and

the Chief Officer, States of Jersey Police Force, has been taken.

To make public the complete report, as suggested by Deputy Thorne, apart from being in total breach of the highly confidential nature of the report, most certainly would be of no benefit to either the public of Jersey or the Members of the States of Jersey Police Force.”

Trade and Industry Sub-Committee. Statement.

The President of the Policy Advisory Committee made a Statement in the following terms –

“The Policy Advisory Committee has been approached by both The Jersey Chamber of Commerce and Industry (Inc.) and The Confederation of Jersey Industry with a view to setting up a Committee for Commerce and Industry or Trade and Industry because the problems facing commerce and industry are not the concern of any one Committee of the States and therefore they do not receive the attention given to the problems facing the Agriculture, Tourism and Finance industries.

The Committee has discussed the matter with both bodies and has subsequently given further consideration thereto. The Committee is not in favour, at this time, of recommending the setting up of a separate Committee, with a separate administrative department. The Committee has therefore decided to set up a Sub-Committee of the Policy Advisory Committee, which will receive and consider representations from both The Chamber and The Confederation and from anyone connected with commerce, trade and industry. In the next year or so, the Committee, in the light of experience, will then consider whether or not to recommend that a Committee should in fact be appointed.

The Sub-Committee will obtain its administrative support from the Economic Adviser’s Office and the States Greffe will supply the secretarial support. The Sub-Committee will comprise 5 members, but in view of the fact that the present composition of the States will expire in December, the Committee has decided to defer setting

up the Sub-Committee until the new Policy Advisory Committee has been appointed.”

Mont à l'Abbé School extensions.

THE STATES, adopting a Proposition of the Education Committee –

- (a) approved Drawings Nos. 4/1659, 5/1659 and 6/1659 showing the proposed extensions to Mont à l'Abbé School;
- (b) authorised the Greffier of the States to sign the said Drawings on behalf of the Committee.

Royal British Legion, Jersey Branch Headquarters: financial assistance towards rebuilding.

THE STATES, adopting a Proposition of the Defence Committee, approved that a grant be made to the Royal British Legion Jersey Branch to assist in the rebuilding of the Jersey Branch's Headquarters, on a £ for £ basis, in a sum not exceeding £75,000, subject to the amenities being available on a general basis and to the grant not being payable until the Jersey Branch has raised a like amount.

Public Employees Contributory Retirement Scheme: admittance of the Jersey Heritage Trust.

THE STATES, adopting a Proposition of the Establishment Committee, agreed to admit the Jersey Heritage Trust to membership of the Public Employees Contributory Retirement Scheme, with effect from 1st January, 1984, in accordance with the provisions of Article 4 of the Public Employees (Retirement) (Jersey) Law, 1967, which makes provision for the payment of pensions and other benefits under the Public Employees (Contributory Retirement Scheme) (Jersey) Regulations, 1967, as amended, on payment of employer's contributions, amounting to 10 per cent of its employee's salary, less £0.61 per week, or such other amount as the Actuary shall from time to time specify.

**Bonding arrangements for Thrift Clubs on licensed premises.
P.147/84.**

THE STATES commenced consideration of a Proposition of Deputy Graham Douglas Thorne of St. Brelade that the Finance and Economics Committee be charged to prepare the necessary legislation to provide that there should be adequate bonding arrangements in respect of thrift clubs run on licensed premises; the amount of the bond to be equivalent to the pay-out in the preceding year or, in the case of a new club, an amount to be specified by the Committee (lodged on 23rd October, 1984). After discussion, Deputy Thorne agreed to take back the Proposition for further consideration.

St. Ouen's Village: rezoning of land.

THE STATES, having rejected an amendment of Deputy David John de la Haye of St. Ouen that Field 593 be excluded from the rezoning of land for residential development at St. Ouen's Village, adopted a Proposition of the Island Development Committee and –

- (a) approved the St. Ouen's Village Plan, as shown on Drawing No. 10.146.3a;
- (b) rezoned Field No. 589 (about 2.4 vergées) at La Route de Vinchelez, St. Ouen from White Land to use for housing purposes – specifically for the construction of an aged persons' sheltered housing scheme by the Parish of St. Ouen;
- (c) rezoned Fields Nos. 591, 592 and 593 (about 6 vergées) at La Rue de la Fosse au Bois, St. Ouen from White Land to use for housing purposes – specifically for the construction of States (basic) Loan and/or States Rental housing units;
- (d) authorised the Island Development Committee to negotiate with the owner for the purchase of Fields Nos. 591, 592 and 593 at a fair and proper price to be agreed with the Finance and Economics Committee;

- (e) agreed that in the event of it not being possible to reach agreement on a fair and proper purchase price for the land described in proposition (d) above, the Island Development Committee be empowered, in exercise of the powers conferred by Article 4 of the Island Planning (Jersey) Law, 1964 to acquire the land by compulsory purchase on behalf of the Public in accordance with the provisions of the Compulsory Purchase of Land (Procedure) (Jersey) Law, 1961, as amended;
- (f) authorised the payment or discharge of the expenses to be incurred in connexion with the acquisition of the said land and of all legal expenses from the Island Development Committee Vote C.0903 – Acquisition and Servicing of Land;
- (g) authorised the Island Development Committee to transfer the land described in proposition (d), when acquired, to the administration of the Housing Committee;
- (h) authorised the Attorney General and the Greffier of the States to pass, on behalf of the Public, any contracts it might be found necessary to pass in connexion with the said properties and any interests therein.

Members present voted as follows –

“Pour” (43)

Senators

Vibert, Shenton, Jeune, Averty, Sandeman, Horsfall, Ellis.

Connétables

St. Ouen, St. Mary, Grouville, St. Saviour, St. John, Trinity, St. Brelade, St. Martin, St. Peter, St. Helier, St. Clement, St. Lawrence.

Deputies

Mourant(H), St. Ouen, Le Maistre(H), Quenault(B), Perkins(C), Le Gallais(S), Roche(S), Le Brocq(H), Trinity, St. Martin, Filleul(H), Vandervliet(L),

St. Peter, Le Main(H), Farley(H), Le Fondré(L),
Buesnel(H), Grouville, St. Mary, Beadle(B),
Thorne(B), Wavell(H), Blampied(H), Norman(C).

“Contre” (0)

Deputy Francis Hedley Morel of St. Saviour declared an interest in the matter and withdrew from the Chamber prior to the debate.

THE STATES rose at 12.20 p.m.

E.J.M. POTTER,

Greffier of the States.