

**WRITTEN QUESTION TO CHAIRMAN OF PRIVILEGES AND PROCEDURES COMMITTEE BY
DEPUTY T.M. PITMAN OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 2nd FEBRUARY 2010**

Question

Following her response to a question on 19th January 2009, concerning the letter of complaint to the Privileges and Procedures Committee made by the suspended Chief Officer of the States of Jersey Police, when the Chairman stated that she had intended to mention the letter to the rest of the Committee but that it had not been done, whilst also stating that she often did not inform the Committee of such contacts, would the Chairman advise whether she feels that such comments are consistent; and whether she feels that such practice does not undermine confidence in the Committee to do its job?"

Answer

I do not consider that my remarks at the last meeting were inconsistent and I am happy to clarify once again the manner in which the letter from the suspended Chief Officer of the States of Jersey Police dated 30th October 2009 was dealt with.

The letter was addressed to me as Chairman and when it was received I discussed it with both the Greffier and the Deputy Greffier of the States. The professional advice given both by the Greffier and the Deputy Greffier was that the matters raised in the Chief Officer's letter did not fall within the remit of PPC as set out in Standing Orders. I concurred with the advice and as a result I saw no reason to refer the matter for a decision to the full Committee as that would merely have delayed my response to the Chief Officer.

As I mentioned in my answers at the last meeting it is normal practice for any letters that I send on behalf of the Committee to be included for information on the next PPC agenda. Because of the Christmas recess and difficulties in arranging a meeting this had not been done by the beginning of January although the letters were on the agenda for the meeting of 26th January 2010. I have already acknowledged to PPC that I should have been more alert to the potential political sensitivity of this letter and circulated it earlier although I would reiterate that that would merely have been for information as I remain totally satisfied that the answer I had given after seeking advice was the correct one.

I believe Hansard shows that I did not state that I often do not inform Committee of such contacts as suggested in this question. What I did say was that I did not raise the matter with the Committee as the matters were clearly outside the terms of reference of PPC. I can only, in fact, recall one previous occasion when I wrote a letter in similar circumstances and on that occasion the person who had contacted me was fully satisfied with the explanation that the matters fell outside the terms of reference of PPC.

I do not feel that the practice followed undermines confidence in PPC as it would clearly be a waste of the Committee's time to ask all 7 members to consider matters that fall outside our terms of reference.

Although it is not strictly relevant to answer this particular question I would reiterate the comments I made at the last meeting that there is a procedure set out in Standing Orders to deal with matters such as those raised by the Chief Officer and this is a Committee of Inquiry. I did not believe it was my role to suggest this to the Chief Officer when responding on 13th November 2009 but I indicated in my letter that I was aware he was receiving assistance from a member of the States and that that member might be in a position to suggest a political remedy.