

**PERSONAL STATEMENT TO BE MADE BY SENATOR SIR PHILIP BAILHACHE
ON MONDAY 15th JULY 2013**

On 18th June Deputy Trevor Pitman claimed that I was not telling the truth to the Assembly in relation to a complaint by one of his constituents and this is my first opportunity to respond to that claim. That claim is strongly denied.

I should like to begin by stating that I have at no time been approached by Deputy Pitman seeking an explanation as to what happened on a London flight; the only exchanges that have taken place have happened on the floor of this Chamber in response to questions. If I had been made aware of exactly what was being alleged, a misunderstanding could have been avoided. It was not until Deputy Pitman made available to the Chief Minister a copy of the email from his constituent shortly before questions were put on 14th May, and the Chief Minister passed that copy to me, that I was able to understand the precise nature of the allegations.

When questions were put to the Chief Minister on 30th April I had assumed that the flight in question was a flight that I made to London on the evening of 20th March not long after the suspension of the Dean's Commission had taken place. On that flight to London I have a clear recollection of reading the Korris report, as stated by the Chief Minister to the Assembly on 30th April. It was only on 14th May that it became clear to me for the first time that the flight referred to by Deputy Pitman's constituent was on the afternoon of 21st March when I was returning to Jersey from London. On that flight I do not believe that I would have been reading documents relating to this matter because I had read them in London, but I may be mistaken.

In answering questions on 14th May I said that the content of the email from Deputy Pitman's constituent "taken in the round [gave] a fictitious and malicious account of my reading habits on aeroplanes". Having had time to reflect, I am sorry that I used language that was stronger than was necessary or appropriate. I withdraw the phrase "fictitious and malicious" and would like to make it clear that I do not impute dishonesty or malice to Deputy Pitman's constituent or, for the avoidance of any doubt, to the Deputy himself. Having said that, the recollection of Deputy Pitman's constituent is, at least in part, mistaken. That is perhaps not surprising because the constituent has stated in his email that he was sitting in a seat on the opposite aisle and reading papers in someone else's possession from that position cannot be easy. That email alleged that the constituent had seen me reading "various police statements..." and it was later clarified to the Chief Minister that this meant "police witness statements". That recollection is mistaken because I did not have in my possession on the aeroplane any copies of such police statements. I do not believe that it would have been possible for the other information referred to in the email to have been seen on that occasion, but in that respect I may be mistaken. If it was possible for any third party to have identified EY or HG from the papers in my possession, I would obviously regret that very much.

I should like to clarify two other points. First, I have never had in my possession any papers that I was not entitled to have in my possession, nor that involved a breach of the Data Protection Law or any other statute. Specifically, I have never seen any police statements relating to the investigation into allegations made by HG against EY. Secondly, my interest in these issues is not one that relates to my duties as an Assistant Minister. My interest stems from my position as an elected representative of Grouville Church on the Deanery Synod, and my strong feelings about the manner in which the Dean has been treated. Any backbench member has a perfect right to interest himself in matters of this kind.