

The Deputy Bailiff:

Very well. We now come to question 9. Perhaps I can just remind Members that there was a debate on whether or not the transcripts of the “*in camera*” session should be published and the Assembly determined that they should not and so great care needs to be taken by any questioner in relation to any supplementary questions which arise out of this question.

2.9 Deputy T.M. Pitman of the Chief Minister regarding access to the transcript of the States’ ‘*in camera*’ session relating to the suspension of the former Chief Officer of the States of Jersey Police:

Will the Chief Minister clarify whether Mr. Brian Napier QC had access to the transcript of the States “*in camera*” session where the former Minister for Home Affairs informed the Assembly that he had seen the preliminary report that was so damning that he was left no option but to suspend the former Chief Officer of the States of Jersey Police?

Senator I.J. Gorst (The Chief Minister):

I had a slightly longer answer but I think in light of your guidance at the start of this question, I might simply say this; it is my understanding that Mr. Napier was not aware of the States income recession.

2.9.1 Deputy T.M. Pitman:

I hope I am not going to fall foul of anything. Deputy Higgins earlier talked about public confidence and the Council of Ministers being ragged. So given that the Assembly incredibly voted, in my view, to keep from the public the fact that there was, of course, no such damning report for either Mr. Napier or the former Minister for Home Affairs to see, does he not think that it is time that a public statement was issued to clarify this matter and perhaps bring some closure to what went on?

Senator I.J. Gorst:

I am not sure quite which matter to the Deputy refers to. Of course, the Napier Report is in the public domain.

Deputy M. Tadier:

Sir, can I raise a point of order? I would like to move that we go “*in camera*” for this question and the reason I do that, I can either make the argument now or in a moment, Sir, but I think it is relevant though. If we are asking questions about something which was debated “*in camera*”, the transcripts were decided not to be released. It is very important that we are able to ask questions in this Assembly without let or hindrance and to receive answers in the same way. Our hands are tied, so if the debate and the transcripts remain “*in camera*” we have no choice but to be able to receive full and frank information in an “*in camera*” way, which I know is wholly unsatisfactory but it is probably the only way to do that, Sir.

The Deputy Bailiff:

Well, Standing Order 81 says that: “A Member of the States may propose without notice that the States conduct any debate or part of a debate, which this is not, on a proposition or any other part of its business, so this is, *in camera* for a specified purpose.” The Deputy is entitled to make that proposition. Is it seconded? [**Seconded**] Very well, make your proposition, Deputy Tadier, if you wish to make it, but bear in mind that we are not yet *in camera*.

Deputy M. Tadier:

Sir, I make the proposition that we move *in camera* just for this question or any part of the question.

The Deputy Bailiff:

Very well. I trust that Members do not wish to have a debate about it and we can proceed fairly quickly to a vote, Deputy Trevor Pitman.

Deputy T.M. Pitman:

As it is me who is asking the question, I do not think this is necessary. All I want to raise is the issue that the Chief Minister seems to have misunderstood, is that there was no damning report and that is the issue that the public need to know.

The Deputy Bailiff:

So, no other Member wishes to speak? All those in favour of going *in camera*, will you kindly show?

Deputy M. Tadier:

Can we have a vote, please?

The Deputy Bailiff:

Then I ask Members to return to their seats. The vote is on whether to go *in camera* for the purposes of this question. I ask the Greffier to open the voting.

POUR: 12		CONTRE: 32		ABSTAIN: 0
Connétable of St. Clement		Senator P.F. Routier		
Connétable of St. Brelade		Senator A. Breckon		
Connétable of St. Martin		Senator S.C. Ferguson		
Deputy R.C. Duhamel (S)		Senator A.J.H. Maclean		
Deputy of St. Ouen		Senator B.I. Le Marquand		
Deputy J.A. Hilton (H)		Senator F. du H. Le Gresley		
Deputy K.C. Lewis (S)		Senator I.J. Gorst		
Deputy M. Tadier (B)		Senator L.J. Farnham		
Deputy T.A. Vallois (S)		Senator P.M. Bailhache		
Deputy M.R. Higgins (H)		Connétable of St. Helier		
Deputy G.C.L. Baudains (C)		Connétable of Trinity		
Deputy of St. Mary		Connétable of Grouville		
		Connétable of St. Peter		
		Connétable of St. Lawrence		
		Connétable of St. Ouen		
		Connétable of St. Saviour		
		Deputy R.G. Le Hérisier (S)		
		Deputy J.A. Martin (H)		
		Deputy G.P. Southern (H)		
		Deputy of Grouville		
		Deputy J.A.N. Le Fondré (L)		
		Deputy of Trinity		
		Deputy T.M. Pitman (H)		
		Deputy A.K.F. Green (H)		
		Deputy J.M. Maçon (S)		
		Deputy of St. John		
		Deputy J.P.G. Baker (H)		
		Deputy J.H. Young (B)		
		Deputy S.J. Pinel (C)		
		Deputy of St. Martin		
		Deputy R.G. Bryans (H)		

Deputy J.A. Martin:

Sir, can I just ask if that debate on questions whether we go *in camera* is taken off our time for questions that we are going to cover, because I think that is totally unfair.

The Deputy Bailiff:

I might start taking your speech off the time. **[Laughter]** Very well, another question? Senator Le Gresley?

2.9.2 Senator F. du H. Le Gresley:

Does the Chief Minister share my concern that the transcripts of the *in camera* session that we discussed at the last sitting have appeared on a blog site?

Senator I.J. Gorst:

Yes, I do and I hope that the Privileges and Procedures Committee will be considering how that happened.

2.9.3 Deputy R.G. Le Hérissier:

I wonder if the Chief Minister could say when Mr. Napier undertook this report, was he handed evidence or did he say: “Provide me with all the evidence that is available and relevant”?

Senator I.J. Gorst:

As I was not Chief Minister at that point and had nothing to do with Mr. Napier’s engagement, writing of report or publication of the report, I cannot say. I have, of course, done a provisional inquiry in order to allow me to make the opening answer that I did. I would need to undertake further work in order to answer the question that the Deputy has raised.

2.9.4 Deputy T.M. Pitman:

If it is final supplementary, perhaps because of the intervention, the Minister never answered my original question. Does the Minister not feel that given that there was no such damning report at all- so it could not have been seen by anyone- that this should be made public? The fact is, it is mentioned on a website: I think it is Mr. Rico Sorda’s website... but these things happen. It happened with the *J.E.P. (Jersey Evening Post)*. So should we not put out a press statement?

The Deputy Bailiff:

It sounds to me as though you just have. Chief Minister?

Senator I.J. Gorst:

As far as I am aware, the copy that I have in front of me of Mr. Napier’s report is one which is in the public domain and was lodged as a report to this Assembly in 2010 and its findings are quite clear with regard to letters and reports that Ministers and officers might have seen at that point, and Mr. Napier makes comments upon them which are quite clear.