

## **2.2 Deputy M.R. Higgins of the Minister for Planning and Environment regarding ...**

Will the Minister explain whether or not the Planning Department conducted a human rights audit of the laws, regulations, orders, guidance notes and procedures before the introduction of the Human Rights (Jersey) Law 2000; detail on what dates these documents and procedures have been reviewed since then and advise whether he will publish the policy in force as of 26th November 2010, and, if not, why not?

### **Deputy R.C. Duhamel of St. Saviour (The Minister for Planning and Environment):**

To the best of my knowledge, I am told that some audits were carried out in preparation for the Human Rights (Jersey) Law in 2000. As the Deputy knows, Article 16 of this law places a mandatory statutory requirement on all Ministers to make a statement of compatibility when legislation is lodged au Greffe. All projets of law, therefore, since the introduction of the Human Rights Law are vetted for human rights compliance by the law officers prior to lodging and it is only after considering that specific advice that Ministers are able to sign a compatibility statement. I will publish the policies in force as at 26th November and will do that in due course. If there are any convention rights that the Deputy believes are challenged by my department, I will be grateful if he would draw them to my attention and seek either his own advice from the law officers or bang on my door.

### **The Deputy Bailiff:**

I do not wish to encourage you, Minister or Deputy Higgins, but that last part is going to arise out of question 15. This question is only about the audit that was or was not conducted some time ago, whether the procedures have been renewed and whether the policy will be published and you said it would. Deputy Higgins?

### **2.2.1 Deputy M.R. Higgins:**

Yes, I will come to the question of whether they are following procedures later. The point I am trying to make here and I have been asking repeated written questions and I have been told that the matter has been referred to the law officers, what I have been trying to find out is whether an audit was carried out. Now, we have been told, to the best of the Minister's knowledge that some audits have been carried out. Will he please advise the House what audits were carried out and what was not carried out and what does he also mean by "due course"?

### **Deputy R.C. Duhamel:**

I mean that the advice will be published as soon as I am able to do it. In reply to a written question and an oral question at a previous occasion, I did say that I was waiting for some further advice from other departments and until that advice was forthcoming, I was not in a position to publish. When that advice is available to me, I will publish it as soon as is possible.