

4.15 Deputy T.M. Pitman of the Minister for Home Affairs regarding cyber-bullying allegations made against the B.B.C:

Can the Minister confirm whether any complaints have been received by the States of Jersey Police relating to serious allegations that the B.B.C. in Jersey was involved in cyber bullying against a local individual who subsequently died and, if so, is that matter now under investigation?

Senator B.I. Le Marquand (The Minister for Home Affairs):

I do not normally comment on possible criminal complaints which may or may not have been received by the States of Jersey Police. Furthermore, the circumstances of this death of this individual will be the subject of an inquest and the States of Jersey Police are continuing to report to the Deputy Viscount in this regard, and that makes it even less desirable that I seek to comment on an individual matter.

4.15.1 Deputy T.M. Pitman:

Supplementary, Sir. I should point out this question is not specifically about the B.B.C., shocking though the allegations are, because the evidence sadly revealed that our Data Protection Office and indeed our Law Officers' Department do not act on cyber bullying cases, cyber cases, unless you happen to be called former Senator Syvret. So can the Minister for Home Affairs tell us if there is regular communication from the police leadership to those 2 offices to ensure that they both fully understand the potentially fatal consequences of such action?

Senator B.I. Le Marquand:

I think that it is acknowledged that there is a gap in legislation in relation to our criminal law. That was raised with me by the Law Officers' Department some time ago, and I thought that I was going to act as the political lead in relation to appropriate legislation to bring in criminal offences which would parallel the U.K. offences in relation to cyber bullying. However, what then happened was it was realised that the best law to take this forward was the Electronic Communications (Jersey) Law, and that is seen as being the province of the Economic Development Department.

[11:30]

So I know that work is being done between the Law Officers' Department and the Economic Development Department in this area, but it has moved from my area of responsibility, for the reason I have described.

4.15.2 Deputy T.M. Pitman:

My concern here is that if this responsibility for the law and people's safety is almost being passed around, what action, what protection can be given to people? I do not know all the ins and outs of *[Name omitted from the transcript in accordance with Standing Order 109(7)]* case.

The Bailiff:

You do not need to mention any names, as you well know, Deputy Pitman. Quite unacceptable to do that. I am going to ask you to withdraw it.

Deputy T.M. Pitman:

Absolutely, though ...

The Bailiff:

You should not have mentioned it in the first place, and it will be struck from the record.

Deputy T.M. Pitman:

I have made no derogatory comments about the gentleman, Sir, as I point out, and those names are mentioned regularly.

The Bailiff:

This is a gentleman referred to as ...

Deputy T.M. Pitman:

The man bullied to death. Okay. So the gentleman who has been allegedly bullied to death, his father is currently suffering huge stress because of the campaign that continues to go on unabated, and my point is what the Government or the authorities are going to do about it because clearly no action is taken on cyber-abuse unless your face fits. What assurances are you going to give those parents, because the gentleman is an elderly one now.

Senator B.I. Le Marquand:

I would ask that the individual name be struck out of the record.

The Bailiff:

I have already ordered it.

Senator B.I. Le Marquand:

You have already done that, Sir, yes. Thank you very much. I personally would have preferred if the management and the progression of this particular official legislation, which I acknowledge is required, had remained with the Home Affairs Department, because I think it would be viewed as a higher priority within the Home Affairs Department than it may be within E.D.D. I am not trying to be unfair to the Minister for Economic Development but apparently that is the view that has been taken. I slightly regret that because I think that I would have been more motivated to have taken it forward faster.

The Bailiff:

Very well, we come next to a question which Deputy Higgins will ask of the Minister for Education Sport and Culture. Deputy Higgins?