

STATES OF JERSEY



COMMITTEE OF INQUIRY: RESIGNATION OF THE COMPTROLLER AND AUDITOR GENERAL

Lodged au Greffe on 17th July 2012
by Deputy G.C.L. Baudains of St. Clement

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

- (a) to agree that a Committee of Inquiry be established in accordance with Standing Order 146 to inquire into a definite matter of public importance, namely the circumstances surrounding the resignation of the Comptroller and Auditor General; and
- (b) to request the Chief Minister –
 - (i) to take the necessary steps to select a suitable Chairman (who is not a member of the States) and 2 States members to undertake the Inquiry and to bring forward to the States for approval the necessary proposition relating to their appointment;
 - (ii) to bring forward for approval by the States detailed terms of reference of the Committee of Inquiry.

DEPUTY G.C.L. BAUDAINS OF ST. CLEMENT

REPORT

The suggestion that the States Chief Executive left because of an incompatibility with the Minister for Treasury and Resources, costing the taxpayer over £½ million in the process, is a serious matter. That the same appears to have happened with another civil servant who fell foul of the Minister for Treasury and Resources' wish to revisit the sale price of Lime Grove is even more unfortunate.

These matters have been examined, but a far more serious situation has since developed which cannot be left – or swept under the carpet as some Ministers have demonstrated they clearly intend.

That serious matter is the resignation of the Comptroller and Auditor General. Having published a Report that was critical of the Minister for Treasury and Resources, he was immediately accused of gross inaccuracy in an e-mail that curiously arrived the night before a censure of the Minister for Treasury and Resources was due to be debated. Mystery surrounds that 'letter' – why was it sent by a third party? Was it solicited? Was it written by the person alleged to be the author? We simply don't know the answer to those questions.

And then Senators P.M. Bailhache and P.F.C. Ozouf mounted an attack on the now resigned Comptroller, accusing him of writing a report that was inaccurate and unfairly critical of the Minister for Treasury and Resources. Do they have evidence to support their accusations? If so, we need to see it.

There are clearly conflicts of evidence at present, and it is important that we find out exactly what happened and where the truth lies. The States cannot function in an atmosphere of mistrust and suspicion. Hoping it will go away – or 'draw a line under it' as the Minister for Treasury and Resources suggests, is not an option.

Having met the Comptroller and Auditor General several times, I was always struck by his professionalism and strength of character. This was not a man you could pull the wool over, or influence in any way.

I therefore find it odd that his Report should be attacked in this way – even more so as he had warned months before that this would occur.

Let us be clear – he resigned not because his report was flawed, as some have inferred, but because he had no wish to become embroiled in political chicanery; and it is not the first time Ministers have rubbished a report because it was inconvenient for them. This time, however, it has cost us the services of a hugely competent 'watchdog'. One wonders if this was deliberate – that there are those who don't like being scrutinised and held accountable. Was his departure engineered in order to dilute scrutiny of the Council of Ministers? Certainly, with his departure, such scrutiny will be exceptionally hard to achieve in future.

Serious questions need to be answered, and the only body with the authority and power to get answers to the many questions that arise, is a Committee of Inquiry.

Watching the Council of Ministers evading questions and trying to bully their way out during question time on 10th July 2012 was not a pretty sight.

The honeymoon is over; our government is once again falling into disrepute and, if we don't resolve this quickly, we will slip back to become as despised as we were not so long ago. There are other considerations too – if the Comptroller can be rubbished in this way, what chance Scrutiny Panels when their Reports are critical?

Financial and manpower implications

Clearly such an Inquiry (which I would suggest should consist of 2 States members plus an independent Chairman) would require not only the services of a Clerk, but financial support also. It is my belief that £30,000 would be sufficient. The Minister for Treasury and Resources is required, under Standing Order 150(c), to give directions on how the above expenses should be funded.