

3.17 The Deputy of St. Mary of the Minister for Planning and Environment regarding alleged pollution incidents during construction of the incinerator at La Collette:

Would the Minister inform Members why the investigation into an alleged pollution incident or incidents during construction of the incinerator at La Collette, which has now been ongoing for 8 months, has taken so long; whether it is intended that the matter will be referred to H.M. Attorney General for decision on whether to prosecute; and, if so, when?

Senator F.E. Cohen (The Minister for Planning and Environment):

The Deputy raises an important question which allows me to clarify the issue to Members. As for any on-Island criminal investigation, officers from Planning and Environment are bound by strict protocols with regard to the appropriate rules of evidence, police procedures, human rights obligations and dissemination of information that may influence investigations, ensuring that their work complies with these protocols takes a great deal of care, professionalism and time. Investigations are not time-limited and our officers are progressing well to ensure that a case file can be submitted for review by the Law Officers. Establishing substance behind allegations by collecting evidence, interviewing subjects and witnesses in preparing case files takes a significant amount of time, even in simple cases, and I would therefore ask the Deputy to continue to support our officers by understanding that in more complex cases such as this, timescales are likely to be longer. I have full confidence in my officers and in the work they are undertaking in respect of this issue. I urge the Deputy to allow them to continue their work until they are able to bring it to a satisfactory conclusion. Thank you.

3.17.1 The Deputy of St. Mary:

I thank the Minister for his reply and I accept some of that explanation for how long it takes, but would the Minister care to comment on the fact that the person who might be regarded as the main witness, that is the project site manager who was sacked in July, has still not been seen by the person or persons conducting a review?

Senator F.E. Cohen:

With great respect to the Deputy, this is a criminal investigation and I think it would be inappropriate if I commented further at this stage.

The Deputy of St. Mary:

With respect, the question was about process. I was simply asking if there is any explanation why the person who probably knows more about it than anybody else has not been spoken to in a formal fashion.

Senator F.E. Cohen:

I can assure the Deputy that my officers will be speaking to all those who are essential to the inquiry at the appropriate time, and I am satisfied to leave it to my officers, who are experts in this area, to choose when that appropriate time is. Thank you.