

4.4 Deputy M.R. Higgins of St. Helier of the Attorney General regarding the co-operation of the Jersey authorities in the Hampshire Police enquiry:

Further to the unauthorised publication of the Disciplinary Tribunal's judgment into the conduct of the 3 Jersey police officers involved in the Curtis Warren investigation, will the Attorney General comment on the allegations made in the judgment that the lack of complete co-operation by the Jersey authorities not only compromised the Hampshire Police inquiry but also limited the full facts available to the Presiding Officer making the decision?

Mr. H. Sharp Q.C., H.M. Solicitor General (rapporteur):

It would be wrong for me to comment in public on the outcome of a private and confidential disciplinary process, particularly when it is plain both from the nature of the proceedings and the question itself that any judgment should not have been published. However, what I can comment on is what I regard as the full co-operation provided by the Law Officers' Department to the Hampshire Police inquiry. The Law Officers' Department provided the Hampshire Police with all relevant documents that concerned events in 2007, as described by the Privy Council in their judgment in the criminal case. Those documents were identified not by us, but by an independent English Q.C. (Queen's Counsel). A written offer was sent to Hampshire Police on 7th July 2011 at 9.11 a.m. in the morning to repeat the same review and disclosure exercise with a second English Q.C. insofar as there could be any sensible concerns about the work done by the first Q.C. That written offer was never taken up.

4.4.1 Deputy M.R. Higgins:

Will the Solicitor General acknowledge that Mr. Barton asked questions of the Law Officers' Department and did not get answers or the information that he sought?

The Solicitor General:

Mr. Barton, as I understand it, led the Disciplinary Tribunal. The fact remains that we did not take part in the disciplinary process. We were not asked by Mr. Barton to give evidence; we were not asked to comment on any aspect of the disciplinary process. It was not the concern of the Law Officers' Department. As I understand it, the email dated 7th July 2011 that I have just referred to was not put before Mr. Barton.

4.4.2 Deputy M.R. Higgins:

Does the Solicitor General think that the Attorney General and the Law Officers' Department should be subject to scrutiny and that when serious concerns are raised about conduct, either giving information or giving advice and so on, that they should be answerable to someone, and if not this House, who does he think they should be answerable to?

The Solicitor General:

The Attorney General has provided a written answer to a written question this week on the subject of making complaints about the Law Officers, and I refer the Deputy to that answer.