

## **2.1 Deputy F.J. Hill of St. Martin of the Minister for Home Affairs regarding the suspension of the Chief Officer of the States of Jersey Police:**

I would like to say a special good morning to Year 5, Mrs. Southern's class at St. Martin's school, who are listening to this hearing or sitting, ahead of their visit to the States Chamber next week. They are aware of this question and it was read out yesterday to them. Will the Minister give an update on the investigation by the Wiltshire Constabulary into the allegations made against the suspended Chief Police Officer and also advise who has been responsible for not meeting target dates, what the latest cost of the suspension is including cover and investigation costs, and what personal steps, if any, the Minister has taken to expedite the matter?

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

In the customary manner, the question of the Deputy of St. Martin contains 4 questions and not one. I am able just to answer 2 of those without going into camera but I will need to go into camera to answer the other 2. Indeed, part of one of them I need to go into camera for. I will answer what I am able to and then we will make an application for us to go into camera, both for the rest of this question and also for question 6. The reasons for that are both requirements of the law in relation to any discussion of disciplinary matters of a certain individual and also contractual terms contained in the disciplinary code of the same individual. The answer that I am to give - first, in relation to the second question of 4 - are that target dates were not set. I have received information from time to time on the anticipated completion date. I have not played any part in the oversight of the investigation which had to be independent, nor have the States of Jersey Police played any part in the oversight. The second part of the question I am able to answer not in camera relates to costs, and the figures are as follows in relation to the original Wiltshire investigation. The costs to date are £526,000, anticipated to rise to £552,000 in relation to the investigation. In relation to the acting-up costs and the costs of an acting Deputy Police Chief, the costs are £145,057. These may increase at a rate of £13,400 a month. I now apply to go into camera.

### **The Deputy Bailiff:**

Minister, the States can certainly vote upon going into camera and you are right to say it is required under the Police Force Law that any debates upon the appointment, suspension or dismissal of the Chief Officer of Police must take place in camera. I would have thought, however, that it is desirable, as far as possible - it is a matter for Members, of course - not to go into camera if it is possible not to do so. I am minded to think that it would have been possible to say, if it is right, that the investigation is still in train and you expect it to be completed by a certain date. I am not sure how much more Members should expect to have at this stage, given not only the contractual duties of confidentiality and the terms of the Police Force Law, but also for the fact that you yourself have to take a decision unchannelled by political pressure in due course as to whether or not to make any recommendation to the States.

### **Senator B.I. Le Marquand:**

That is absolutely correct, Sir, but I have carefully thought this through and want to impart additional information to the House than simply a blocking answer. I want to impart as much information as I feel able to, which is consistent with those restrictions on my conduct, and I can only do that in camera.

### **The Deputy Bailiff:**

Very well, there is a proposition to go into camera. Is that seconded? **[Seconded]**

**Senator B.E. Shenton:**

This is very difficult. I am one of the people that have made an official complaint against the Chief Officer. Even if we go into camera I would be very concerned that anything raised might be detrimental to the inquiry, even if it is in camera.

**Connétable A.S. Crowcroft of St. Helier:**

If I could just add, it seems to me that it must be possible before moving into camera for us to ask supplementary questions on the information already given to us by the Minister.

**The Deputy Bailiff:**

I think we will take first of all the proposition to go into camera, which has been seconded. If that is approved we will go into camera and we can then follow up with questions to the Minister after that. Deputy?

**Deputy P.J. Rondel of St. John:**

I have one or 2 concerns given that if we go into camera and all this time has been taken up out of the 120 minutes, are we going to get through all the other questions? We have got 2 lots of in camera, or are they going to be dealt with at the same time?

**The Deputy Bailiff:**

That is a matter for Members. Would all Members in favour of going into camera kindly show? The appel is called for. I invite any Members to return to their seats. The proposition is to go into camera for the purposes of the question to the Home Affairs Minister by the Deputy of St. Martin.

**Senator B.I. Le Marquand:**

I did intend to include question 6 as well in that proposition.

**The Deputy Bailiff:**

The Greffier will open the voting.

<b>POUR: 21</b>		<b>CONTRE: 26</b>		<b>ABSTAIN: 0</b>
Senator T.A. Le Sueur		Senator T.J. Le Main		
Senator P.F. Routier		Senator B.E. Shenton		
Senator S.C. Ferguson		Senator J.L. Perchard		
Senator A.J.D. Maclean		Senator A. Breckon		
Senator B.I. Le Marquand		Connétable of St. Ouen		
Deputy R.C. Duhamel (S)		Connétable of St. Helier		
Deputy J.A. Martin (H)		Connétable of Trinity		
Deputy G.P. Southern (H)		Connétable of Grouville		
Deputy of St. Ouen		Connétable of St. Martin		
Deputy of St. Peter		Connétable of St. John		
Deputy J.A. Hilton (H)		Connétable of St. Saviour		
Deputy S. Pitman (H)		Connétable of St. Clement		
Deputy K.C. Lewis (S)		Connétable of St. Peter		
Deputy M. Tadier (B)		Connétable of St. Lawrence		
Deputy of St. Mary		Connétable of St. Mary		
Deputy T.M. Pitman (H)		Deputy of St. Martin		

Deputy A.T. Dupré (C)		Deputy R.G. Le Hérisssier (S)		
Deputy E.J. Noel (L)		Deputy J.B. Fox (H)		
Deputy T.A. Vallois (S)		Deputy of Grouville		
Deputy M.R. Higgins (H)		Deputy P.V.F. Le Claire (H)		
Deputy D. De Sousa (H)		Deputy J.A.N. Le Fondré (L)		
		Deputy I.J. Gorst (C)		
		Deputy of St. John		
		Deputy A.E. Jeune (B)		
		Deputy A.K.F. Green (H)		
		Deputy J.M. Maçon (S)		

### **The Deputy Bailiff:**

Minister, is there anything further you wish to add to this question?

### **Senator B.I. Le Marquand:**

I now need a few moments to think about what I can properly say under the remaining 2 matters. The first part of the question ... I firstly will need to make it clear that my answers are now confined solely to the original Wiltshire Constabulary matter and do not extend to any matter relating to Operation Blast. In relation to the Wiltshire Constabulary, the current position is that I have received a very lengthy draft report from the Wiltshire Police. That very lengthy draft report needs some additional work doing on it because there is one additional witness whose interview has not been completed and there are other aspects of the disciplinary matter which I have not yet received a report on. In relation to question 4, the answer is that I am proceeding as rapidly as I am able so to do, bearing in mind the considerable restraints on me and the need to obtain advice.

#### **2.1.1 The Deputy of St. Martin:**

Could I ask of the Minister what help and support the Minister or, indeed, Home Affairs has given to the Chief Officer, given the fact that he is suspended but still an employee and being paid by the Island?

### **Senator B.I. Le Marquand:**

That is not a matter for me to be involved with. Because of necessity he and I keep a certain distance. That is quite proper and professional. That would be a matter for Human Resources.

#### **2.1.2 The Connétable of St. Helier:**

The Minister said in his answer that target dates have not been set for the conclusion of the inquiry. Is it not the case that on a number of occasions he has given the States Assembly comfort that this investigation would have been completed at a much earlier juncture?

### **Senator B.I. Le Marquand:**

I do not think that is strictly so. I did comment before that I have received information from time to time on the anticipated completion date and the first information I had was March and then I had May, then I had July and then I think I had August. I am not sure I have had anything since. These have been estimations

provided from time to time. I believe I have honestly told the Assembly, when questioned, that they were the estimates provided to me.

**The Deputy of St. Martin:**

I do not think we are really going to get much further by asking any more questions, unless the Constable of St. Helier has got one.

**2.1.3 The Connétable of St. Helier:**

I have a further supplementary. The Minister gave us the figure of £526,000 for the cost of the inquiry to date. Could he give us a breakdown either now or later in terms of how that money has been spent, particularly in terms of costs of bringing officers to the Island, their accommodation and other disbursements?

**Senator B.I. Le Marquand:**

Yes, I can. I do not have the figures in a broken down form but I can do that.

**2.1.4 Deputy M.R. Higgins of St. Helier:**

The Minister mentioned in his statement that there was one witness who was yet to be interviewed. Obviously not wanting to know who it is but can he explain if there has been particular difficulty in speaking to that particular witness and when he expects that witness to be interviewed?

**Senator B.I. Le Marquand:**

I cannot explain the difficulties but I can say that that is in process and it is taking place during November.

**2.1.5 Deputy M. Tadier of St. Brelade:**

Will the Minister confirm ... I am sure that we all know that the Chief Police Officer has been suspended for over a year now and has no idea why he has been suspended and if this is the case will the Minister comment on whether he thinks this is satisfactory in terms of natural justice?

**Senator B.I. Le Marquand:**

That is not a follow-up on this question; that is question 6. My comment is to wait for question 6 to be put. It is really a question 6 issue.

**2.1.6 Senator J.L. Perchard:**

Could the Minister confirm the only source of legal advice he is receiving is from the Attorney General's Department and could he also confirm that he is satisfied with the quality of advice he is receiving?

**Senator B.I. Le Marquand:**

I do not think I am allowed to answer that. Certainly the Attorney General took the view that we should never be divulging our sources of advice. If that is correct then I am impeded from answering that question.

**The Deputy Bailiff:**

Very proper, Minister. [Laughter]