

STATES OF JERSEY



COMMITTEE OF INQUIRY: CONFIDENTIAL FILES HELD BY STATES OF JERSEY POLICE ON STATES MEMBERS AND OTHERS (P.197/2009) – COMMENTS

**Presented to the States on 20th November 2009
by the Minister for Treasury and Resources**

STATES GREFFE

COMMENTS

The Minister for Treasury and Resources is required, under Standing Order 150(c), to give directions on how the expenses of a Committee of Inquiry should be funded. P.197/2009 stated that the costs are likely to be in excess of £50,000 but that a precise figure cannot be forecast. A subsequent costing review has estimated that the cost of the Committee of Inquiry is likely to be in the region of £220,000. A summary breakdown of the cost with the following assumptions is as follows –

Assumptions –

- Allow for 3 month period for the enquiry;
- The Chairman will be an ex-Judge or Q.C. as per P.197/2009;
- The other panel members will not be paid; and
- The Greffe will provide accommodation and administrative support.

	<u>£</u>
Chairman's costs	120,000
Subsistence & accommodation	18,000
Legal representation for witnesses	31,500
Support for Committee of Inquiry	15,000
Legal support & other incidentals	<u>35,000</u>
	219,500

Article 11(8) of the Public Finances (Jersey) Law states –

“... the States may, at any time, amend an expenditure approval on a proposition lodged by the Minister [for Treasury and Resources] on the grounds that –

(a) there is an urgent need for expenditure; and

(b) no expenditure approval is available.”

Whilst sub-paragraph (8)(b) of the Article could be satisfied, it is doubtful whether sub-paragraph (8)(a) is. The Article is intended for unavoidable matters, such as protecting the Island’s population from a flu pandemic. It is not intended to be a regular vehicle for ad hoc, in-year requests for additional funding for items which could, and should, be prioritised against other competing demands for resources.

Should the States approve this proposition, the Minister considers that due to the financial constraints the States faces, he has no alternative but to request Home Affairs to meet any cost of a Committee of Inquiry from within their existing budget.

However, because of considerable funding pressures facing the Department, and because the Minister for Home Affairs has extended the Wiltshire Constabulary Investigation to include an Inquiry into the reasons surrounding the States of Jersey Police holding confidential files on States members, the Minister believes this Committee of Inquiry is unnecessary expenditure and recommends that members reject this proposition.