

**QUESTION TO BE ASKED OF THE PRESIDENT OF THE POLICY AND RESOURCES
COMMITTEE ON TUESDAY, 29th APRIL 2003 BY SENATOR E.P. VIBERT**

Question

- (a) Would the President inform members what action the Committee has taken to discover the source of alleged leaked information from the Waterfront Enterprise Board, (WEB), to Dandara Jersey Limited regarding the tendering process for the proposed Island site, as alleged by WEB's lawyers in correspondence with Dandara's lawyers dated 28th February 2003, and which was circulated to States members last month, and, if applicable, the outcome of these enquiries, or if not yet pursued, the reasons for the delay?
- (b) Would the President agree that the alleged leak of information is a very serious matter and undermines public confidence in the tendering process itself given that any such process, by its nature, is confidential?

Answer

- (a) As the matters contained within the correspondence exchanged between the Waterfront Enterprise Board Ltd.'s and Dandara's lawyers may yet be the subject of legal proceedings between those two companies, the Policy and Resources Committee has not undertaken any action, nor will it take any such action, while the possibility of litigation remains, to discover whether there has been a leak of information or, if it has, its source.

This is in any case a matter for the directors of the Board of WEB. Even without the possibility of litigation occurring, and if it was convinced beyond doubt that such a leak had occurred and that an investigation into finding its source would prove beneficial, the Committee does not have any authority to take such direct action itself, but could only direct the Waterfront Enterprise Board Directors themselves to take appropriate action.

- (b) I would, of course, wholeheartedly agree with the Deputy that the leaking of any confidential information is a very serious matter indeed and one which could easily and seriously undermine public confidence. In this particular case I cannot say whether a leak has or has not occurred.

However, what I can say is that there does seem to me to be, of late, more circumstantial evidence of the careless, or perhaps deliberate, leakage of confidential information from a number of Committees and other States bodies. This, in my view, could well lead to more restrictions, rather than less, being imposed on such information in the future, which works against moves to make government more transparent and accountable. I deplore all such leaks as being an undermining feature of our present way of working. In my view we need to work together in trust and confidence in order to serve our community properly. This recent trend of breaking confidences, on many occasions only to score political points or to embarrass colleagues, serves no good at all and is damaging to the public interest.