

4.6 Deputy R.G. Le Hérissier of St. Saviour of the Minister for Home Affairs regarding comments made by the retiring Senior Investigating Officer upon his departure from Jersey in relation to the historic abuse investigation:

Does the Minister agree with the comments made by the retiring senior investigating officer upon his departure from Jersey in relation to the historic abuse investigation?

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

As is very well known to Deputy Le Hérissier, I cannot properly express a view on this, as to do so would mean that I was expressing a view on factual matters which will arise in a different context. However, I can say in general terms that it is highly regrettable when police officers who have retired start to express views upon matters with which they were involved professionally. I view such conduct, in general terms, as being both inappropriate and unprofessional. I would do the same if the retired magistrates and judges ... but, there we are.

4.6.1 Deputy R.G. Le Hérissier:

I thank the Minister. Would the Minister confirm whether or not, given the highly sensitive matters that police officers deal with, they sign up to any agreement to ensure, other than some period of sanitising after which they can perhaps write memoirs, is there a period within which they have to remain silent?

Senator B.I. Le Marquand:

I would expect that police officers, as is with most public officers, would be subject to the terms of the Official Secrets Act. I certainly have signed its terms, I think on 4 occasions for different roles. I cannot positively say that an officer whose temporary secondment to the Island would be required to do that. I do not know the practice. The difficulty, however, which arises, of course, in relation to the Official Secrets Act, is if a person says things which are of public importance and can run a public interest defence on the basis that this is a matter of such public importance.

4.6.2 Deputy M. Tadier:

Given the questions that we have just heard, would the Minister be supportive of a full and independent inquiry to the whole handling of Haut de le Garenne and the wider child abuse cases, including the media coverage and press conferences and the way the charging has been handled, so that we could put this whole issue to bed once and for all and bring some closure?

Senator B.I. Le Marquand:

I would be very cautious about the waste of public money that could be involved if the areas which are currently being investigated by police investigations in a particular context were then to be repeated by a public inquiry. I would hope that the investigation is already going on and any subsequent matters which may flow directly from them would be found to be sufficient in order to avoid such a duplication of work and costs.

4.6.3 Deputy C.F. Labey of Grouville:

Would the Minister say that in his opinion that the recent interviews given by the retiring Deputy Chief Officer have damaged public confidence in the police force?

Senator B.I. Le Marquand:

I really do not know the answer to that question because I suspect that different members of the public may have viewed things in different ways. I can only say, without commenting on any individual case, that such actions by a retiring police officer, whoever they may be, is both inappropriate and unprofessional.

4.6.4 Senator S. Syvret:

The Minister mentioned what may be a waste of public money - a waste of taxpayers' resources - in answering a previous question in terms of having an investigation. Does he then really consider it an appropriate use of taxpayers' money for Mr. Gradwell to have employed 2 full-time police officers, Mark Caine and Julie Jackson, doing nothing except investigate me for 6 months?

The Bailiff:

Senator, you know that you are not meant to mention names unless it is essential. Do you wish to answer that, Minister?

Senator B.I. Le Marquand:

What is left of the question now, Sir?

The Bailiff:

Well, not very much, probably.

Senator B.I. Le Marquand:

Because he did finish. If Senator Syvret had worded it without reference to the names, I could attempt to answer it. But he stopped in mid-question, Sir. So I do not know where he is going.

Senator S. Syvret:

No, I did not stop in mid-question. I asked the Minister whether he considered this kind of former kind of Soviet-East German Nazi-style activity against opposition Members of the parliament an appropriate use of public money?

The Bailiff:

Well, whatever you did say, you did not say that the first time, Senator.

Senator B.I. Le Marquand:

I am having to guess what the Senator is talking about. I really am not sure what he is talking about. It would be helpful if he could clarify what he is talking about. I do not know what he is talking about. Is he talking about investigation of himself or some other matter? I really need clarification.

The Bailiff:

One more attempt, Senator.

Senator S. Syvret:

The recently retired Mr. Gradwell ...

The Bailiff:

No, the recently retired ... mention his title.

Senator S. Syvret:

Well, okay. He employed 2 full-time officers solely for the purpose of investigating me over a period of months. This had involved bugging my phones, reading my emails, opening my letters and is the kind of thing which happens in a banana republic.

The Bailiff:

This is a matter, Senator, which is *sub judice*, is it not, at the moment? So I do not think he should answer that. Any other question?

4.6.5 Deputy R.G. Le Hérissier:

Would the Minister not accept that his dual role of exercising powers of suspension and being responsible for the political leadership of the police force is, despite his own remarkable abilities, in fact, almost impossible to sustain and is leading to problems?

Senator B.I. Le Marquand:

I most certainly concede that this is quite difficult and not made any easier by questions such as those posed this afternoon. But I have to say that even if there were some other party in existence dealing with certain disciplinary matters, I think the Minister would still have to act with great caution in what he could properly say.