

3.15 Deputy R.G. Le Hérissier of the Minister for Home Affairs regarding the Independent Citizens' Group:

Putting things on a more serious footing, would the Minister confirm whether he is satisfied with the workings of the independent citizens' group which was appointed to oversee the Haut de la Garenne investigation and, if so, will he be extending its role into the future?

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

I have 2 major problems. Though I have tried very hard to find a way, I cannot answer this question without going into camera. That is the first problem. The second problem I have got is even if we got into camera I am not going to be able to give a substantive answer. I can answer generally about what such parties do but I am afraid, Sir, I would need to go into camera other than that.

The Bailiff:

There are 3 ways forward. Either you can answer the question generally, Minister, which probably would be of benefit to Members, I think; or the questioner can withdraw his question; or the Assembly could consider going into camera, which seems to me highly undesirable in the context of question time.

Deputy R.G. Le Hérissier:

No, I will not withdraw the question. I do appreciate the problems the Minister is facing but this was a citizens' group set up on behalf of the community and the community surely is entitled to have feedback as to its effectiveness.

The Bailiff:

Minister, can you give a general answer?

Senator B.I. Le Marquand:

I cannot give an answer without going into camera, Sir. Other than explaining in general what these groups are. In general, such groups which are referred to in the question as independent citizen's groups are independent advisory groups and they are set up, or should be set up, not as representatives of the community but as representatives of communities. There are issues which I cannot express an opinion on as to whether or not the particular group was properly set up in the first place.

3.15.1 Deputy R.G. Le Hérissier:

Having reviewed its workings, would the Minister acknowledge whether or not such groups can play a viable role and if structured properly, if given proper terms of reference, they can indeed prove a very useful instrument in overseeing investigations? What move would he like to see in order to give it a proper and well regulated role? Thank you.

Senator B.I. Le Marquand:

My understanding is that in general such groups are not set up to oversee investigations. They are set up in order to provide advice to assist in making sure the investigations are sensitively conducted. Such groups are normally set up in order to have representatives of different communities - such as in Jersey, Portuguese or Polish or other such ethnic groups - so that if a matter comes up concerning such a group, advice can be given to the police so that they deal with matters sensitively.

3.15.2 Senator A. Breckon:

I wonder if the Minister could say how he envisages an independent citizen's group reporting, who would they report to if they are independent citizens and could, for example, they comment on perhaps how publicity in any particular case was handled?

Senator B.I. Le Marquand:

I have been drawn back into camera again, I am afraid, by the last question to try and find out the ambit of the particular inquiry and I cannot comment on that.

3.15.3 Senator S. Syvret:

The supplementary question I wish to ask does not require going into camera. The Minister himself, in one of his answers, suggested that there may be a question as to whether the current group was established correctly. I am simply asking him, in an effort to be helpful, will he give an undertaking to the Assembly to urgently complete the review of the existing group and consider, in fact, if alternative arrangements need to be put in place, and if indeed such a group was necessary?

Senator B.I. Le Marquand:

My understanding, which may be incorrect, is that the group originally set up is not currently functioning in relation to the Haut de la Garenne matters.

The Bailiff:

I think you are being asked whether you would review the matter, Minister.

Senator B.I. Le Marquand:

It is not a matter for me; it is a matter for the police. They set up such groups. It is not a matter for me in my opinion. It is an operational matter for them certainly.

3.15.4 Senator A. Breckon:

I wonder if I can press the Minister, what I asked him was a question of a general nature; that is who the citizen's group would report to and I do not think that is a matter for in camera. They must be reporting to somebody. The other thing was general, not specific to any case, would they comment on an issue say of how publicity was handled? I do not see that as been specific to anybody.

Senator B.I. Le Marquand:

I do not think they report to anybody. My understanding is that such groups' role is advisory to the police and therefore they would not report to anybody. If we are talking hypothetically here about the way in which the group ought to function, they would have an advisory role in relation to publicity.