

**WRITTEN QUESTION TO H.M. ATTORNEY GENERAL
BY DEPUTY P.V.F. LE CLAIRE OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 19th OCTOBER 2010**

Question

Further to the response to written question 5596 on 13th September 2010, in relation to Family 'X', for the year 2010 can H.M. Attorney General state the total paid so far to -

- (a) lawyers external to the Law Officers' Department when advising or representing the Minister for Health and Social Services in children's proceedings
- (b) the Jersey firms who have been instructed to advise or represent the Minister for Health and Social Services

Was any tendering process utilised before instructing such lawyers?

Answer

The answers below state the total sums paid to the end of September 2010 for work done in 2010.

- (a) The total paid to lawyers external to the Law Officers' Department advising or representing the Minister for Health and Social Services in public law Children's cases was £332,702.
- (b) The total paid to Jersey lawyers who were instructed to advise or represent the Minister for Health and Social Services in public law Children's cases was £320,107.

The difference between (a) and (b) (£12,595) was for payments to UK counsel and other specialists in childcare proceedings for advice in particularly complex cases.

There was no tendering process prior to outsourcing this work. The cases in which external lawyers were instructed needed urgent attention to safeguard the interests of vulnerable children in a timescale which did not allow for a process of competitive tendering to be undertaken beforehand. The rates offered were the same as that offered for Crown Advocates which represents a significant saving on the normal charge out rates for most Jersey advocates.

There is now a formal procurement process in hand and expressions of interest to undertake this type of work have been invited from local lawyers. Once the responses have been assessed, then a panel will be established to whom work of this nature can if necessary be allocated.