

## **2.1 Deputy R.G. Le Hérissier of St. Saviour of the Chief Minister regarding serious allegations contained within the affidavit of the suspended Chief Officer of the States of Jersey Police:**

What steps, if any, is the Chief Minister taking in response to the serious allegations found in the affidavit of the suspended Chief Officer of the States of Jersey Police?

### **Senator T.A. Le Sueur (The Chief Minister):**

The content of the affidavit was to support the suspended Chief Officer's application to the court for a judicial review of the decision of the Minister for Home Affairs to suspend him from office. This application was subsequently considered by the courts and the decision to suspend was upheld. Following the recent defeat of Projet 9 I gave an undertaking in this House that I would commission an independent review into how the suspension process was followed. This review is underway and I hope it will be completed as soon as possible. Within the affidavit there are 2 further allegations. The first surrounds the alleged comments made at a meeting in July 2007 that followed the Corporate Management Board. I understand this allegation was reviewed by a senior officer when it was first highlighted by the suspended Chief Officer of Police and no evidence was put forward to substantiate the allegation. Consequently, I have not taken any action against the Chief Executive and will not do so unless and until evidence is provided. The second allegation concerns the alleged comments by the Chief Executive at a presentation at St. Paul's Centre in October 2008 to a group of staff. I understand that at the beginning of that meeting the Chief Executive addressed those present and part of the opening comment was to provide reassurance to all staff that the current levels of adverse publicity being levelled against individuals in certain groups by a States Member was not acceptable. The Chief Executive has confirmed in a written statement to me that he advised the Chief Officer of Police that he intended to make this point at the beginning of the meeting and he gave the Chief Officer the opportunity to withdraw from introduction if he felt that his position would in any way be compromised due to his role in relation to the ongoing proceedings. The Chief Officer of Police elected to remain present. Accordingly, I do not believe that any further action, other than the external review of the suspension process is necessary.

### **2.1.1 Deputy R.G. Le Hérissier:**

Would the Chief Minister outline the proactive steps that have been taken to approach other persons who were in attendance at these particular meetings? Has he set in train an attempt to get witness statements from other people who were present so that he may have the full picture?

### **Senator T.A. Le Sueur:**

Certainly in respect of the allegations made regarding a meeting of Chief Officers of the Corporate Management Board, each officer was subsequently interviewed after the occasion and those were collated and, as I say, as a result of that it was found that there was nothing to deal with. That remains the case but active steps were taken at that time.

### **2.1.2 Deputy R.G. Le Hérissier:**

So, therefore, can we assume from what the Chief Minister has said that the suspended Chief Officer's recollection of events is totally mistaken in both instances?

[9:45]

**Senator T.A. Le Sueur:**

No, I do not think we can. In respect of the meeting in July 2007 the allegations may well be what the Chief Officer of Police believes but there has been no evidence before it to make a substantive allegation. Accordingly, I am awaiting that evidence before I make any further comment. In respect of the other meeting of St. Paul's Centre I believe that what the Chief Officer of Police records in his affidavit was a reasonable view of his interpretation of the proceedings. There was at that stage some considerable adverse comments on a certain States Member's blog which I think was the duty of the Chief Executive to deal with in an appropriate manner.

**2.1.3 Connétable A.S. Crowcroft of St. Helier:**

Has the Chief Minister also taken steps to corroborate or otherwise the alleged occurrence of a similar meeting of the Child Protection Committee at which officers were discussing the removal of the President of the Committee?

**Senator T.A. Le Sueur:**

The answer is no and at this stage I see no relevance to that particular meeting to the question under the review, the suspension of the Chief Officer of Police.

**The Deputy Bailiff:**

Nor do I.

**2.1.4 Deputy F.J. Hill of St. Martin:**

The Chief Minister will recall that the suspended Chief Officer of Police did make a request for the details of when certain letters were drafted and it has now transpired, following a complaints board hearing, that in actual fact the letters were not drafted on 11th and 12th November but on 8th November. Has the Chief Minister made any inquiries at all as to why maybe the Chief Executive Officer would have done the letters on the 8th and showed the matters as recorded on 11th and 12th November, because they are all part and parcel of a pattern which does not seem to be, to some States Members, appropriate?

**Senator T.A. Le Sueur:**

Well, that is a matter of opinion for States Members. That matter will be investigated no doubt by the person doing a review. I would say that when one is producing a letter or series of documents which have legal significance it is fairly normal for several drafts to be done before the version is finalised and agreed and one does not do that in a matter of minutes.

**2.1.5 Deputy M. Tadier of St. Brelade:**

A moment ago the Chief Minister said that no evidence had been put forward to substantiate the claims but does the Chief Minister not recognise that an affidavit is evidence? It is a sworn statement that is presented to the court and although it may not be the conclusive evidence that the Chief Minister would like it is nonetheless evidence.

**Senator T.A. Le Sueur:**

It would be very difficult for a person's uncorroborated comments of an event which occurred 2 and a half years ago by itself to be sufficient evidence to be taken in anything other than in its due proportion. I do give those comments due weight, but no more than that.

### **2.1.6 The Connétable of St. Helier:**

My previous question was about the holding of a meeting of the Child Protection Committee at a similar time to the one referred to in the question and I believe, Sir, you said this was not relevant. It does seem to me if the Chief Minister is seeking corroboration of the allegation then the allegation that there was a similar meeting going on at officer level is relevant and I would be interested to know why the Chief Minister does not think that is worth investigating.

#### **Senator T.A. Le Sueur:**

I am not sure who is making the allegation of the meeting of the Child Protection Committee and maybe if the Constable would like to give me further details of that I might be persuaded to change my mind, but at this stage I have no reason to investigate further into that meeting which, as I say, is historic and has little to do with the suspension of the Chief Officer of Police and I do not believe that it is relevant to this particular question.

#### **The Deputy Bailiff:**

Constable, if I may say, the reason for my comment was that, as I understand it - and you can correct me if I am wrong - I do not believe the affidavit refers to the Child Protection meeting and that is why I did not see it as being relevant.

### **2.1.7 The Connétable of St. Helier:**

If I could follow with a supplementary. The meeting of the Corporate Management Board which this allegation refers to was, I understand from a question I asked of the Chief Minister some ago, not minuted. Will the Chief Minister reassure the House that all meetings of the Corporate Management Board are properly minuted?

#### **Senator T.A. Le Sueur:**

The Corporate Management Board is responsible for its activities. It takes notes of the meetings and the relevant points of the meetings are recorded. Whether that constitutes minutes in the way the Constable thinks, I would not know, but there are records kept of the meetings.

### **2.1.8 Deputy R.G. Le Hérissier:**

Would the Chief Minister confirm that he is exceedingly uncomfortable with a situation where a person totally trained in methods of taking and analysing evidence attends 2 meetings and emerges from those meetings with apparently a totally different recollection of those meetings than other people who have allegedly given evidence of those meetings? Would he say this is an unbelievably bizarre situation?

#### **Senator T.A. Le Sueur:**

No, I would not and I think if the Chief Officer of Police had felt so strongly about a meeting being held in July 2007 he might have done something about it before the middle of 2009.