

3.10 The Deputy of St. John of the Minister for Home Affairs regarding when copies of the Wiltshire Police Report were issued to the media:

Can the Minister confirm that copies of the Wiltshire Police Report were issued to the media before elected States Members and those people who were subject to the inquiry, and if so, would he confirm when and why and advise whether it is now policy for Ministers to have government by the media in preference to open government by elected Members?

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

While I understand the general concerns of the Deputy of St. John, in my view the important issue is that in relation to important matters the States Members should be briefed sufficiently early before any press coverage so as to be able to respond to press inquiries for further information or any other response. That occurred in this case. This was a very complicated briefing involving, even in the shortened version, 3 quite complicated documents. If the press had not been given plenty of notice in relation to these then there was a significant danger of sensational and inaccurate reporting. There was probably sensational danger in any eventuality, but that is another matter; and that sensational and inaccurate reporting of course is not in the public interest. Although it is correct that the press were provided copies at 4.30 p.m. on 9th July and States Members only on 12th July after the Business Plan briefing, because the general briefings took place on 13th July and because there was an embargo on the press using information, in my view States Members had more than adequate time to prepare. In relation to Operation Blast, in fact the States Members were provided with copies and briefed earlier than the press. In this provision of documents to other people, of course, the Chief Officer of Police had had the reports for very long periods of time in advance and notice was given to people who were public-facing and whose names were going to appear that that would happen. Apart from that I understand that they did not receive copies.

3.10.1 The Deputy of St. John:

It is more for clarification that anything else. Would the Minister in future when he is dealing with these types of sensitive issues please brief the Members prior to the media, and if the media have to wait an additional 48 hours, the problem being that some Members cannot attend your briefings and we either get them on the internet and have to download them or get a hard copy depending on the size of the document. Would the Minister in future... I think the thing to do with these delicate matters that we have been dealing with and are likely to be dealing with again in the future is make sure that Ministers come first and not the media?

The Deputy Bailiff:

Will you not do it again, Minister, is the question.

Senator B.I. Le Marquand:

No, I cannot promise to do that. I will make an individual decision in each individual case. It was entirely my decision and I believe it was appropriate, notwithstanding the Deputy of St. John's wagging his finger at me in an offending way.

3.10.2 Deputy M. Tadier:

Given that the Minister has failed to give the reassurance that the Deputy of St. John wants, I would probably suggest a proposition to that effect, Deputy. But to the

question, I would ask the Minister does he not find it curious that Jersey is perhaps one of the only places where we are in the strange position of members of the media leaking confidential information which has been embargoed to democratically elected States Members? Does the Minister not consider this first of all curious, and secondly completely unacceptable, as that adds to those - shall we call them conspiracy theorists - who already think that there is an unhealthy familiarity between the media and government?

Senator B.I. Le Marquand:

Deputy Tadier has evidence that members of the press have leaked matters which were subject to embargo. I would be very pleased to receive it because we will then have to review policy in relation to those particular members of the press.

[15:45]

Deputy M. Tadier:

To respond to that, I am sure that any self-respecting States Member would not ...

The Deputy Bailiff:

This is question time, not a response time. Do you have a question?

3.10.3 Deputy M. Tadier:

My question which is - and I will finish the statement by: "Do you agree, Minister?" - that any self-respecting States Member should not be in a position to have to cover his sources, it should be the other way round where journalists do not reveal their sources and I suspect that Members of the States Assembly would also not reveal their sources but we should not be in this position; does the Minister not agree?

Senator B.I. Le Marquand:

Sir, I am afraid I totally fail to understand the question.

3.10.4 The Deputy of St. Mary:

It is indeed bizarre that the media tell us what is going on. Does the Minister agree, first of all, that this matter does divide our community and arouses great suspicion of improper government conduct? I am not saying whether that is right or wrong, I am just asking you to agree that this is a divisive issue personally. Secondly, that because of that the public perception is of the utmost importance and thirdly - they are all connected - does he agree that it is most unfortunate that the report was only 30 per cent there and so the media could only report on the basis of summary and not on the basis of the evidence?

Senator B.I. Le Marquand:

I agree that this issue is a divisive issue. The difficulty that I had was that by the time I had made a decision to go ahead with expediting matters so that the matter would be before this Assembly before the summer break, there was not sufficient time to complete the redaction process in detail. Indeed, as one of the Members mentioned at one of the meetings, some of the redaction process was not that well done and renders some of the pie chart difficult to understand. My intention is that the redaction process will continue and that further parts of the reports, the very lengthy central parts, will indeed be produced eventually in a redacted form.

The Deputy of St. Mary:

Can I ask for supplementary to that, Sir?

The Deputy Bailiff:

If you do then your colleague Deputy Trevor Pitman will not have his question because we have just 2 more questions to come, Deputy Trevor Pitman and then the final supplementary.

3.10.5 The Deputy of St. Mary:

Yes, the Minister is telling us that a report that he has had in approved final form since December 2009, he has not been able to redact it before a briefing last week.

Senator B.I. Le Marquand:

Yes, that is absolutely correct because my expectation initially was that I would be able to complete disciplinary proceedings. Members of this Assembly must remember that the Chief Officer of Police brought forward his retirement date by a period of almost 6 months which made it extremely difficult to complete that process and the decision to go ahead with redacting and which parts to redact was made fairly late.

3.10.6 Deputy T.M. Pitman:

You cannot say that we are not gentlemen on this side of the House. Given that we have heard about a document that is only 30 per cent of the document, could the Minister clarify that, in effect, even that document is only 10 per cent of the material that was available to him and will that ever likely be available to States Members, I suppose the media as well?

Senator B.I. Le Marquand:

The parts of the document which are being put out are the very key parts, the very central parts, namely the executive summary and also the recommendation with relation to future charges and the findings of fact. Of course there is, in addition to this, enormous quantities of material, file upon file of material by way of evidence. It is not normal in relation to such matters for the full details of the evidence to ever become public.