

**WRITTEN QUESTION TO THE CHIEF MINISTER  
BY THE DEPUTY OF ST. MARTIN  
ANSWER TO BE TABLED ON TUESDAY 15th MARCH 2011**

**Question**

As it has been stated that due to an error parts (d) and (e) of the Napier Terms of Reference were omitted when the details were forwarded to the Greffe for printing and the subsequent publication of R.39/2010 on 14th April 2010, will the Minister inform Members why a corrigendum has not been published and advise whether the omission will be corrected?

Given that as a result of the abovementioned error parts (d) and (e) were not published in R.39/2010, will the Chief Minister inform Members why part (d) does not appear in the Terms of Reference published in the Napier Report presented to the States in R.132/2010 presented to the States on 15th November 2010 but part (d) is replaced by the original part (e)?

**Answer**

In answer to the first part of the question, a corrigendum has not been issued to date as I have explained to Members in previous answers how the error occurred, however, to avoid any further uncertainty, I will issue a corrigendum to R39/2010 which will have the full set of Terms of Reference as originally supplied to Mr Napier.

In answer to the second part of the question, part (d) does not appear in the final Napier report presented to the States in R132/2010 because Mr Napier had full access to Mr Power as part of his review. This was agreed with Mr Napier at the outset following confirmation from Mr. Power of his intention to participate, therefore, there was no longer a requirement to rely only on the content of the Affidavit as being Mr Power's version of events. The fact that part (e) of the original Terms of Reference is included in the final report indicates that Mr. Napier was issued with the full set of the Terms of Reference when he commenced his review.