

5.14 The Deputy of St. Mary of the Chief Minister regarding the Napier Review.

Can the Chief Minister explain why he maintains that the former Chief Officer of the States of Jersey Police offered in his letter to the Deputy Chief Executive dated 31st March 2010 to fully participate in the Napier review?

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

The letter of 31st March 2010 received from the former Chief Officer of the States of Jersey Police clearly states that the Chief Officer wished to participate fully in the review subject to 2 issues on which he requested clarification. The letter states: “For the avoidance of any doubt whatsoever, it is my firm wish to assist Mr. Napier with his review, provided that I am able to do so with a clear understanding of my position and the evidential status of any information covered by Mr. Napier while I am still subject to disciplinary notices.” The 2 issues that are outstanding were relatively straightforward to address and on that basis, I was and I remain of the view that the former Chief of Police was willing to participate in the Napier review. [Approbation]

5.14.1 The Deputy of St. Mary:

Yes, the Chief Minister has now at last clearly said orally as well as in answer to the written question of mine on 17th May, that there were qualifications to the statement of the former Chief Officer of Police that he was willing to participate in the inquiry. It was covered in provisos and caveats: “... provided that, in particular, the following 2 issues remain to be resolved.” So what I want to know from the Chief Minister is how he can square that fact, that the Chief Officer of Police said that he would fully participate “provided that”, with his statement, among many, but the particular statement on 30th November 2010, where he said in his first answer to an oral question - so it was a prepared answer: “The former Chief of Police confirmed to the Deputy Chief Executive in a letter dated 31st March 2010 [which is what we have just been talking about] that he would fully participate in the investigation.” Can he explain his use of those words?

Senator T.A. Le Sueur:

Yes. The words quoted are the words I quoted this morning: “For the avoidance of doubt, it is my firm wish to assist Mr. Napier with his review provided I am able to do so ...” The Deputy seems merely to be questioning whether I made it clear that there were caveats. I may not have made it clear in November that there were caveats because those caveats had been addressed, as the result of which, in my view, and it is my view, the former Chief Officer was indeed prepared and willing and anxious to assist.

5.14.2 The Deputy of St. Martin:

Would the Chief Minister agree that had the former Chief of Police been made aware that the terms of reference had been altered following the initial letter from the Deputy Chief Executive that the former Chief of Police would not have taken part in the inquiry?

Senator T.A. Le Sueur:

I do not believe that is the case but I cannot know what is in the former Chief of Police’s mind.

5.14.3 The Deputy of St. Martin:

What happened was that part (d) was removed therefore there was a change in the terms of reference to which the Chief of Police was never made aware of. Would the Minister not agree that had he been made aware of the change to the terms of reference he may well not have taken part in the review?

Senator T.A. Le Sueur:

That is a hypothetical question but, in my view, the omission of that term of reference made no difference whatsoever when it was quite clear that the inquiry would still receive from the former Chief Officer of Police the statement referred to by the Deputy earlier.

5.14.4 The Deputy of St. Mary:

The Chief Minister has now told the House that his words: “The former Chief of Police confirmed in a letter dated 31st March 2010 that he would fully participate in the investigation.” He has confirmed to the House that there were severe caveats to that willingness on behalf of Graham Power and yet he did not make those caveats clear to the House, even though they are there in black and white in the letter, as part of a prepared question. Can the Chief Minister comment on what that does for trust and transparency in this House and with the public?

Senator T.A. Le Sueur:

I think the Deputy is implying that the caveats, in his words, were severe. In my words they were relatively straightforward issues; it is a matter of opinion.