

2.6 Deputy M.R. Higgins of St. Helier of the Minister for Home Affairs regarding requirements for special entry visas in respect of foreign journalists or writers visiting Jersey:

Will the Minister advise whether foreign writers require a special visa to enter Jersey and write about what goes on in the Island and if so, under what piece of legislation is this administered? What was the role, if any, of his department in the exclusion of Leah McGrath Goodman from the United Kingdom on her way to Jersey?

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

Section 3A(1) of the Immigration Act 1971 as extended to Jersey by the Immigration (Jersey) Order 1973 allows the Lieutenant Governor - that is the office of the Lieutenant Governor - to impose conditions on those of non-European Economic Area nationality seeking to enter the Island. The Lieutenant Governor has issued directions that among other things set the categories and requirements applicable to persons seeking to come to Jersey to undertake work. There is a wide range of such categories and they include those applicable for working writers and journalists, some of whom would require entry clearance visas. The service has given advice to Ms. Goodman on 2 possible categories that she could apply for, either as a writer she could apply for a visa up to 2 years or as a journalist, that is normally a person who is employed by a newspaper or something of that nature, under the business visitor category. The service had no direct role in the entry refusal of Ms. Goodman at Heathrow Airport on 11th September 2011. Immigration decisions and actions were taken solely by officers of the U.K. (United Kingdom) Border Force. It is understood that the U.K. officers did refer to a report of a meeting that had been held between Ms. Goodman and officers of the Jersey Service in July 2011 which meeting had been arranged after she had sought advice on her immigration status. At that meeting, she was advised that the most appropriate immigration category for her to come to and work was as a writer in the Island. As a matter of routine, a record of the meeting was placed on a national immigration database was successful by immigration officers in the U.K. as well as Jersey and elsewhere. This was the only involvement of the Jersey Service in the immigration of Ms. Goodman.

2.6.1 Deputy M.R. Higgins:

Can I just clarify the position? The Minister is saying that his officers made no recommendations to the U.K. authorities to prevent Ms. Goodman from entering into the U.K. and therefore to Jersey. Is that correct?

Senator B.I. Le Marquand:

Yes, that is indeed my understanding. What they did, because they had had contact with her and knew that she was thinking of coming, is they placed information to the effect that she might be seeking to come into the British Isles for this purpose but they had no direct contact on the day or round about the period when she was refused entry.

2.6.2 Deputy T.M. Pitman:

Obviously I am in a bit of an advantage because I have seen the files. Can the Minister for Home Affairs tell us if it is normal to have highly respected best-selling authors and journalists monitored and indeed informed upon by 2 individuals?

Senator B.I. Le Marquand:

I do not know anything about that whatsoever because I do not have the advantage of having seen the files.

2.6.3 Deputy T.M. Pitman:

With respect to the Minister for Home Affairs, we are talking about a highly respected international journalist, not a terrorist. Why would immigration or police be monitoring the lady in question and her partner and why would there be reports on her? She had not broken any law.

Senator B.I. Le Marquand:

I do not know anything about that at all.

2.6.4 Deputy M. Tadier:

I think the Minister said that the service played no direct role in her being refused to come to Jersey and that they had no contact on the day that she was refused entry. Can the Minister confirm whether then the service did play an indirect role in her being banned from coming to Jersey and whether they had contact on previous days before she was refused entry to Jersey?

Senator B.I. Le Marquand:

I thought I had given a detailed answer to that already which was to the effect that they did provide information on the system in relation to her but I have already dealt with that in great detail. It was that information to which the U.K. authorities had access. The trouble in relation to this case is that unfortunately the lady was not truthful with the U.K. authorities and that is what caused her the difficulties which she experienced.

2.6.5 Deputy T.M. Pitman:

It is unfortunate that the Minister is making allegations that somebody lied to the Immigration Service in the U.K. or in Jersey when she is not here to defend herself. Would the Minister consider taking that back?

Senator B.I. Le Marquand:

No, I will not. I have said that on previous occasions. It happens to be the truth.

2.6.6 Deputy M.R. Higgins:

Does the Minister not recognise that obviously there is concern about the fact that this journalist was excluded, especially when she was investigating the Haut de la Garenne affair and all sorts of, we could say, political and other shenanigans that have been going on? Does he not think that it has damaged the reputation of the Island internationally because certainly that is what is going out there in the international media?

Senator B.I. Le Marquand:

The lady in question seems to have misunderstood what happened to her and why it happened to her. The department has tried very hard to explain to her what she needed to apply for and why and has had great difficulties in getting her to understand that. I accept that her account of versions, which has been relayed by some of the U.K. press inaccurately, may have done us some damage but that is unfortunate.