

2.4 Deputy T.M. Pitman of the Chief Minister regarding matters under discussion at the Liberal Democrat Conference by the Assistant Chief Minister:

Will the Assistant Chief Minister be discussing our justice system when he attends the forthcoming Liberal Democrat Conference and, if not, why not?

Senator I.J. Gorst (The Chief Minister):

The Assistant Chief Minister is, as the questioner says, currently at the Liberal Democrat Conference and is holding a number of discussions with Liberal Democrat M.P.s (Members of Parliament) and Lords. He will no doubt take the opportunity to discuss a wide range of issues in relation to Jersey.

2.4.1 Deputy T.M. Pitman:

The U.K., of course, has a Justice Ministry and a priority when that was set up, if I can read it, was to ensure that: "Law-making is transparent and accessible, safeguarding civil liberties and enabling citizens to receive the proper protection of the law." What I would ask the Chief Minister is that given the sort of lax casual approach that was taken in this Island when Ministerial government was set up, we have no Justice Ministry - that seems to me just sort of cosy little groups - would it not have been wise to have some approach to the U.K. for assistance in developing that into a more formal footing?

Senator I.J. Gorst:

I am not sure how that arises out of the question relating to the Liberal Democrat Conference, and I do not believe or accept the premise of the Deputy's question with regard to our justice system. But if he feels that it should be administered in a different way with a special ministry oversight then of course that is for him to bring forward that proposition or we can consider what it is that he has in mind. But I do not, at this point, see the need for it.

2.4.2 Deputy G.P. Southern:

I note with interest the Assistant Minister stating at the Liberal Democrat Party Conference that Jersey is not a tax haven. Will the Chief Minister encourage his Assistant Minister to go further and invite as many wealthy Lib Dem donors to move to Jersey to benefit from our wealth management expertise and our guaranteed confidentiality?

The Bailiff:

Deputy, I think it is hard to see how that one arises out of the original question.

2.4.3 Deputy M. Tadier:

Will the Assistant Chief Minister be able to discuss with the Liberal Democrats why U.K. M.P.s appear to have a greater ability to speak openly about matters, including Jersey matters, without censorship on their *Hansard* when we States Members do not enjoy the same level of privilege in our own Island Assembly?

Senator I.J. Gorst:

Once again I refute that we do not enjoy that same parliamentary privilege in this Assembly. We do. When it comes to parliamentary privilege in the United Kingdom House of Commons, that of course is a matter for them.

[10:15]

2.4.4 Deputy M. Tadier:

Will the Minister clarify that? I was particularly talking about the point about censorship of our *Hansard*. For example we had an incident which was curious this week where 2 weeks ago Deputy Trevor Pitman made a comment only for a name to be removed from our *Hansard*, only later on for a Mr. Hemming M.P. to name in a different way in the Assembly in the House of

Commons. That is what I am referring to. Does the Minister still maintain that we have exactly the same level of parliamentary privilege that they enjoy in the U.K.?

Senator I.J. Gorst:

I do not see how the Deputy's comments would indicate otherwise. As I said, with regard to naming of individuals and parliamentary privilege, that is an issue for the House of Commons. A ruling was made in this place. I was not here so I do not know the details, but a ruling was made and that is right that we stand by that ruling.

2.4.5 Deputy T.M. Pitman:

Deputy Tadier has rather led the way in what I was going to ask, however on that same theme, is it not a concern to the Chief Minister when he is sending his Assistant Minister away, that having heard the Assistant Minister's speech where he referred to what is certainly, in several cases, hard evidence fact that Mr. Hemming brought up, as being of dubious sources not official reports. Would it not be beneficial, in hindsight, that the Minister ensured his Assistant stuck to the facts? That has to be better for our reputation long term; would the Chief Minister not agree?

Senator I.J. Gorst:

I do not accept that what was said in the United Kingdom House of Commons was in actual fact accurate. I have not heard the reporting of my Assistant Minister's comments but I have no doubt that they would have been factual and appropriate, as we would expect from Senator Bailhache. Perhaps I could just revisit parliamentary privilege. If any Member feels that it is inappropriate that people named should not be struck from *Hansard* then of course it is for this Assembly to change that rule to allow it to be otherwise, but I believe, as I said, that the Chair was right and made a ruling in line with the rules that govern this Assembly, and it is encumbered upon every Member to be careful not to abuse parliamentary privilege.

Deputy T.M. Pitman:

Could I have a final supplementary relating to what has been said?

The Bailiff:

Yes.

2.4.6 Deputy T.M. Pitman:

I must ask, given that answer from the Chief Minister, has he read the Sharp Report, which I did ask him to do about 3 months ago, and if so is he making that statement in light of having read that report because I think that proves what Mr. Hemming said?

Senator I.J. Gorst:

I have not read that report. I do not see that Mr. Hemming referred to that report in his comments in the House of Commons.