

**WRITTEN QUESTION TO H.M. ATTORNEY GENERAL
BY DEPUTY T.M. PITMAN OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 29th JANUARY 2013**

Question

In responding to my question as to how much taxpayers' money had been spent and/or allocated in support of the so-called 'super-injunction' case being brought by four private individuals under the Data Protection Law, the Assistant Chief Minister stated that he could not answer as the this was sub-judice. Will the Attorney General clarify -

- 1) that this does indeed apply to revelation of monies/costs even though they have nothing to do actual facts of the case;
- 2) provide the exact wording of this ruling;
- 3) outline when the Crown/Law Officers were engaged in support of the case?

Answer

1. It is a matter for the Chief Minister, as for any States Member, as to how he or she answers a question in the Assembly. The term "sub judice" means "under judicial consideration" and embodies a rule that governs what public statements can be made about ongoing legal proceedings and, generally, prevents States Members (and indeed anyone else) from discussing matters awaiting or under adjudication in the courts. The Attorney General is unable to express any view on whether or not the matter is in fact "sub judice".
2. The question does not make it clear what "ruling" it refers to and the Attorney General is therefore unable to answer it, even were it appropriate to do so;
3. The Attorney General assumes that the expression "Crown/Law Officers" refers to the Attorney General and the Solicitor General and, in this instance, the Law Officers' Department. Neither the Law Officers nor anyone else in the Law Officers' Department have been engaged to provide advice or support in any case which the Attorney General believes may be referred to in the question.