

3.4. Deputy M. Tadier of St. Brelade of the Attorney General regarding a recent prosecution case:

Given the criticism of the States of Jersey Police and a lawyer in the Law Officers' Department by the Privy Council in relation to the Curtis Warren prosecution and the alleged involvement of the Attorney General in the subsequent police disciplinary case, would the Attorney General make a statement clarifying the situation?

The Attorney General:

The events referred to by the Privy Council took place over 5½ years ago. The facts have been litigated at length in the Royal Court, the Jersey Court of Appeal, the Privy Council and more recently in private police disciplinary proceedings. At the last sitting I explained that I had no involvement in the police disciplinary proceedings. I am happy to repeat it. I was not the complainant in those proceedings. I was not a party to them nor involved in them in any way. It was not my decision nor upon my advice were the disciplinary proceedings brought. That much is already in the public domain as I made a statement in response to a question for a comment from the *Jersey Evening Post* which was reported. I see no value in a further statement.

The Bailiff:

Deputy, do you wish a supplementary?

Deputy M. Tadier:

Not at the moment, Sir.

3.4.1 Deputy M.R. Higgins:

Perhaps the Attorney General can clarify a question I was asking of the Minister for Home Affairs in a written answer, and that was could he possibly assist us by explaining the apparent contradiction between what the Supreme Court said in this matter and about a law officer's conduct and the disciplinary case in the police which came to totally different conclusions. Could he possibly explain how that could happen?

The Attorney General:

No, as I said, I was not a party to the disciplinary proceedings. I do not know what evidence in detail was deployed before that. They were private proceedings and I am not able to account for the decision that came out of those proceedings.

3.4.2 Deputy T.M. Pitman of St. Helier:

I understand the Attorney General cannot really answer the last question, however could he throw any light on the fact that ... I think the confusion seems to arise that the Detective Chief Officer says the Attorney General did lodge the complaint. Could the Attorney General then explain that contradiction? Is it another Attorney General if it is clearly not himself - he has told us that, and I accept it - could he clear up that matter for us?

The Attorney General:

I am not sure what statement or what observation the Deputy means when he says a Chief Officer or a Deputy Chief Officer has said that an Attorney General was behind it. I certainly can do no more than repeat what I have said and I do not believe that my predecessor had any involvement in the matter at all. The matter I suppose started at the time of the Privy Council hearing when it was decided there should be a general review. That was not in the time of my predecessor. It was during my own time.

3.4.3 Deputy M. Tadier:

Can the Attorney General confirm that no police officer was required to give evidence at the Privy Council during their hearing or provide a statement for the purpose of the hearing and that

furthermore no police officer was allowed to attend the hearing being told not to do so by the Law Officers' Department at the time?

The Attorney General:

It would not be the normal procedure for anyone to give live evidence before the Privy Council although it does not at all surprise me that that would include evidence from police officers. I am afraid I cannot recall what statements were before the Privy Council at the time, so I cannot assist further in it. As to what might have been said to police officers, I am afraid I have absolutely no information about that either.

3.4.4 Deputy M. Tadier:

I thank the Attorney General for the information. Would he be able to perhaps seek information on that latter part as to whether or not they were explicitly told not to attend rather than not told, if that makes sense?

The Attorney General:

The Privy Council is an open sitting of the court. It is not open to anyone to refuse to let a member of the public from anywhere else to attend upon it. I cannot see that there would be any point in me making further inquiries.