

2.2 Deputy M.R. Higgins of the Minister for Economic Development regarding the full costs of the legal action against H.M. Government over the removal of Low Value Consignment Relief:

Will the Minister collate, in conjunction with Her Majesty's Attorney General, the full costs of the legal action against Her Majesty's Government over the removal of Low Value Consignment Relief and advise Members of the total cost of the action to the States of Jersey, the breakdown of these costs into lawyers' fees, U.K. (United Kingdom) Government costs and other costs, and explain how much of the total cost the private sector contributed?

Senator A.J.H. Maclean (The Minister for Economic Development):

I think we have previously covered most of these but for the sake of absolute clarity, I can confirm for the Deputy that the total gross cost of the legal action was £797,743 comprising of £756,319 of legal costs, £35,000 costs payable to the U.K. Government and £6,424 for other general and administrative costs. As confirmed in my written answer 7351 tabled on 15th January 2013, the contribution pledged by the fulfilment industry towards the cost of the legal action amounted to £85,000. Therefore, the net cost to the public purse was £712,743.

2.2.1 Deputy M.R. Higgins:

Can the Minister tell us whether he has had discussions with his colleagues in Guernsey, and whether he happens to know how much they paid for these costs?

Senator A.J.H. Maclean:

I have not had a direct conversation with colleagues in Guernsey. I think the Deputy is probably well aware of sums that have been attributable in the media to the costs of the action. I should simply state, as I have previously, that the 2 cases were very different. They started at different times and a lot of the additional cost attributed to Jersey was in the preparatory work that allowed the Jersey case to get to court before the budget, which was absolutely critical. Otherwise, there would have been no opportunity of saving the jobs, which is what the majority of the process and purpose of the action was.

2.2.2 Deputy R.G. Le Hérissier of St. Saviour:

Is the Minister saying that the Guernsey case, because it was proportionately much less, well under £100,000 as I recall, was proportionately a less effective and less well prepared case as a result of the difference in sum?

Senator A.J.H. Maclean:

Those are the Deputy's words, not mine, but I would say, as I have just said a moment ago, that we started much earlier in the preparatory work. There was a considerable amount of witness statements and other matters that needed to be collated in order to get us a successful early hearing. Without that, we, and therefore Guernsey, would not have been successful. It is my understanding that the Guernsey case would not have been sufficiently robust alone and that is why the 2 were eventually joined together. That, I should add, was also in our interests. The 2 Islands ultimately joining the action and going jointly to the High Court at the end was beneficial to both.

2.2.3 Deputy M.R. Higgins:

Is the Minister prepared to put in writing the actual preparatory work that was done by Jersey that resulted in this extra cost, so we could all see if it was value for money?

Senator A.J.H. Maclean:

I think the Deputy would need to put it in writing himself to me exactly what it is he is asking for. If he is asking for all the details, there is a lot of confidential information that was collated

from witnesses and I think that sort of information is highly unlikely to go into the public domain, but if he wants to clarify in writing, I will certainly have a look at it and seek advice.