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11 Deputy M.R. Higgins of the H.M. Attorney General regarding the number of cases lodged against the States of Jersey claiming damages: [OQ.45/2019]

Will Her Majesty's ... it is addressed to the Attorney General, but the Solicitor General, inform Members how many cases are currently lodged against the States of Jersey claiming damages, for what type of action and quantity of any damages currently being sought?

The Solicitor General (rapporteur):

I have taken this question to refer to the number of claims for damages where legal proceedings have been commenced in court, given that the question refers to claims lodged. I would also add that it should be noted that claims for damages are brought against individual Ministers or against the S.E.B. rather than the States of Jersey as a defendant. There are currently 9 claims where proceedings have been commenced claiming damages against Ministers or the S.E.B. As regards the type of action, one claim is for damages for wrongful dismissal against the S.E.B. and 6 claims are against the Minister for Health and Social Services, which are mainly claims for clinical negligence. Then lastly, there are 2 other claims for damages against the S.E.B. and other defendants which have been both brought by the same plaintiff and those claims are for financial loss for defamation and misfeasance in public office, among other claims. As regards the quantity, a draft schedule of loss has been provided for the claim for wrongful dismissal, which claims damages of £8 million plus interest and costs. In relation to the other 8 claims, schedules of loss have not yet been provided in relation to these claims, so the damages cannot be quantified. Lastly, I would add that this information does not include claims in the Employment Tribunal for unfair dismissal and discrimination as technically such claims are not claims for damages, which are determined by the court, but are claims for awards of compensation limited by employment legislation and determined by the Employment Tribunal, but I can give the Deputy that information if he wishes.

Deputy M.R. Higgins:

Yes, please.

The Solicitor General:

There are a total of 6 claims for compensation against the S.E.B. in the Employment Tribunal, 2 of those for unfair dismissal and 4 for discrimination and the total exposure to those claims is approximately £77,000.

The Bailiff:

A final supplementary?

Deputy M.R. Higgins:

No, Sir. I thank the S.G. for the information. I will be coming back, no doubt.