

20.09.22

14 Deputy M.R. Higgins of the Minister for Children and Housing regarding the right of social workers to confiscate mobile telephones belonging to clients (OQ.246/2020):

Will the Minister state on what basis social workers may confiscate the mobile telephone of a client during a meeting and not return it to them? If there has been a recent incidence of this will he ensure that the telephone is immediately returned or, if not, that the client is compensated for the loss? Will he take steps to ensure this cannot happen in future?

Senator S.Y. Mézec (The Minister for Children and Housing):

In terms of what basis a social worker could confiscate a phone from a client and not return it to them, there is absolutely no basis for that and it should not happen, full stop. Since this question has been lodged I have begun looking into this and have discovered that there is one allegation of this happening and I will be investigating it further.

Deputy M.R. Higgins:

I would like to thank the Minister for his answer and I look forward to hearing the results of his investigation.

4.14.1 Deputy K.F. Morel:

Would the Minister accept that forcing somebody to give up any element of property is theft and that any employee of the government who has coerced or forced somebody to give up some of their property should be prosecuted as you would expect any member of the public to be prosecuted?

The Bailiff:

I am afraid I cannot allow that question, Deputy. It is asking for an expression of opinion about the legal consequences of a particular act and whether a Minister thinks a criminal prosecution could ensue. Obviously if there is an allegation of a criminal offence that is something that should be laid before the police and a report made and a decision taken by the Attorney General if a prosecution is merited, and I do not think it would be helpful or advisable for any Minister to express a view in this place as to whether such a thing might happen. But if you wish to rephrase your question?

Deputy K.F. Morel:

Will the Minister treat such allegations as allegations of theft?

Senator S.Y. Mézec:

I think it is an extremely serious allegation and it is one that I have not yet had the opportunity to understand the exact story behind it and the full details. But, as I have said, there is no basis for that sort of thing taking place. It should not be happening and it is very serious.

4.14.2 Deputy M.R. Higgins:

Could I ask the Minister if he will reaffirm that it is the right of any citizen who is dealing with his officers to record the conversations of their meetings as a personal record of what went on for accuracy, and that they should not be prevented from doing so?

Senator S.Y. Mézec:

That is the case but obviously that would get complicated when such recordings began to be shared with a wider group of people afterwards, and that is where difficulties would arise. If there are

people who feel that they want to have their own personal record of meetings that are taking place it would be a good idea to share that with the people who are also in that meeting so that they can all have confidence in that.

The Bailiff:

We come now to question 15. I think given the fact that time is pressing - we have well under 20 minutes before we conclude this period of questions - any Member asking a supplementary question will not be able to ask a follow-up supplementary question in the way that we have done, and hopefully we will then fit all of the questions in.