

21.11.02

**10 Deputy M.R. Higgins of the Chair of the States Employment Board regarding Payment of damages (OQ.214/2021)**

Further to Oral Question 151/2020, will the chair advise whether the matter to determine the amount in damages to be paid to Mr. Amar Alwitary following his successful legal action for a breach of contract against the Health and Social Services Department and the subsequent talks to decide the quantum of damages has concluded? If so, will he advise the Assembly of the amount that the Government has agreed to pay?

**Senator J.A.N. Le Fondré (Chair, States Employment Board):**

This States Employment Board inherited this case in 2019. Now the matter of Mr. Alwitary, a consultant ophthalmologist, arose from a situation in 2012 by the Royal Court who subsequently found he had been unlawfully dismissed. So this has been going for some 9 years and commenced on 2 S.E.B.s (States Employment Board) before the present one. The S.E.B. has done its very best to limit the damage as much as possible and has taken and followed extensive local and U.K. professional advice. So in terms of the numbers, the amount of the settlement is substantially less than has been put into the public domain and, therefore, as a result of the out-of-court settlement and following an act of the court, I can provide the following official statement: "The matter was resolved by way of a confidential out-of-court settlement whereby the States Employment Board has agreed to pay Mr. Alwitary £2,369,000 gross in respect of his claimed losses as a result of the termination of his contract of employment and neither party is entitled to comment further on the terms of the settlement. The net sum retained by Mr. Alwitary after he has settled his tax and other liabilities remains confidential. Some matters relating to costs remain outstanding and subject to further court determination and neither party can comment on this."

**4.10.1 Deputy M.R. Higgins:**

Can the Chief Minister also tell us, in terms of damages, what additional sums have been paid to cover legal costs?

**Senator J.A.N. Le Fondré:**

As I said at the very end of my statement, some matters relating to costs remain outstanding and subject to further court determination and neither party can comment on this.