

**WRITTEN QUESTION TO THE CHIEF MINISTER
BY DEPUTY M. TADIER OF ST. BRELADE
QUESTION SUBMITTED ON MONDAY 3rd APRIL 2023
ANSWER TO BE TABLED ON WEDNESDAY 12th APRIL 2023**

Question

“Further to the Chief Minister’s statement on 11th November 2022, in which she indicated that “*she had requested an independent review*” into the circumstances surrounding the unlawful search of premises allegedly linked to Roman Abramovich, will the Chief Minister advise –

- (a) whether such a review has been completed, and if not, whether it has been started; and
- (b) who is leading the review and who will be able to see the findings of the review once it is completed?”

Answer

Subsequent to the remarks by the Chief Minister of 11th November concerning an independent review, a Government Statement was issued on 24 January 2023 which explained developments obviating the need for an independent review focused on the events. The relevant parts of the statement are as follows:

‘The Royal Court of Jersey has handed down a judgment concerning the judicial review proceedings in the case known as XY and A Limited v States of Jersey Police, which was the subject of media comment in November 2022. The case relates to a live investigation being carried out by the Economic Crime and Confiscation Unit (ECCU) within the Law Officers’ Department. The Court heard that the warrants issued as part of the investigation were unlawful as a result of an operational error, in that the application had been made under Article 15 of the Police Procedures and Criminal Evidence (Jersey) Law 2003, instead of Article 16 of the Law. The Court decided that costs should be on the standard basis and not on the indemnity basis, in that there had been no irregularity (beyond the operational error mentioned) justifying indemnity costs.

It is understood that the parties will now attempt to agree the amount of costs, and that if they fail to reach agreement then it will be decided by the Court through a specific process. These are matters for the Government’s insurers with any residual amount being paid from the Court and Case Costs budget as is normal. The States of Jersey Police will not be paying any of the costs or damages from their budget.

Having taken independent advice, the Government is satisfied that the Attorney General and the Chief of Police have reviewed the circumstances around how the operational error with the warrants arose and have agreed measures that have now been put in place to ensure that such an operational error concerning the application for warrants does not happen again.

Government officials, Law Officers and States of Jersey Police also intend to review the Memorandum of Understanding (MOU) which was agreed at the creation of the Economic Crime and Confiscation Unit (ECCU). This will be jointly commissioned in the near future.’

It is understood that the amount of costs has since been agreed by insurers. The work continues to revise the MOU. No further comment will be made as this matter relates to current legal proceedings.”