

PERSONAL STATEMENT

The Deputy Bailiff:

The Bailiff has agreed to give permission for Deputy Ferguson to make a personal statement. Deputy, I understand you wish to make that at this stage?

Deputy S.C. Ferguson:

There is an article in the *Jersey Evening Post* today which the Deputy of St. Peter and I consider requires an explanation to the Assembly. In January this year we became aware that a case was to be brought against a local businessman by the States of Jersey Police. The proposed charge was under Article 4 of the Computer Misuse (Jersey) Law 1995. The businessman is a constituent of the Deputy of St. Peter. The businessman had lodged an official complaint against a police officer in 2007. As is normal practice, investigation of this complaint was suspended while the court proceedings took their course. My parishioner had expressed her concerns about the conduct of the case against her brother, the local businessman. It was the Deputy of St. Peter and my considered opinion that there was a significant risk of a major miscarriage of justice and we could not just stand by. The Deputy of St. Peter and I considered that the appropriate course was to discuss the matter with the person in charge who is the Attorney General. As former Centeniers, we are aware that such concerns should be discussed with the Attorney General. As politicians, we are aware that the scope for a politician to represent a constituent in relation to the criminal process is very limited. The decisions are a matter for the prosecution and the court. The Deputy of St. Peter and I expressed our concerns to the Attorney General. The Attorney General decided to review the file and subsequently decided that the prosecution should be brought. The businessman concerned was charged soon afterwards. It would be inappropriate to make any further comments. The Deputy of St. Peter and I consider that it is part of our role as politicians to investigate and question any matter where we consider that our constituents face injustice and we make no apology for this. It would be a dereliction of our duty as elected representatives if we did not question and investigate. Thank you, Sir.