

STATES OF JERSEY

Education and Home Affairs Scrutiny Panel

TUESDAY, 30th MARCH 2010

Panel:

Deputy R.G. Le Hérissier of St. Saviour (Chairman)

Deputy T.M. Pitman of St. Helier (Vice-Chairman)

Deputy M. Tadier of St. Brelade

Witnesses:

Senator B.I. Le Marquand (The Minister for Home Affairs)

Deputy J.A. Hilton of St. Helier (Assistant Minister for Home Affairs)

Present:

Ms S. Power (Scrutiny Officer)

[15:00]

Deputy R.G. Le Hérissier of St. Saviour (Chairman):

Okay, ladies and gentlemen, I will formally start this session. First of all, before I explain what we are about, we will just introduce ourselves.

Scrutiny Officer:

Sam Power, Scrutiny Officer.

Deputy R.G. Le Hérissier:

Roy Le Hérissier, Chairman, St. Saviour.

Deputy T.M. Pitman of St. Helier (Vice-Chairman):

Deputy Trevor Pitman, St. Helier No. 1, Vice-Chair.

Deputy M. Tadier of St. Brelade:

Deputy Montfort Tadier of St. Brelade.

Deputy R.G. Le Hérissier:

Our 2 guests ...

The Minister for Home Affairs:

I am Senator Ian Le Marquand, the Minister for Home Affairs.

Assistant Minister for Home Affairs:

I am Deputy Jackie Hilton, Assistant Minister for Home Affairs.

Deputy R.G. Le Hérissier:

Thank you. I will not read the witness requirements because you are obviously familiar with them and we can leave it there. The purpose of this fairly short meeting is to examine the reasons as to why the Minister is proceeding with the appointment of a Chief Officer of the States of Jersey Police as per P.33 and, as a result of our discussion this afternoon, we will submit comments to the States and see what transpires. At the moment, this proposition is due to be debated on 20th April. I would like to thank you all for coming. We have got the refreshments organised, we will start the questioning.

Deputy T.M. Pitman:

There are some more chairs needed, I think.

Deputy M. Tadier:

We have not had this much interest for a while, have we?

Deputy R.G. Le Hérisier:

Okay. The first question I will ask the Minister and, basically, my colleagues will really provide supplementaries from there on. Mr. Minister, could you explain why you are moving ahead with this appointment at that particular date?

The Minister for Home Affairs:

Yes. The position is that, even if Mr. Power had been going to remain in office until the end of this year - which, of course, he was entitled to do under the terms of his 3-year extension - I would have been proceeding with the process for the appointment of a new Chief Officer at roughly the timing that I am doing it. The reason for that is simply this: that we have to have certainty as to whether or not Mr. Warcup is going to be the next Chief Officer of Police. The process which occurred when Mr. Warcup was initially appointed as Deputy Chief Officer was also that he was assessed as to his suitability to be the Chief Officer Designate; I have with me, for instance, a copy of the advertisement that was sent out which makes that clear. Indeed, all the documentation relating to this makes this clear. What had happened was that it was recognised that there was a need for succession planning. A number of senior officers were going to go within a short period: Mr. Power was indeed, of course, due to go 3 years before, at the end of 2007, his deputy was due to go in the summer of 2008 and, number 3 in the force, the role of Superintendent, was also due to go about the same time so there was an urgent need. There was an urgent need for a plan which would not just give a new Deputy Chief Officer of Police but also a Chief Officer of Police Designate so that there would be continuity. That was the basis of the initial process and the initial interviews and Mr. Warcup was the successful candidate as a result of that. Clearly, that being so, it was necessary for me to move some time in 2010, and preferably early, towards the process of putting the matter before the States of Jersey, who make the ultimate appointment. The point being that if, hypothetically, "*par impossible*" I might say, the States of Jersey were to decide that Mr. Warcup was not a suitable person, then a new process would have to be put in train to find the next Chief Officer of Police other than Mr. Warcup. Towards the end of last year, and earlier this year, it was explained to me that it was important that we start to proceed with this process so that there could be certainty for the future. Of course, once Mr. Power gave the 6 months notice of termination of retirement, effectively, that became even more urgent in the sense that his date now of retirement is 20th July. I hope I have answered the question; I have probably given you far too much detail.

Deputy R.G. Le Hérissier:

Were there any circumstances under which you think you could have delayed the process, given that there is obviously a highly-sensitive process going on in regard to Mr. Power himself?

The Minister for Home Affairs:

The process was, in fact, initiated in early January. It was initiated for the reasons I said and it was initiated before I got the letter from Mr. Power. Mr. Power's letter then came in and dates had already been fixed for the formal meeting. What I want you to understand is, because he was initially appointed, obviously subject to States approval, but initially appointed as Chief Officer of Police Designate, the process in terms ...

Deputy M. Tadier:

Sorry, can I stop? I do not wish to be photographed, so if the *J.E.P. (Jersey Evening Post)* photographer wishes to photograph then I would certainly have to just leave the room. I object to being photographed by the accredited media when they have not given notice, I am afraid.

Deputy R.G. Le Hérissier:

Do you want to go to the side, then? Sorry, kindly ...

The Minister for Home Affairs:

Sorry, I have forgotten where I was; if you could just remind me or ask me the question again and I will try again.

Deputy R.G. Le Hérissier:

What I was asking you, Mr. Minister, and you have gone a certain way to answering it, is when you re-examined the situation in the light of the very sensitive issues surrounding Mr. Power - which have yet of course to come to some kind of resolution - why did you not delay it?

The Minister for Home Affairs:

Yes. Because for the reasons I have just said: (a) there needs to be certainty in terms of the future and indeed, of course, alongside the issue of certainty for the Island in terms of who the next Chief would be, there needs to be a degree of certainty for Mr. Warcup himself who, after all, was appointed on the basis of the expectation that he would become the next Chief Officer. He needs to know for himself because there are issues that arise in his life in terms of his ability just to settle down, potentially buy a house, or whatever. At the moment, all he has is a 3-year contract which ends at the end of this year, so there are issues there. But my primary issue was the need of certainty of the process because, if the States, "*par impossible*", decided not to appoint him then we have to go back through an assessment process. We then have the issue of what does he do, does he remain on as Deputy, et cetera, et cetera. We have had a great period of uncertainty in the police force caused by the lengthy suspension of Mr. Power and one thing that the States of Jersey Police will need for the future is certainty and one of the certainties they will need is certainty as to who will be the next Chief Officer.

Deputy M. Tadier:

Mr. Chairman, could I come in? You can let Trevor, I think, if he wants to go first.

Deputy T.M. Pitman:

Thanks, Montfort. You have talked about the need for urgency but it seems like this is an indecent urgency, if I can put it this way. Many of the public think Mr. Power's political corpse is not in the ground and here we are replacing him with someone who, like it or not, is intrinsically involved in the situation. It looks appalling to the public. I have got no axe to grind, I must point that out, with Mr. Warcup, it looks appalling and what people are saying out there, if there is not a conspiracy, it looks like it. What is the harm, Minister, in delaying this?

The Minister for Home Affairs:

Are you putting to me that there is a conspiracy?

Deputy T.M. Pitman:

I am saying if there is not one, it looks like it and this is just making that even more apparent.

The Minister for Home Affairs:

It is a conspiracy to do what?

Deputy M. Tadier:

Can I come in because I think my point is very much related to what Trevor has just raised? I think you have given us some straw men, if I may say that. First of all, you have said that, even if Mr. Power was not suspended and even if he were currently in his job then you would be looking to appoint Mr. Warcup, but the point is we are not in that scenario, we are in a scenario where Mr. Power is suspended and that is the whole point, it is a completely different scenario. This is not the ordinary event of things and it is exactly because of this suspension, because there is a suspension going on with the relevant review and the inquiry pending by the Chief Minister, that there is this sense of: "Let us find out whether Mr. Warcup" ... As to the matter of certainty, we all have sympathy for Mr. Warcup, we know that obviously he does not want to be left in limbo but I think there are 2 points: first of all, you talked about an expectation that he will become the next Chief Officer; I mean, that is not necessarily the case. He was appointed to be an Acting Chief Officer. We know, for example in education circles, just because a deputy head teacher - if I can use the analogy - is acting as the Head Teacher does not necessarily mean that person will go on to be the Head Teacher. I would maintain that it is exactly the same for the Chief Officer of Police. The third point I would make, when it comes to certainty, we need certainty from States Members and the public that Mr. Warcup is the correct person for the job but also that this is the correct time to appoint him. As I say, a lot of people maintain that this is not the correct time to be appointing Mr. Warcup.

The Minister for Home Affairs:

Can I just say, that is more of a speech than a question but I will try and deduce questions from it, nevertheless. Firstly, he was appointed as Chief Officer Designate, not just as Deputy; that is the whole point of what I am saying. That is clear from the documentation in terms of the advert and various other things. There was a clear indication that after the initial appointment, provided that his service record was

appropriate, that he would move on. Obviously, also, subject to States approval; there is a very clear difference between those 2 different situations. Secondly, you started to ask me a different question. The question I was asked by Deputy Le Hérissier was in fact a question in relation to why I was taking the matter forward when I was taking it forward. The actual meeting took place in January in terms of the assessment of his ongoing capacity and so on. You must understand that, unusually, we have had a situation here that we are not just assessing that in relation to his functionality as Deputy but we have been able to see him in operation as the Acting Chief and therefore we have had a better ability to gauge that. There was then a delay in relation to the decision, coming back to a decision, which was caused by illness of the Chairman. There then had to be a process in relation to the putting together of my proposition. My own personal view - you may say I was wrong in this, you may say I was naïve in this - was that once I had the firm recommendation from the Board with which I agreed it was my duty to put that before the States as soon as possible. The issue as to then precisely the proposition is to be debated is a quite separate issue. Indeed, I am still formulating an opinion as to how soon that can happen because, of course, the issues quite properly raised by the Deputy of St. Martin, Deputy Bob Hill, in relation to the outcome of the report of ... I cannot think of the name, the gentleman who has been appointed.

Deputy R.G. Le Hérissier:

This is the gentleman who has come to review the whole process?

The Minister for Home Affairs:

Yes. The Deputy of St. Martin has been very much involved in setting this up. We have got that issue and I am being told that the outcome of that is likely to be available towards the end of April, early May, and that the terms of reference are sufficiently wide to look at issues like the involvement of Mr. Warcup in that process. But, quite independently from that, you must understand there are matters that I would want to put before the House myself in relation to this. I particularly would want to put before the House the contents of the interim Metropolitan Police Report and I particularly would want to put before the House issues such as the ultimate recommendations of the Wiltshire Police. I cannot do all those things at this moment in time because of confidentiality issues which still exist, but I would hope to be in a position to do that before a debate. Indeed, one of the things I was going to do is to start talking to Deputy Hill as to a possible date to adjourn the matter to on the understanding that I would not be seeking to have a debate of the matter until such time as we had the outcome of the report that he has an interest in and also had the availability of the materials that I have an interest in. Because I think the States Members should have a maximum amount of information available.

[15:15]

Deputy R.G. Le Hérissier:

Do you not think the issues are getting conflated, Mr. Minister? Because what we are seeing is you are saying that some documents that are germane to the suspension and the disciplinary issue, you want them to be put before the States and, presumably, the whole idea of that is that the States will make some kind of assessment of these documents. But, surely, that suspension of disciplinary procedure should come to an end on the basis of correct procedure and then we should look at this appointment.

Deputy T.M. Pitman:

Absolutely.

The Minister for Home Affairs:

That may well be so. Can I handle this very simply? As I understand it, the concerns that are being expressed by individuals are not in relation to the competence of Mr. Warcup, per se, or to his ability, per se. The sort of concerns which have been expressed are in relation to the role which he played in connection with providing information to the former Minister for Home Affairs which then led on to the initial suspension process. That is my understanding. If I can put this very simply in the vernacular, as I see it, there are 2 possibilities here: there is the possibility that he exaggerated things, that he had made things up, that he had some motivation for so doing and that he is effectively a snitch. That is not my opinion but that is effectively, if I may put it, where people are coming from who have a concern; I think that is not unfair. The alternative possibility is, of course, that he was fully justified, that there were serious issues that he, in fact, had advice from the Metropolitan Police which fully backed this up and that his concerns are justified and have been backed up by the outcome of the Wiltshire Police. In which case, he has done his duty as an officer, a painful duty, but nevertheless a duty of a senior officer discovering that things have gone seriously wrong in terms of bringing that to the attention of the officer's seniors. That, it seems to me, is the crux of the matter and the crux of the concerns. Am I being unfair or are there other issues?

Deputy M. Tadier:

Could I point out, I would suggest there must be a third possibility there, must there not? It is very polarised the 2 options that you have given. Presumably, the third option of anywhere in between would be that Mr. Warcup is essentially an honest man but that he was leaned upon and he was manipulated in such a way so that he thought the information he was giving out was correct and that any behaviour he was partaking in was quite correct when, in fact, he was being led by some higher power. That is not necessarily my opinion, that is obviously a third possibility and that is probably a possibility which many individuals have concerns about.

The Minister for Home Affairs:

Okay. I had not thought my way through to that possibility that somehow he was misled into acting in a particular way. Yes. Okay.

Deputy M. Tadier:

I think the point is, the concern is that, even if he is a good individual - and we are not here really to discuss that - the fact is, some would say that he is already so involved in the issues and, in fact, it is not really appropriate for him to be appointed. That is why, I think, we would at least appreciate more time as States Members.

The Minister for Home Affairs:

Can I say, with respect, that does not make sense at all because constantly we are hearing, and I am - and Deputy Pitman is one of those to cry this the most loudly, if I may say so, and that is no criticism of him - that if things have gone wrong, why is nobody being held accountable for it? If things had gone fairly wrong in relation to this and if it came to his attention, how can he possibly be blamed if he brings that to

the attention of those above him? I really cannot see that is logical at all; he was under a duty to do that so there is no question about it. It is no different to any other situation in which a number 2 in an organisation might hypothetically find that the number one was doing something very wrong.

Deputy T.M. Pitman:

But with due respect, with both scenarios you paint, it still comes to the same conclusion that, if you are talking about certainty - and that must be certainty for Mr. Warcup - because certainly, if this goes ahead, I for one have got no grudge against Mr. Warcup but I would be tempted to vote against his appointment simply because it is entirely inappropriate to have this appointment while that other process with the suspension has not been played out and made public. It is logical and I am really shocked that you do not see it that way, to be honest, Minister.

The Minister for Home Affairs:

To me, the issue is simply an issue as to whether or not he was justified in relation to the role he played.

Deputy T.M. Pitman:

He may be but we do not know that yet and that is ...

The Minister for Home Affairs:

No. That is why I am agreeing with you that, before the appointment debate would take place, I would want the Members to have access to information which would enable an informed judgment. I am not disagreeing with you on that.

Deputy R.G. Le Hérisier:

I think, Mr. Minister, we are partly talking at cross purposes because I think you are changing the terms of the discussion. I think what we are suggesting, what we are putting to you, is that there is a process in place, it has been a very unhappy process, it is one you have to handle as having inherited. It has not come to an end, it has caused enormous distress, obviously, to the individual and would it not be proper, on the basis of whatever evidence you are still accumulating - and there still seems to be some - and decent for that process to finish before you then look at the appointment of a new Chief Officer, even though it will lead to slight delays, given that present incumbent, in any case, has got till the end of the year on their contract?

The Minister for Home Affairs:

No, he has not, he has until 20th July.

Deputy R.G. Le Hérisier:

Sorry, the present Acting ...

The Minister for Home Affairs:

I am sorry, the Acting ... yes, but the difficulty that arises, at what point is the process completed? It is likely, because of the lengthy nature of the disciplinary process ... I, today, at last received the report from the Deputy Chief Executive to the Council of Ministers which is required under the Disciplinary Code and will now be activating the next step which is a meeting with Mr. Power to discuss issues before deciding if he is going to face formal disciplinary charges. But the reality of the situation is that

there is a matter of complexity involved in this, and I am talking here in relation to what is generally called Haven 1, which is the matters to do with the management of the Haut de la Garenne Investigation, the financial issues and so on and so forth. It would take a great deal of length of time to come to a full hearing. In addition to that, or subsequent to that, there is an appellate process and subsequent to that there is an issue that goes before the States. In reality, there is no way I can complete all those stages and therefore the disciplinary process, in terms of Haven 1, is unlikely to come to any conclusion upon the facts by an effluxion of time with the resignation on the 20th. If you are talking about it will be over in terms of coming to a conclusion, it is not going to come to a conclusion, in reality, via a hearing by myself because I am not going to be conducting hearings, nor would Mr. Power want to be after a date when he no longer is in office; that makes no sense whatsoever. Do you see my point? Therefore, at the end of the day, the only sources of information that people are going to have in relation to these issues are going to be the foundation reports, the report from Wiltshire and, indeed, whatever Mr. Power may wish to say about it. Do you see what I am saying? If you are suggesting it all has to be left over until the process has been completed, when is that, 2020, 2025? It is not going to be completed in terms of that, there is not sufficient time.

Deputy M. Tadier:

That would almost beg the question, then, should we be appointing Mr. Warcup at all, why not just appoint somebody whose hands are clean, and I say that without any kind of ...

The Minister for Home Affairs:

His hands are clean. I am sorry, Deputy, I very much resent your suggesting his hands are not clean. Could you please apologise for that?

Deputy M. Tadier:

Let me qualify ...

Deputy R.G. Le Hérissier:

Do you want to clarify that?

Deputy M. Tadier:

Yes. I was about to qualify when the Minister interrupted. I am not inferring any kind of wrongdoing, but what I am saying, there is a perception out there that he is implicated. Just because a mechanic's hands will become dirty from dealing with work that does not mean the mechanic is a bad person. All I am saying is that Mr. Warcup is implicated in this whole affair and that is certainly the perception. There may have been necessary things he had to do but, until there is closure of the whole issue ... and you yourself, Minister, said that this may take years and years.

The Minister for Home Affairs:

There is not enough time for there to be closure of the initial matter by the means of hearings; that is very apparent in relation to that. I myself had estimated that the time period that would be involved for the entire process, from the time when I got the reports to the time when the States would deal with the matter, would be somewhere in the order of 9 to 12 months. That is purely an estimation, it might be a great deal longer than that. But my point is this: if people wish to believe tittle tattle and they

wish to believe innuendo, that is a matter for them; I will go on the facts as presented to me and the objective opinions of experts who have looked at the matter. I would hope that my colleagues in the States would do the same. If they do not, then that casts very severe doubts on their ability and also their objectivity.

Deputy R.G. Le Hérisier:

Just going back to the point, you said you were going to enter into discussions with the Deputy of St. Martin while the proposition has been delayed and the date for debate could well be negotiable. What period are you looking at?

The Minister for Home Affairs:

Absolutely. I would hope that I would have in line all the information I would need and be able to disclose the maximum amount in terms of a debate on the second States meeting in May, that is my hope. Certainly, the information I have got, and I am looking towards Deputy Hill, is that the initial report will be available in late April, early May. I think that is my understanding.

Deputy T.M. Pitman:

Could you just clarify something, because you talked about tittle tattle and innuendo? Are you suggesting that everyone who questions what has gone with Mr. Power is just relying on innuendo and tittle tattle?

The Minister for Home Affairs:

No, I am not. It is a question for your colleague who is basically trying to say that if somebody out there thinks that there may be some suspicion of somebody they are therefore guilty. That is simply not correct.

Deputy M. Tadier:

I think you are putting words into my mouth, there, Minister.

The Minister for Home Affairs:

Mr. Warcup is entitled to be dealt with objectively and fairly; that is all I ask.

Deputy T.M. Pitman:

As is Mr. Power.

The Minister for Home Affairs:

As is Mr. Power. That is all I ask.

Deputy M. Tadier:

I think, Minister, you have missed my point. I am not inferring any kind of wrongdoing on Mr. Warcup, I am simply saying that there is a perception out there and it is correct because Mr. Warcup has been involved in the process of the suspension of Mr. Power; one way or the other, he is there. If we were simply in a scenario where we had suspended a Chief Officer, he had been removed and his contract had come to an end then after that, completely separately, we bring in somebody else who is not implicated in any way, who has got no knowledge of the case that is ongoing, we would not be in this scenario. That is all I am saying. Unfortunately, we are not in that position.

The Minister for Home Affairs:

I think there is going to be an abundance of evidence, if I may say so, that Mr. Warcup acted fully properly in this matter.

Deputy R.G. Le Hérisssier:

Sorry to interrupt, Minister, but surely the issue is that that evidence should be fed into the disciplinary and suspension process, should it not? The idea of the States acting as some kind of assessor of evidence, some of which will form part of this other process, do you not think that this is rather odd?

The Minister for Home Affairs:

Are you suggesting that the disciplinary process should continue after 20th July because that, to me, does not make sense, with respect?

Deputy R.G. Le Hérisssier:

No, I am not. It is all highly regrettable, obviously, where it has all ended up and where you have had to end up and it is very unfortunate. But it seems very odd that what you are suggesting is there is going to emerge, very shortly, some very powerful evidence which is apparently going to address one side or the other in this issue. But, yet, the process where this evidence should have played a key part is somehow just going to fritter out. It just seems very sad and very unfortunate.

The Minister for Home Affairs:

I can only agree with that. I think that it is fair to say that the Wiltshire Police are embarrassed by the length of time that the processes have taken and, indeed, the costs. As you know, when we started out on this road, or when my predecessor started down this road, he was being told that he would have reports as early as March 2009, and I was being told the same when I arrived as Minister in December. In fact, I have just recently given an interview to the *Jersey Evening Post* explaining the various reasons for various delays upon the way. I do not want to expand on that because I promised the reporter that she would have a scoop.

Deputy R.G. Le Hérisssier:

Okay. Are there any further questions? Can I ask you, Mr. Minister, okay, you have argued that there is this substantial evidence coming along and I suppose, without putting too many words in your mouth, you have inferred it is going to sort of start clarifying things, indeed, maybe clarifying them. But would you be prepared to defer - given what you have heard today and having had the benefit of reflection - a debate on the appointment of Mr. Warcup until Mr. Power's situation has resolved itself, be it through his end of service, through retirement or be it through the unlikely event of completing the disciplinary process?

[15:30]

The Minister for Home Affairs:

No. The answer to that is no. I have considered the possibility of putting back a debate until July. By coincidence, there is a States meeting in July, I consider that too late. As said if, hypothetically, the States were to decide against Mr. Warcup, for whatever reason, it is simply much too late for us to be going through a process of finding somebody. We are then going to be in a situation of having a Deputy Chief

Officer, Acting Chief Officer, who has not got the support of the States of Jersey, hypothetically, and his position is going to be extraordinarily difficult and the position of the States of Jersey is going to be extraordinarily difficult. I am content to put things back by maybe a month, till May, but I will not put it back any longer, because then that really does start to create difficulties. I cannot personally see why, if I am able to put before the Members the guts as it were, if I may put it that way, of the Wiltshire Report and recommendations and the guts of the Metropolitan Report, why Members would not then be able to formulate a view as to whether or not Mr. Warcup acted properly, because that is the issue: either he did or he did not.

Deputy T.M. Pitman:

I have to ask, Minister, are you prepared to stand or fall by those beliefs? You are quite happy that all will be revealed: Mr. Warcup, the whole process that has gone on will be proven to be entirely correct. If it is not, and you cannot give us that evidence, are you prepared, as a Minister, to take those consequences?

The Minister for Home Affairs:

If the outcome of the Wiltshire Reports does not effectively demonstrate that the behaviour of Mr. Warcup was proper and appropriate, I would not have been bringing a proposition to the States. Remember that I have known since October of last year what those reports say.

Deputy T.M. Pitman:

If only we knew.

The Minister for Home Affairs:

If only I could tell you at this stage but, although its confidentiality has, in my view, been substantially lifted on a variety of different areas which has allowed me to speak more freely, I still do not feel completely free.

Deputy R.G. Le Hérissier:

Okay. Are there any final ...

The Minister for Home Affairs:

If it helps you, if the vote were to go against Mr. Warcup, I would resign, it would be the only matter of integrity available to me; of course, I would.

Deputy T.M. Pitman:

Do you feel it to be fair that you are putting Mr. Warcup in a fair position because, certainly, some States Members I have spoken to probably will not support his appointment for this very lack of concern and, on the other hand, the very issue this fact is going on before the Power situation is resolved. Is that fair on Mr. Warcup?

The Minister for Home Affairs:

I think that Members must be fair to him by waiting to see the contents of the information I can put out first, I expect people to judge him and his performance in relation to his role in relation to the initial suspension, on that. I think when people see that they will see that the other arguments just fall away. I have discussed this with him on a number of occasions and, frankly, he would like things to move forward as soon as possible but he also would like me to be in a position to put the

maximum amount of information before the House; as I said, those are the 2 aims that I am trying to achieve.

Deputy R.G. Le Hérisier:

Have you tested with him whether he indeed would be agreeable to the kind of suggestion we are making, that the debate be deferred until the situation with the current chief is resolved?

The Minister for Home Affairs:

If we are talking about July, it is too long. It is unnecessary and too long, provided I can put the information in. If I could not put the information in by then, then I might have to consider that. I do not want to go with the debate without the Members having had the opportunity to effectively see what Wiltshire and the Met. were saying.

Deputy T.M. Pitman:

Just for clarity, is it correct that you have already accepted that the Deputy of St. Martin's proposition will be heard before the proposition to appoint Mr. Warcup, is that correct?

The Minister for Home Affairs:

Yes. That is logical. But I hope that we can reach an accommodation by which I would simply agree to put the matter back to a date and undertake that I would not bring it forward until after the matter. Can I just make a comment on that? I had not anticipated that the terms of reference in relation to that report would be quite as wide as they were, and that may be my fault or my misunderstanding but initially I had not expected that they would cover the issue of the role played by Mr. Warcup. I now see that that is so and that issues can be looked and dealt with within that context and that there will be access to the Metropolitan Report and so on. As I said, I have slightly changed my attitude. Initially, when Mr. Hill was lodging it, I thought it was going to be irrelevant because the report would not cover it but I now see that it is not because the terms of reference have been widened.

Deputy R.G. Le Hérisier:

Are there any final words?

Deputy T.M. Pitman:

Just for clarity, obviously you were ill at the last States session, unfortunately, but I did ask the question when are Members likely to see this interim report; could you just clarify that for me, when are we likely to see that?

The Minister for Home Affairs:

Yes. Thank you. You did ask that question. Can I just explain the nature of it, and this is dealt with in great depth in the written answer that I put in. The trouble is that I have now discovered the best way of keeping a secret is to put it in the written answer because nobody seems to read them. But if you would like to read the very lengthy and detailed written answer which I made to the question of Deputy Hill, you will see that I explained that the Metropolitan Police report was produced on the recommendation of the A.C.P.O. (Association of Police Chief Officers) Homicide Working Group and it was produced as a general management report, it was a report

in relation to where are we in relation to the investigation generally and where are we in relation to specific investigations. The difficulty that arises is that there is highly-sensitive information contained therein relating to individual matters. But I would expect that there would be some parts of the report which would contain general comments in relation to the management, et cetera, et cetera, and those are the parts that I would hope to be able to put into the public arena fairly quickly. My own personal view at the moment is that they do not impinge on the disciplinary matter at all because they were not used by me or anybody else for disciplinary purposes but they are highly relevant to the issue as to whether Mr. Warcup had grounds for bringing matters to the attention of the Minister of the time.

Deputy T.M. Pitman:

Getting back to the question, when was the date that you said that you hoped that Members would be able to see it for themselves? Go on, you know you want to tell us.

The Minister for Home Affairs:

I am hoping before the next States sitting but why I am being my normal cautious self though is because there are issues of discussions with the Met. themselves in relation to use of the document. I cannot personally see that they could have any objection for the document to be used for the purposes of demonstrating what Mr. Warcup had before him when he gave his letter of advice, and so that could be quite soon. But I am in the process of taking advice.

Deputy R.G. Le Hérissier:

Will it be quick advice or ...

The Minister for Home Affairs:

I hope so. But at the moment I cannot see a problem in relation to that. But it would only be those parts and the document would have to be redacted to confine it to those parts that did not relate to individual investigations. But I do not know if that is a complex or simple process because I have not seen the document. I have seen the document in terms of the existence of a document but I have not seen it in terms of its contents because it was decided that it is not appropriate for me to look at it in the context of the disciplinary matter. It is quite a different matter if the credibility of Mr. Warcup is being put into play as to whether it existed or not because that is a different purpose. Thank you very much.

Deputy R.G. Le Hérissier:

Okay, Mr. Minister. Are there any final comments that you or your Assistant Minister wish to make? What we will do, we will produce some written comments. We will look at the issue of whether the thing can be delayed, if we have any power in that delay; there seems to be a debate about that, so we will look at that. I would like to thank you very much for coming. Thank you.

The Minister for Home Affairs:

Okay. Thank you very much indeed.

[15:40]