

COUNCIL OF MINISTERS

(97th Meeting)

21st October 2008PART A

All members were present, with the exception of Senator T.A. Le Sueur, Minister for Treasury and Resources, Senator P.F. Routier, Minister for Social Security and Senator F.E. Cohen, Minister for Planning and Environment, from whom apologies had been received.

Senator F.H. Walker, Chief Minister  
 Senator M.E. Vibert, Minister for Education, Sport and Culture  
 Senator P.F.C. Ozouf, Minister for Economic Development  
 Senator T.J. Le Main, Minister for Housing  
 Senator B.E. Shenton, Minister for Health and Social Services  
 Deputy G.W.J. de Faye, Minister for Transport and Technical Services

In attendance -

Deputy A.D. Lewis, Assistant Minister for Home Affairs  
 Connetable K.P. Vibert of St. Ouen, Assistant to the Chief Minister  
 W.D. Ogley, Chief Executive, States of Jersey  
 W.J. Bailhache, Q.C., H.M. Attorney General  
 J. Morris, Policy and Research Manager  
 P. Monamy, Acting Clerk to the Council of Ministers

Note: The Minutes of this meeting comprise Part A only.

Senator W.  
 Kinnard,  
 Minister for  
 Home Affairs:  
 resignation.  
 FILE  
 1240/9(121)

A1. The Committee with reference to its Minute No. A1 of 21st October 2008, recalled that Senator W. Kinnard had made a statement in the States announcing her resignation as Minister for Home Affairs on the basis of an issue of moral conscience and principle, namely that at a recent meeting of the Council of Ministers, the Council had declined to accept a recommendation from her Department that an item of importance be taken forward immediately.

**The Council reaffirmed the intention that the Chief Minister should make a statement to the States shortly and agreed an outline of the wording to be adopted, subject to finalisation by the Chief Minister.**

H.M. Attorney General outlined the background to the desirability of promoting an amendment to existing Jersey legislation in order to ensure that judges could use discretion as to whether to give a corroboration warning to juries, depending on the case, regarding the issues raised and the content and quality of evidence. It was recognised that the referral of the issue to the Jersey Law Commission was unlikely to result in a speedy outcome, although the matter would undoubtedly be thoroughly examined and widely consulted upon.

**Having considered the possible effect on forthcoming prosecutions of a change to Jersey legislation, the Council concluded that it would not be in the Island's interest to release details of any legal advice it might have received on the matter and decided, therefore, not to publish the relevant minutes of its meetings.**