

COUNCIL OF MINISTERS

(74th Meeting)

27th March 2008**PART A**

All members were present, with the exception of Senator P.F.C. Ozouf, Minister for Economic Development, and Senator B.E. Shenton, Minister for Health and Social Services, from whom apologies had been received.

Senator F.H. Walker, Chief Minister
 Senator W. Kinnard, Minister for Home Affairs (for a time)
 Senator T.A. Le Sueur, Minister for Treasury and Resources
 Senator P.F. Routier, Minister for Social Security
 Senator M.E. Vibert, Minister for Education, Sport and Culture
 Senator T.J. Le Main, Minister for Housing
 Senator F.E. Cohen, Minister for Planning and Environment
 Deputy G.W.J. de Faye, Minister for Transport and Technical Services

In attendance -

Senator J.L. Perchard, Assistant Minister for Health and Social Services
 Connétable K.P. Vibert, Chairman, Comité des Connétables (for a time)
 W.D. Ogley, Chief Executive, States of Jersey
 J. Morris, Policy and Research Manager
 I. Clarkson, Clerk to the Council of Ministers

Note: The Minutes of this meeting comprise Part A and Part B.

States
 business.
 1240/7/1(1)

A1. The Council reviewed the list of public business scheduled for consideration by the States Assembly during the remainder of the First Session of 2008. In particular the Council noted –

- (a) that Deputy C.F. Labey of Grouville had requested that her report and proposition entitled, ‘Census of Island’s Population’ (P.32/2008 refers) be deferred from 1st April 2008 to a later date; and,
- (b) that the Minister for Treasury and Resources intended to present a comment to the States Assembly opposing an amendment, lodged ‘au Greffe’ by Senator L. Norman, to the report and proposition entitled, ‘Draft Goods and Services Tax (Jersey) Law 2007 (Appointed Day) (Amendment) Act 200-’ (P.41/2008 Amd refers).

Regarding item (b) above, the Council affirmed its full and continuing endorsement of the decision to introduce the Goods and Services Tax and of the approach taken by the Minister for Treasury and Resources in this regard.

Senator W. Kinnard was not present for this item.

Jersey
Telecom:
proposed sale:
response to
Scrutiny report
S.R.3/2008.
1446/2(17)

A2. The Council, with reference to its Minute No. B7 of 24th January 2008, noted the response of the Minister for Treasury and Resources to the Scrutiny report entitled, 'Jersey Telecom – Privatisation: supplementary report' (S.R.3/2008 refers).

Child
protection
services:
criminal
investigation:
future
Committee of
Inquiry:
request
submitted by
BBC
Television.
835/3/4(19)
839/41(9)

A3. The Council approved an extraordinary request, submitted by BBC Television, to permit employees of that organization to film a limited period of the Council's consideration of item A4 of this meeting.

Child
protection
services:
criminal
investigation:
future
Committee of
Inquiry.
835/3/4(19)
839/41(9)

A4. The Council considered a draft report concerning the possible establishment of a Committee of Inquiry to investigate any unresolved issues in relation to historic child abuse in the Island.

The Chief Minister submitted that it was absolutely necessary for the States Assembly to establish, in accordance with the States of Jersey Law 2005 and the Standing Orders of the States of Jersey, and at an appropriate juncture, a formal and fully independent Committee of Inquiry to consider and address what was expected to be a considerable number of unanswered questions about the way in which children had been cared for in Jersey in previous decades.

In making his submission to the Council, the Chief Minister observed that ensuring the ongoing criminal investigation was completed effectively was of the utmost priority. Having previously sought advice from the Law Officers' Department and the Chief Officer of the States of Jersey Police, the Chief Minister had concluded that establishing a Committee of Inquiry prior to the conclusion of the criminal investigation would in turn create a very real risk that the viability of the criminal investigation and any subsequent prosecution of suspects would be compromised. On that basis the Chief Minister contended that a report and proposition to establish a Committee of Inquiry should be lodged 'au Greffe' and debated as soon as possible after the conclusion of that investigation and of any subsequent prosecutions, with the detailed issues of membership and terms of reference to be agreed by the States at that time.

The Council concluded that a formal Committee of Inquiry would provide the most effective mechanism for delivery of a thorough, independent and fully transparent analysis of any unresolved issues. On that basis it reviewed a draft report and proposition, which had been appended to the report, concerning the possible establishment of a Committee of Inquiry. Ministers endorsed the report and proposition, subject to the completion of several minor amendments.

The Council endorsed the proposal made by the Chief Minister and agreed that the report concerning the possible establishment of a Committee of Inquiry should be presented to the States at the earliest possible juncture. It

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nevertheless acknowledged that it might be some time before it became possible to lodge and debate a report and proposition on the matter.

Senator W. Kinnard was not present for this item.