

## **Oral Question 3<sup>rd</sup> February 2009**

### **4.4 Deputy F.J. Hill of St. Martin of the Chief Minister regarding the implementation of the Draft Human Rights (Jersey) Law (P.197/99):**

Given that when the States approved the Draft Human Rights (Jersey) Law P.197 of 1999, Members were informed that the key requirement would be that of training and a working group would be established to organise and oversee the training of relevant staff. Would the Minister advise whether the working group remains active and if not explain why, particularly given the changes in personnel for States Members?

#### **Senator T.A. Le Sueur (The Chief Minister):**

After the Human Rights (Jersey) Law was adopted by the States in February 2000 a working group was established. That human rights working group implemented a number of public awareness initiatives, co-ordinated a comprehensive audit of human rights compliance and it initiated extensive programmes of training for public sector staff. In 2002 the human rights working group concluded that this task had largely been completed and that group was dissolved. A key message in the training programmes has been that human rights are a fundamental part of everything we do in the public sector and staff throughout the States and the Parishes have a core duty to respect and protect the rights of the public they serve. Human rights awareness has been actively and effectively promoted throughout the public sector and while there will always be a need for refresher courses and induction of new staff the responsibility for this has now been transferred to individual departments within the States. Human rights are not just the responsibility of one department or any working group but they are the responsibility of every States department and the duty of every States employee.

#### **4.4.1 The Deputy of St. Martin:**

Would the Chief Minister not accept that if it was considered to be important enough to give training for those people involved in the States work in 2000 that work should be continuous and leaving it down to departments is really an abdication by the States? Could the Minister give us some idea as to what form of training is given to departments and in particular maybe even to States Members?

#### **Senator T.A. Le Sueur:**

I believe that departments very often are in a far better place to deal with the particular nuances of their particular organisation rather than have it done in a central way. Some of the examples that we have are the works done with the Portuguese community through A.C.E.T. (AIDS Care Education and Training), the internet website that there is, work with the Citizens Advice Bureau, compliance audits. For the training of States Members there is a guidance booklet for all staff in public service and that is updated. There is a webpage under my section of the website [www.gov.je](http://www.gov.je). There are staff awareness training sessions attended over that period by over 1,000 States employees. There are special training sessions in particular for Honorary Police and States Police and generally for all departments including further training in particular on the Modern Management Development Programme.

#### **4.4.2 Deputy M.R. Higgins:**

Would the Chief Minister not acknowledge that unless the human rights training involves updates on recent court decisions any training is worthless? Because the

human rights law is constantly evolving with the decisions of judges, it is not laid down, as for example in U.K. law, where the decisions of the House of Lords will last for many years. In European law it is changing constantly and unless Members are kept up to date with each change it becomes a totally worthless exercise.

**Senator T.A. Le Sueur:**

I agree, and while changes do occur very frequently our programme does need to be updated on a regular basis and I agree with the Deputy in that respect.

**4.4.3 Deputy G.P. Southern:**

Is the Chief Minister aware of the U.K. Audit Commission's publication *Human Rights - Improving Public Service Delivery* of 2003 which suggests that, 3 years on, the impact of the Act - the Human Rights Act - is in danger of stalling in the U.K. and the initial flurry of activity surrounding its introduction has waned? Will he ensure that the Human Rights Act does not stall in Jersey and will he in particular ensure that training takes place for States Members among others, as a matter of some urgency?

**Senator T.A. Le Sueur:**

I hope we can learn from the evidence and the shortcomings in the U.K. and that we do indeed keep our Human Rights Law up-to-date and as part of that if needs require training for States Members then in conjunction with P.P.C. (Privileges and Procedures Committee) I will be happy to pursue that matter.

**4.4.4 Senator S. Syvret:**

The Chief Minister listed a number of different staff categories, public employees who would receive training in the Human Rights Law. Could he give the Assembly an assurance that that training will also be given to the judiciary and the Law Officers?

**Senator T.A. Le Sueur:**

I am not sure that the Law Officers and the judiciary count as States employees and I think they may well have their own training programmes. I can only speak on behalf of those members of staff employed by the States of Jersey.

**4.4.5 Deputy A.E. Jeune of St. Brelade:**

May I just say as a new Member of this Assembly I seem to recall that in our very comprehensive induction programme we have had human rights addressed.

**The Deputy Bailiff:**

Is that a question, Deputy?

**Senator T.A. Le Sueur:**

I am grateful to the Deputy for pointing that out to me. Not being a new Member I was not present at those meetings but I am pleased to know they took place.

**4.4.6 The Deputy of St. Martin:**

I am pleased to hear some of the answers from the Chief Minister but I would be even more pleased if the Chief Minister had given assurance that he will liaise with the Council of Ministers to ensure that all States Members are given training in human rights awareness and some time, possibly within 2 months, he will come back with some information about what training is going to be undertaken.

**Senator T.A. Le Sueur:**

I can certainly discuss that matter with the Council of Ministers and if a training course is needed I will certainly put them on. Equally I hope that in that case States Members will attend those meetings.