

**WRITTEN QUESTION TO THE CHAIRMAN OF PRIVILEGES AND
PROCEDURES COMMITTEE BY THE DEPUTY OF ST. MARTIN
ANSWER TO BE TABLED ON TUESDAY 9th MARCH 2010**

Question

Following her response to a written question on 30th June 2009, regarding Human Rights cases before the States of Jersey Complaints Board, will the Chairman inform Members whether the Privileges and Procedures Committee has discussed the matter and, if so, what was the outcome of those discussions?

If no meeting has taken place, will the Chairman inform Members of the reasons for this and advise whether it still the Committee's intention to meet the Members of the Complaints Board?

Answer

In my answer to the Deputy Le Hérissier last June I indicated that the Committee was waiting for the States of Jersey Complaints Board to be re-constituted, which happened on 11th September 2009. A meeting is being arranged, either at the end of March or in April, for the members of the Panel to meet the Committee so that it can welcome the new members and discuss matters of mutual interest. When PPC meets the members of the Complaints Panel it will be keen to discuss the extent to which the Panel should be alert to human rights issues that are raised by complainants even if it is only to know when further information or advice on matters raised should be sought.

As I said last June, it is important to stress that the complaints system is a way for complainants who are aggrieved by a *specific* decision of a Minister, Department or person acting on their behalf to have the complaint reviewed and it would not therefore be possible for a Board to consider human rights matters unless they were directly relevant to a particular decision. It would be inappropriate for the Complaints Board to operate as a kind of Human Rights Tribunal, as this is not the reason why it was established by Law in 1982. However, if Human Rights issues arise while reviewing a complaint about a specific decision, a Board will look into them, and if appropriate, seek legal advice.