

2025.09.08

3.3 Deputy M.B. Andrews of St. Helier North of the Chief Minister regarding the Minister for the Environment's decision not to attend the Complaints Panel hearing held on 31st July 2025 (OQ. 181/2025):

Further to the Minister for the Environment's decision not to attend the Complaints Panel hearing held on 31st July 2025, will the Chief Minister state whether he had any discussions or correspondence with the Minister regarding the Minister's decision and, if so, whether he signalled his agreement with that decision?

Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter (The Chief Minister):

I can confirm that the Minister for the Environment and I did not have any discussions regarding his decision not to attend the panel hearing on 31st July.

3.3.1 Deputy M.B. Andrews:

I want to know whether the Chief Minister is in agreement with the Minister for the Environment's decision not to attend the Complaints Panel hearing on 31st July.

Deputy L.J. Farnham:

I believe that, in such circumstances, it is for the Minister to decide as to how such matters are approached. I know that all Ministers appreciate the importance of effective complaint mechanisms and consistently work with the Complaints Panel. As Members know, the Deputy will be giving a statement to the Assembly later today outlining his reasons for not being in attendance. I accept, in this decision, the Minister was acting in good faith and, to the best of his knowledge, in line with their obligations, including the obligations to their staff.

3.3.2 Deputy K.M. Wilson of St. Clement:

Does the Chief Minister agree that listening to Members of the public and their concerns is a key element of our role, and given that Minister's refusal to meet with the Complaints Panel, has he considered if the role of an ombudsman could have been helpful in this case? If so, can he state if it is his intention to establish this kind of oversight to retain confidence in the complaints process?

Deputy L.J. Farnham:

I think it is absolutely essential that Ministers and States Members engage fully with the complaints process, and it is up to Members and Ministers how they do that, depending on the context and the details of the case. I believe in this circumstance the Deputy did that, and he will be making an explanation of his rationale later. A piece of work is well underway, nearing completion, being carried out by Deputy Moz Scott, in line with my previous comments to the Assembly as to whether we proceed with the decision to establish an ombudsperson. I am beginning to think that that could be a better course of action because I think in this modern society now we need to, I think, nail down the complaints process a little bit and look for something that can take us forward. But, as I said, a decision will be made in due course.

3.3.3 Deputy I. Gardiner of St. Helier North:

I welcome the Chief Minister stating that it is important to engage with a complaints process. Will the Chief Minister commit to issue guidance to Ministers to their responsibility they must engage with the complaints process and Complaints Panel?

Deputy L.J. Farnham:

I think Ministers are fully clear on that, and Deputy Luce has engaged with the complaints process on a number of occasions. His decision not to attend a single meeting does not constitute a position where he is not going to engage. I think in his statement he says he is prepared to fully engage with the process.

I am happy to remind Ministers of their obligation, although I know Ministers are already aware of that but I will reinforce the point.

3.3.4 Deputy I. Gardiner:

Would the Chief Minister consider not attending the Complaints Panel, as public expecting? It is an option ... it looks like a break of trust that public has in the complaints process. My question: how will the Chief Minister restore public trust if Ministers decline to attend the Complaints Panel meeting?

Deputy L.J. Farnham:

I think that is exactly why we need to review the whole process. I think that we are likely to be leading towards an ombudsperson to tighten things up and have a broader and more consistent approach to dealing with public complaints.

Deputy J. Renouf of St. Brelade:

My question has already been answered, sir.

3.3.5 Deputy M.B. Andrews:

Does the Chief Minister agree with me that there is an expectation for Ministers, if they are to be called upon to attend the Complaints Panel, that they should be giving their side of events in order to have a fair hearing, but by not attending it does raise questions about political accountability of the Council of Ministers?

Deputy L.J. Farnham:

I completely agree, and believe it is a duty of all of us to engage with the public on such matters, and I believe Deputy Luce has engaged with the public and has engaged with the Complaints Panel. His decision not to attend a single hearing does not signal his intention not to engage with the case that is ongoing. I will leave it for the Deputy to make an explanation in his statement.