



BILLET D'ÉTAT

V
2000

WEDNESDAY, 9th February, 2000

STATES ADVISORY AND FINANCE COMMITTEE

TRIBUNAL OF INQUIRY

BILLET D'ÉTAT

TO THE MEMBERS OF THE STATES OF THE ISLAND OF GUERNSEY

In pursuance of Paragraph (2) of Rule 1 of the Rules of Procedure in and in relation to Assemblies of the States of Deliberation of the Island of Guernsey, I have the honour to inform you that a meeting of the States of Deliberation will be held at **THE ROYAL COURT HOUSE, on WEDNESDAY, the 9th February, 2000,** immediately after the meeting already convened for that day.

STATES ADVISORY AND FINANCE COMMITTEE

TRIBUNAL OF INQUIRY

The President,
States of Guernsey,
Royal Court House,
St. Peter Port,
Guernsey.

26th January, 2000.

Sir,

TRIBUNAL OF INQUIRY

At the meeting of the States of Deliberation held today Deputy H. R. Allen asked whether the Advisory and Finance Committee would *"institute under the Tribunal of Inquiry Evidence Law 1949, a Tribunal to examine Guernsey Prison procedures, and the circumstances and reasons for the transfer of Philip Webb to Winchester Prison, together with the transcripts of the General Medical Council's hearing, and the Winchester Coroners Inquest"*.

Following a General Medical Council professional conduct inquiry considerable public and political interest has arisen in the decision taken to transfer Philip Webb from the States Prison to H.M. Prison Winchester and the procedures that were followed. Allegations and counter allegations have been made by the various parties interested in the matter which has resulted in a number of issues remaining unclear.

It is necessary in any society which upholds the rule of law that it should have confidence not only in the law courts and police but also in the way the prison service operates. It is for that reason that the Committee believes that a Tribunal of Inquiry should be convened to consider this matter.

It is not the Committee's function to determine whether the allegations made are well-founded or otherwise, and it has not attempted to do so. The Committee's reason for recommending that the current matter be considered by a Tribunal is that public confidence in the Guernsey prison service is at issue.

The Tribunals of Inquiry (Evidence) (Guernsey) Law, 1949, as amended, states that the provisions of that Law shall apply *"where it has been resolved ... by the States that it is expedient that a tribunal be established for inquiring into a definite matter described by the Resolution as of urgent public importance"*.

The Law confers upon the Tribunal all the powers, rights and privileges as are vested in the Royal Court with regard to

- (a) enforcing the attendance of witnesses and their examination on oath;
- (b) compelling the production of documents; and
- (c) issuing of a commission or request to examine witnesses out of this Island.

The Royal Court is responsible for the appointment of persons to serve on the Tribunal.

Members of the States will be aware that the President of the Advisory and Finance Committee is also Vice-President of the Committee for Home Affairs. He withdrew himself from the Advisory and Finance Committee's meeting and has therefore played no part in the Committee's consideration of this matter.

The States Advisory and Finance Committee, by a majority, recommends the States to resolve that it is expedient that a tribunal be established under the Tribunals of Inquiry (Evidence) (Guernsey) Law, 1949, as amended, to inquire into a matter of urgent public importance, namely the decision to transfer Philip Webb from the States Prison to Her Majesty's Prison, Winchester, the procedures that were followed and such other associated relevant matters concerning the Guernsey Prison Service, both preceding and subsequent to the said transfer, as the tribunal shall determine and to forward its report thereon to the President of the States for publication as an appendix to a Billet d'Etat.

I have the honour to request that you will be good enough to lay this matter before the States with appropriate propositions.

I am, Sir,
Your obedient Servant,
J. E. LANGLOIS,
Vice-President,
States Advisory and Finance Committee.

The States are asked to decide:—

Whether, after consideration of the Report dated the 26th January, 2000, of the States Advisory and Finance Committee, they are of opinion:-

1. That it is expedient that a tribunal be established under the Tribunals of Inquiry (Evidence) (Guernsey) Law, 1949, as amended, to inquire into a matter of urgent public importance, namely the decision to transfer Philip Webb from the States Prison to Her Majesty's Prison, Winchester, the procedures that were followed and such other associated relevant matters concerning the Guernsey Prison Service, both preceding and subsequent to the said transfer, as the tribunal shall determine and to forward its report thereon to the President of the States for publication as an appendix to a Billet d'Etat.
2. To request the Bailiff to request the Royal Court to appoint members of that tribunal in pursuance of section 2 of that Law, as amended.

DE V. G. CAREY
Bailiff and President of the States

The Royal Court House,
Guernsey.
The 4th February, 2000.

