
On Fri, 2 Dec 2022, 13:31 Trevor Cowin, <chloemay@manx.net> wrote:

Dear Sam

Thank you for your reply

I note that you say you that there was a typographical error in your previous advice concerning the date on which the Chief Minister notified the Governor that Mr Callister no longer had his concurrence to be a Minister, which you now say was on the 10th November 2022, not the 15th November as you previously stated. With respect, do you really expect me to believe that?

I assume that when the Chief Minister “notified the Governor that Mr Callister no longer had his concurrence to be a Minister” he did this either by written hard copy communication or by electronic communication so that either way there was an audit trail of the notification.

Please, therefore, let me have a copy of the Chief Minister’s communication with the Governor in which he notified the Governor that Mr Callister no longer had his concurrence to be a Minister. I would also appreciate receipt of the metadata relating to that document and indeed the copy email under which cover it was sent.

I note that you say –

“Section 3 (1) of the Council of Ministers Act 1990 gives the Governor the right to appoint a Minister and this right to appoint extends to also having the right to “end the appointment and appoint someone else” – see section 79 (1) (c) of the Interpretation Act 2015.

The Governor did this in his appointment of Mr Hooper as Minister for Health and Social Care. Mr Hooper’s instrument will be laid before the December sitting of Tynwald Court, and then duly enrolled at the Public Records Office.”

Your reference to section 79 (1) (c) of the Interpretation Act 2015 simply serves to confirm that included with the Governor’s powers of appointment under section 3(1) of the Council of Ministers Act 1999, the Governor has the power under section 79(1) (d) to “...end the appointment of a Minister and appoint someone else....”.

However, in the same way that when the Governor had to sign an instrument – a Warrant of Appointment - of Rob Callister when the Governor appointed Rob as a Minister, it’s necessary for the Governor to sign a written instrument ending Rob’s appointment. Please let me have a copy of such Instrument. Are you seriously saying that a Minister can be disposed of without the need for a proper document? That is beyond the realms of fantasy!

What happens in future when somebody is attempting to understand how and why a Ministerial appointment was made and then terminated outside of an election?

I can’t believe that you have concluded that the ending of Rob’s appointment by the Governor can be achieved by the attached “The Assignment of Ministers Instrument 2022”. The Chief Minister simply cannot end Rob’s appointment by the Governor as a Minister of

the Isle of Man Government in an instrument appointing someone else. Put simply, one cannot simply “infer” termination from a subsequent appointment!

Methinks somebody is making up convenient Fairy Tales here and it certainly isn't me! But, I'm sure Sophia Morrison* would be impressed.

Kind regards
Trevor Cowin