

STATES OF JERSEY



COMMITTEE OF INQUIRY: HISTORICAL CHILD ABUSE (P.118/2012) – AMENDMENT (P.118/2012 Amd.) – THIRD AMENDMENT

Lodged au Greffe on 27th February 2013
by the Council of Ministers

STATES GREFFE

COMMITTEE OF INQUIRY: HISTORICAL CHILD ABUSE (P.118/2012) –
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After the words “(as set out in Appendix 1 to the Report on the amendment of the Council of Ministers dated 5th February 2013)” insert the words –

“except that in the Terms of Reference –

- (a) in paragraph 2, after the words “run by the States” insert the words “and in other non-States run establishments providing for children, where abuse has been alleged,”;
- (b) in paragraph 13 for the words from “and the process by which the prosecution authorities decided” through to “interference at any level” substitute the words –

“and establish –

- Whether those responsible for deciding on which cases to prosecute took a professional approach;
- Whether the process was free from political or other interference at any level.”

- (c) in paragraph 14, after the words “residential and foster care services in Jersey” insert the words “and for third party providers of services for children and young people in the Island”;

COUNCIL OF MINISTERS

REPORT

The Council of Ministers, having discussed the amendments to Terms of Reference with Deputy M. Tadier of St. Brelade and the Attorney General, is of the view that it is reasonable to expect that children who may have suffered abuse in non-States run establishments and third party providers of services for children may also wish to be able to raise their concerns with the Committee of Inquiry. The further amendments outlined in (a) and (c) above therefore intended to widen the scope of the terms of reference beyond that of States-run establishments, as described.

The changes outlined in part (b) are intended to accommodate advice and guidance from Verita regarding whether the word “consistent” should be inserted in the limb of 13. Verita is of the view that the word “professional” is sufficient. A characteristic of professional behaviour is one of objectivity. Objectivity means thinking and action undistorted by emotion or personal bias. The word “professional” therefore implies the characteristics of both consistency and impartiality.

The Council of Ministers is grateful for the positive contribution in which Deputy Tadier and others have engaged in reaching these final Terms of Reference for the proposed Committee of Inquiry.

Financial and manpower implications

The amendment does not change the financial and manpower implications as outlined in the original proposition, and would be met within the financial estimates outlined in the original proposition.