

**WRITTEN QUESTION TO THE CHIEF MINISTER
BY DEPUTY M.R. HIGGINS OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 3rd NOVEMBER 2015**

Question

With regard to the Historic Abuse Compensation Scheme, will the Chief Minister advise members:

- (a) how many claims were made;
- (b) how many have been settled;
- (c) how many remain outstanding;
- (d) how many claims were rejected;
- (e) how compensation payments were calculated and how many claims were made and settled within each category;
- (f) how much money has been paid out in total;
- (g) how much money has been paid to States lawyers to date; and
- (h) how much money has been paid to lawyers representing claimants to date?

Answer

The Historic Abuse Redress Scheme (the “**Scheme**”) has been established by the Council of Ministers to enable financial compensation to be assessed and paid to the victims of historic abuse suffered when in the full-time residential care of the States from 9 May 1945 to 31 December 1994. Claims under the Scheme that contained elements of abuse suffered in foster care were subsequently agreed by the COM to be admitted under the Scheme. Since the launch of the Jersey Care Inquiry, a number of new claims have been received. The COM has considered establishing a further compensation scheme for abuse suffered in foster care and intends to finalise its decision and treatment of the new claims once the Inquiry has issued its final report.

Responding to the questions in turn:

- (a) 132 individuals submitted claims to the Historical Abuse Redress Scheme.
- (b) To date, 116 individuals claims have been settled in their entirety
- (c) 9 claims remain outstanding
- (d) 4 claims were rejected in their entirety and 3 were withdrawn by the claimants.
- (e) The Scheme Lawyers, together with representatives of the Health & Social Services Department, review and consider each claim and then make an assessment and recommendation of financial compensation with reference to:
 - i) the nature, severity and frequency of abuse suffered; and
 - ii) any physical and mental injuries and any medium or long-term effects.

With reference to the above-mentioned factors, a claim will fall into one of four “Compensation Bands” arrived at based upon specialist advice from leading UK barristers and the factors above will, taken together, also determine where within a Compensation Band a claim falls.

The table below sets out the Compensation Bands and the number of claims settled within each Band:

Band	Range	No. of Claims settled
1	Up to £10,000	53
2	£10,000-£20,000	18
3	£15,000-£35,000	30
4	£25,000-£60,000	15

- (f) To date, total spend in respect of the Scheme is £5.11m of an approved budget of £5.8m with a remaining balance of £0.69m. Of this, £2.0m has been paid to claimants and in addition £130,000 is held on account of the costs of therapy for certain claimants. The original budget was fixed on the basis of 100 claims being received and did not take into account claims received for abuse suffered in foster care.
- (g) To date, the Scheme Lawyers and counsel have been paid £2.2m in total for the years 2011 to 2015 in advising on the setting up and administration of the Scheme and related matters.
- (h) To date, lawyers representing claimants have submitted invoices for over £1m and interim payments on account have been made pending taxation by the Judicial Greffier. However, 30 claimants at various stages were unrepresented and required support and assistance from the Scheme Lawyers.
- (i) To date, professional and hired services, including Scheme psychiatrists who compiled reports to assist in the assessment of claims, have been paid a total of £250,000.