

7.1 Deputy R. Labey of the Chief Minister regarding the timescale of events for the publication of the report of the Independent Jersey Care Inquiry:

Notwithstanding the autonomy of the Independent Jersey Care Inquiry to make its own arrangements, is the Chief Minister satisfied that the timetable of events on the day of publication of the committee's findings, as outlined in an email to interested parties late yesterday afternoon, gives members of the press a fair and appropriate opportunity to adequately report on the inquiry's conclusions?

Senator I.J. Gorst (The Chief Minister):

It is of course a matter for the Independent Jersey Care Inquiry to determine its own logistics. Any media organisations that are concerned about the arrangements, I would suggest should make their views known to the inquiry. It is important that the media provide accurate and comprehensive information to the public. There will of course be time for further coverage in the days and weeks that follow once the media, together with the rest of the community, have had the opportunity to read and digest what is expected to be a substantial report.

7.1.1 Deputy R. Labey:

In spite of what the Chief Minister has just said, would he consider an intervention by some mechanism because there is going to be a large backlash to this? Will he try to find clarification as to why this report is being released so late in the day? The timing will severely curtail the time available for local and U.K. media to assimilate the information and to seek comment from Members of the States and Ministers. Why is there no provision for media representatives to study the findings in a lock-in ahead of the official statement? That is the standard procedure in the U.K. and it helps journalists get their facts right. Why is there no provision to question the panel? How can the public, States Members, journalists clarify points and findings without being able to ask the report's authors? I believe the intention was to air findings through a series of press conferences and interviews by States departments ahead of the States sitting the following day, what has happened to that? Why are cameras being excluded from what has been ...

The Deputy Bailiff:

Deputy, this does not seem to me to be a question for the Chief Minister, it seems to be a sort of question to the firmament at large which might fall on the Independent Care Inquiry in due course, but do you have a question for the Chief Minister?

Deputy R. Labey:

Well my question was: will he take these points up somehow with the inquiry or if the not the inquiry themselves maybe ... the inquiry has hired a perfectly-good P.R. (Public Relations) firm in Eversheds. I do not know if they have been consulted on this press release yesterday or this release to interested parties but somebody needs to talk to somebody about it because it is not going to go down well and it is going to play into the hands of those who are saying: "This inquiry is a white-wash and a cover-up already."

The Deputy Bailiff:

So, Chief Minister, are you in a position to take that up with the ...

Senator I.J. Gorst:

There were a number of questions there that the Deputy raised. If I could take one in the middle which was in reference to States departments, a Chief Minister's statement and press conference, they are unconnected with the process that the inquiry itself is following.

[12:15]

As far as I am concerned, the Chief Minister will be going ahead with a press conference post the publication of the report. That is an absolutely appropriate position to maintain. As I have said, it is not appropriate for me to interfere in the inquiry. I have not done so to date, and I will not do so. I have, however, been asked questions in this Assembly that Members have asked me to relay back to the inquiry for them to respond to. I have no doubt that the inquiry will be made aware of the concerns of the Deputy and perhaps other Members of the Assembly, or will be made aware of the concerns of media organisations, and that is appropriate. If the Deputy is asking me to ask officers to make the inquiry aware directly of these concerns, then of course I am prepared to do that because I have made the inquiry aware of other questions that Members have raised in this Assembly. But I cannot intervene or interfere in their process because their process, as outlined to interested parties and publicly yesterday, applies to me as well as Chief Minister and States departments. It is the same process for all interested parties.

7.1.2 Deputy M.R. Higgins:

As a supporter of the Care Inquiry - a very massive supporter - I must express my disappointment with the procedure that they are setting out, including not answering questions. However, would the Chief Minister, please, if he is communicating with them ... I think it is quite a reasonable one, it is not an interference of what they are doing, the report could be as many as 500 pages or it could be more, we do not know. It went on for long enough and there is an awful lot of detail. To expect members of the press, States Members, the public, the victims of the abuse to be able to read it on a computer screen is a bit much. Could you convey to them our desire, in a sense, or wish that they will arrange for hard copies to be produced? Not everybody has a computer. Thank you.

Senator I.J. Gorst:

It is my understanding that the report will need to be produced as a parliamentary report to have privilege; therefore, Members of this Assembly will need to have copies. I am sure we could speak to the Greffe about making further copies available. I am not sure what the normal cost is for copies of reports from the Greffe but I would be more than happy to have a conversation with them about waiving the costs in this regard because they will be substantial reports. It is important that members of the public have access to this report because it is important that members of the public and our community understand what has happened in the past, that they understand and hear people's stories. For some members of the public, that will be traumatic to hear those stories, for abuse victims, for survivors, but also those who have just lived in the community throughout that period. It is not going to be an easy time, it is not going to be an easy read, but we do need people to be able to access it, to hear those stories and to then, having heard them, move forward to try and ensure that we have got processes in place so that these instances, this abuse, does not happen as far as possible into the future. If any Member wishes to write to me with concerns about the process that the independent inquiry has put in motion, then of course I will ask my officials to forward those to the chairman of the inquiry. That, I think, would be appropriate, but a direct intervention from me would not be.

The Deputy Bailiff:

I have a question from Deputy Andrew Lewis and then a final supplementary from Deputy Labey. Yes, we would have time for a question from Deputy Tadier as well.

7.1.3 Deputy A.D. Lewis:

The Chief Minister would be aware that other reports and investigations that are conducted by this Assembly, whether they be a P.A.C. (Public Accounts Committee) report, a Scrutiny

report, they are then forwarded to the interested parties to view the information before it is then published. It seems a fair and reasonable way of doing things. My understanding is that this process is different, and I understand and accept the process is different, but I think the public – victims 0- contributed to that inquiry. States Members do not necessarily fully understand the reason why they are only getting 2 hours to respond and absorb a several thousand-page document. It seems bizarre to people here perhaps. So could the Chief Minister explain clearly as to why that is the case? I happen to understand it, other Members may not, but there is a good reason here why that is the case. Could the Minister explain that, because people are more familiar with the other method which we use for Scrutiny, Public Accounts and other such investigations where interested parties have advance warning and knowledge of these reports before they are published. That is what people are concerned about, could the Chief Minister explain why?

Senator I.J. Gorst:

This is a decision of the Independent Jersey Care Inquiry. I was quite clear when we started this inquiry - and not every Member of the Assembly accepted this - that this inquiry should be completely independent and that complete independence has come with a financial price. I, for one, have said all along that I think that that price has been, and will be, worth paying. When we have got things so badly wrong for many decades, this is an opportunity for some of those most vulnerable members of our community to have their story heard and for some of them, that is simply what they want. They feel that they have not been heard for decades. Their lives have been in torment and turmoil. This is, when we publish this report, an opportunity for the community to hear those stories and, as I say, then take action to make sure that the systems in place are appropriate into the future. I can only imagine that the independent inquiry is extremely concerned about preserving their independence and preserving the integrity of the report. Therefore, that is why they are taking a different approach to the one that we might take, be it a Scrutiny review or an expert adviser's review. This is the first time in Jersey that we have had a truly fully independent public inquiry. There of course will be follow-on work to do to think about Standing Orders and the legislative base for inquiries into the future, so we are in uncharted territory in that regard.

7.1.4 Deputy M. Tadier:

My point is a narrow one and deliberately so and it relates to the actual hard copies of the report. Will the Chief Minister do what he can to ensure that there are a sufficient number initially of reports which are produced in-house, presumably as he said it will be produced as an "R", and that the public will not be charged to receive copies of those documents?

Senator I.J. Gorst:

I think I have just given that undertaking but I give it again.

7.1.5 Deputy R. Labey:

I hope the Chief Minister does not think that my line of questioning is in any way hostile. I was trying to be helpful because I do foresee a problem on the horizon here. I am grateful to the Chief Minister for indicating that a channel might be open and I have always supported the Chief Minister throughout his efforts to get this inquiry, the first of its kind for the Island. I am not asking him to interfere with the inquiry, I am saying that this Assembly commissioned this inquiry, £26 million later we have perhaps a right to help manage the release of the information properly, would he not agree?

Senator I.J. Gorst:

I would not want any action to be taken which would undermine the integrity of the report. The Deputy is suggesting that in his view he feels that perhaps the process which has recently been announced has the potential to do that. I am, as I have said, prepared to open that line of engagement with the inquiry if Members so wish. But perhaps I could ask that - obviously this question will become the subject of Hansard and the inquiry themselves will be able to see that - if Members have got specific concerns I ask that they write to me for onward transmission; likewise, as I said at the start, with the media outlets as well to the inquiry.