

2.4 Deputy M. Tadier of the Chief Minister regarding the Terms of Reference for the Committee of Inquiry into historic child abuse:

Can I just say that obviously when I lodged this question the terms of reference had not been lodged. They have been lodged today so that changes slightly the syntax of my question but I will read it as it was. In view of allegations of political misconduct surrounding the suspension of the former Chief of Police, will the Chief Minister be proposing terms of reference for the Committee of Inquiry into Historic Child Abuse that will allow it to gauge whether there was any undue political interference in policing matters? If not, why not?

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

Yes, as the Deputy acknowledges, I have today lodged a report and proposition establishing a Committee of Inquiry into Historic Child Abuse which contained the terms of reference reflecting those recommended by Verita. Neither the Verita nor the Williamson Reports suggested looking at the issues surrounding the suspension of the former Chief of Police as that is a different issue and has already been investigated separately.

2.4.1 Deputy T.M. Pitman:

Could I ask, does the Chief Minister not agree that given shortly before the suspension of the former Chief of Police, it is well known - if not documented in the mainstream media - that a complaint made to the police ended up in the hands of the former Bailiff? So should this not scratch or [indistinct] when we talk about political interference, that it goes to the judicial at the time? Should that surely not be included, because it looks to me as though this is interference?

Senator I.J. Gorst:

I am not sure quite what it is that the Deputy is asking me that he feels should have been included which has not been included. The terms of reference as drafted are indeed broad and rightly the Chairman will consider, if allegations are made in front of the committee as the Deputy has just suggested, then the Chairman would, I suspect, be able to consider them under the terms of reference as drafted and as I hope the States will approve in due course.

2.4.2 Deputy T.M. Pitman:

Could I just help the Chief Minister out and just say that as far as I am aware, I do not think Bailiffs have any role in police inquiries so if complaints made to the police end up in the hands of Bailiffs, then that must surely be something that needs investigation. It relates directly to the officer who was carrying out the child abuse investigation so I am sure it is relevant. Does the Chief Minister not agree?

Senator I.J. Gorst:

Unfortunately I do not know what it is exactly that the Deputy is referring to. I know he probably has not had time to read the terms of reference but it is my belief - and some Members may feel they are too broad - that the terms of reference are drafted in such broad terms that if allegations are made which the Chairman feels need to be investigated with regard to those investigations - I think he is referring to police investigations - then the terms of reference as drafted will allow the Committee of Inquiry to investigate them.

2.4.3 Deputy M. Tadier:

Does the Chief Minister agree that given the fact that there has been quite an unsatisfactory process when allegations were made by some that the former Minister for Home Affairs may have misled or even lied to this Assembly, that it is... and then for an in-camera debate to happen on that subject where the public cannot follow what is going on, does the Chief Minister agree that it is quite correct and a wholesome thing for the Committee of Inquiry to be able to look into these allegations to take it out of the hands of States Members and for impartial pairs of eyes to look at this issue?

Senator I.J. Gorst:

That is, I believe, what the terms of reference as proposed by the Council of Ministers indeed allow, for it to be taken out of the political arena, for the Chairman and the committee to consider issues as drafted. As I have said, they are wide-ranging and they reflect the Verita terms of reference which is what Members asked me for and care leavers asked me for and I believe that I have responded appropriately to that. If Members wish to stand up and suggest there are allegations and they have concerns in the areas, that they outline them and no doubt those will be provided to the Committee of Inquiry in due course and it will be rightly for them to consider how investigations along those lines fit into their inquiry.