

**STATEMENT TO BE MADE BY THE CHIEF MINISTER  
ON TUESDAY 1st FEBRUARY 2011**

**Historical Child Abuse-Committee of Inquiry**

On the 6th December 2010 I made a statement to the States in which I apologised unreservedly on behalf of the Island's Government to all those who suffered abuse in States' residential care. In that statement I also mentioned that the current Council of Ministers were considering the previous Council of Ministers proposal to commission a Committee of Inquiry.

As promised on the 6th December 2010, the Council of Ministers has now lodged a report following its deliberations which concludes that the Council believes that, with the passage of time and events, a Committee of Inquiry is no longer appropriate. The Council of Ministers is firmly of the view that because of the number of investigations and reviews that have been undertaken, whilst there may be questions, there are no unresolved issues that would benefit from investigation through a Committee of Inquiry.

The report is necessarily long and factual but the Council of Ministers has had at the forefront of its consideration those who may have suffered abuse. The Council firmly believes that the Island would be best served by concentrating on the steps that have been taken to improve services and to focus on continuing to meet and support the needs of those affected. I am pleased to announce that further support to those affected will continue in 2011 with Andrew Williamson agreeing to provide an independent point of contact to help those needing support to receive the most appropriate assistance.

The Council of Ministers is well aware that some people will not agree with its decision. I hope that those people will realise that the Council has taken this matter seriously and sensitively. The Council believes that there is nothing further to be gained from yet another investigation into these matters and have sought to find a sensitive way forward. We hope that the majority of States members and people in Jersey will agree with our judgement.

Finally I think it is also an appropriate time to thank the staff in our Departments, those in the voluntary sector and everybody who has worked together over the past few years to help those who may have suffered abuse in the past.

## **8. Statement by the Chief Minister in respect of the Historical Child Abuse Committee of Inquiry**

### **8.1 Senator T.A. Le Sueur (The Chief Minister):**

My apologies for this not being on the order paper earlier but it has been circulated to Members a little while ago. On 6th December 2010 I made a statement in the States in which I apologised unreservedly on behalf of the Island's Government to all those who suffered abuse in States residential care. In that statement I also mentioned that the current Council of Ministers were considering the previous Council of Ministers' proposal to commission a Committee of Inquiry. As promised on 6th December, the Council of Ministers has now lodged a report following its deliberations, which concluded the Council believes that with the passage of time and events a Committee of Inquiry is no longer appropriate. The Council of Ministers is firmly of the view that because of the number of investigations and reviews that have been undertaken, while there may be questions there are no unresolved issues that would benefit from investigation through a Committee of Inquiry. The report is necessarily long and factual but the Council of Ministers has had at the forefront of its consideration those who may have suffered abuse. The Council firmly believes that the Island will be best served by concentrating on the steps that have been taken to improve services and to focus on continuing to meet and support the needs of those affected. I am pleased to announce that further support to those affected will continue in 2011 with Mr. Andrew Williamson agreeing to provide an independent point of contact to help those needing support to receive the most appropriate assistance. The Council of Ministers is aware that some people will not agree with this decision. I hope that those people will realise that the Council has taken this matter seriously and sensitively. The Council believes that there is nothing further to be gained from yet another investigation into these matters and has sought instead to find a sensitive way forward. We hope that the majority of States Members and people in Jersey will agree with our judgment. Finally, I think it is also an appropriate time to thank the staff in our departments, those in the voluntary sector and everybody who has worked together over the past few years to help those who may have suffered abuse in the past.

#### **The Bailiff:**

Does any Member wish to ask any questions?

#### **8.1.1 Deputy S. Pitman:**

The Chief Minister said that some people will not agree with this decision that there will no longer be a Committee of Inquiry. A few years ago the former Chief Minister, Senator Frank Walker, categorically assured the public that there would be a Committee of Inquiry. Would the Chief Minister tell us if there has been any consultation with those affected by the child abuse, such as the Care Leavers' Association?

#### **Senator T.A. Le Sueur:**

There is ongoing support with the Care Leavers' Association in terms of the continuing support that they may require. When the previous Council of Ministers brought a report to the States - and it is attached to the report that we have here - in March 2008 it was in a very different background. We had a background, as the report says, when there were suggestions of a massive situation of great relevance, which was subsequently of course found to have changed considerably.

[12:15]

Given that the circumstances have changed since that time, the Council of Ministers also took the view that with the activities that have gone on in terms of reviews of what has taken place there

would be no further benefit in having the sort of inquiry which was envisaged at the time when far different circumstances were likely to happen.

### **8.1.2 Deputy S. Pitman:**

A supplementary. The Chief Minister has not answered my question. I am talking about in terms of the decision not to have a Committee of Inquiry, has the Chief Minister consulted with these people who are affected, specifically the Care Leavers' Association and, if so, what response has he had?

### **Senator T.A. Le Sueur:**

The decision as to whether to have a Committee of Inquiry or not was taken by the Council of Ministers on the advice of professionals who have been acting over the period since 2008 in supporting people, be they members of the Care Leavers' Association or not, who may have been involved in the allegations of abuse. It is on the basis of that advice that the Council of Ministers has come to the view that it has done.

### **8.1.3 The Deputy of St. John:**

Is the Chief Minister aware that by not having a Committee of Inquiry, the public will never get to the bottom or will never know if any Minister or number of Ministers of the day acted with disregard or otherwise in what happened over this particular case? Therefore, does the Chief Minister not believe that the truth does need to come out in a full inquiry?

### **Senator T.A. Le Sueur:**

I understand the Deputy's concerns but it is questionable whether any Committee of Inquiry however constituted and with whatever terms of reference would be able to categorically review what happened or may have happened 50 or more years ago. In many cases people who might have had memories of that time have now died. With the passage of time there seems little merit in trying to have that sort of inquiry. What we need to do is to see whether the circumstances in the current situation are appropriate for children in care and that, I believe, is well in hand. We have had a report on that matter from Mr. Williamson and recommendations which are in the process of being implemented. We have a Child Statutory Group working together to deliver those outcomes. I believe that we should be far more focused on that aspect rather than trying to ascertain, almost certainly unsuccessfully, what might have happened many, many years ago.

### **8.1.4 The Deputy of St. John:**

A supplementary if I may. Does the Chief Minister believe that his former colleagues from this House who have had fingers pointed at them should not also see justice? Justice works both ways; for those who were harmed and those who have had the fingers pointed at them.

### **Senator T.A. Le Sueur:**

I suspect in this sort of situation no matter how many inquiries you do, some fingers will still be pointed and there will still be allegations. The fact is that one can go on having inquiry after inquiry and some people will still never be satisfied.

### **8.1.5 The Deputy of St. Martin:**

With reference to R8, page 6, subparagraph 3(9)(c), it says: "Concerns about how the police inquiry was conducted in the period leading up to November 2008 have been addressed through the publication of the police report and the implementation of key actions by the States Police." Will the Chief Minister accept that that is an error because the Wiltshire Report was commissioned for the purpose of reviewing the suspension of the chief police officer and for discipline purposes? In actual fact the review of the way in which the inquiry was conducted was

carried out by the Metropolitan Police and also with the information given to them by A.C.P.O. (Association of Chief Police Officers). Will the Chief Minister please ensure that there is a correction made to this particular draft and also make available both the Metropolitan Police report and the A.C.P.O. reports?

**Senator T.A. Le Sueur:**

I am satisfied and I stand by the comments, which I make on page 6 and indeed every page of this report. It has only been presented after careful consideration by me and my fellow Ministers.

**8.1.6 Deputy M.R. Higgins:**

I, for one, do not accept that there are no unresolved issues, and I believe that there should be a Committee of Inquiry. There were a lot of unanswered questions that came out of the police investigation and some of the reports that have come forward. I have even questioned the Minister for Home Affairs who could not give me an answer. For example, lime pits.

**The Bailiff:**

You are going to come to a question are you, Deputy?

**Deputy M.R. Higgins:**

Yes, Sir, I am. There are lime pits which were dug one day, filled with lime - and we know lime dissolves bones - and they were put back again. No explanation whatsoever. There has been no discussion about the oversight of the board of management of Haut de la Garenne, which in the past had politicians on it. There are a lot of issues that I think have not been answered in any way whatsoever. Would the Chief Minister not agree that the public would like to have answers to some of these unresolved questions?

**Senator T.A. Le Sueur:**

Public expectations may not be capable of being delivered in the way that the Deputy would like. I appreciate that Members only got this report on their desks this morning and they may not have had a chance to read it in full, but I just point out there are normally a number of objectives in any public inquiry, which is to establish the facts and to learn from the events, to get reassurance, accountability and transparency. To that extent we have judged whether there should be a Committee of Inquiry against those criteria because we believe that that is the sensible course to take. On balance although I appreciate, as I said in my statement, that some people may disagree with us, we believe that that is the correct course of action to take.

**8.1.7 Senator J.L. Perchard:**

The Chief Minister outlined the Council of Ministers' decision not to hold an inquiry. He explained that due to the circumstances having changed since the original statement - the statement by his predecessor that there should be an inquiry - and, as I say, that circumstances have changed and that there is no need for an inquiry subsequently. Does the Chief Minister then share my concern that the conduct of the original investigating team does lead to these circumstances having changed? Does he agree that the conduct of the senior officers involved with the original investigation should be inquired into?

**Senator T.A. Le Sueur:**

I certainly agree with the Senator that the circumstances have changed. I share his concerns but I believe they have been looked into in the context of the report undertaken by the Wiltshire Constabulary.

**The Bailiff:**

Very well. That brings the 10 minutes to a close.