

I write this e mail in the knowledge that you are NOT dealing with complaints but simply to provide information, as that is what you are apparently seeking. My involvement is as a local resident NOT professionally.

In October 2016 a decision regarding a Childs residency status while in a short period of off island education was made by social security or the population office that will have long term consequences if not corrected. We believe the decision was wrong and at best misguided.

During 2018 the Childs' mother and her Jersey born partner complained forcefully on more than one occasion about the decision regarding the Child and the complaints as far as we can establish were investigated by the same people/ department that had been complained about. Shocking!

I, as a former reference provider, made a separate different complaint on 26th September 2018. In particular I complained that no proper complaints procedures had been followed. The matter is unresolved and ongoing.

The Attorney General was notified of both complaints in October 2018 because of the serious nature of the complaints as concerning a Child and his wellbeing.

The matter was reviewed by an Assistant Chief Minister who provided detailed policy and guidance notes to explain the decision. Upon studying these notes, it was evident they supported the Childs case NOT the decision made at the population office. Again, shocking and alarming to say the least!

The circumstances of this matter are probably unique to this one Child, it is almost impossible for any other Child to have the same circumstances. They are all supposed to be putting children first!

Before agreeing to a Complaints panel hearing (all that was offered) and in my opinion a waste of public money and time not least because as we all are aware when the States lose a case they ignore the Complaints panel decision. (Foreshore / planning cases are two examples) I set out to ascertain all the accurate facts and timeline. I also assembled a panel of ten local residents mostly parents themselves to consider the case independently.

We await a response from the Chief Minister/ population office to a letter dated 19th February this year. Chased by us, after a break to acknowledge the virus issues the States were dealing with this year, on 17th September.

The Childs case has been made by us in writing in full. A key question regarding the complaints remains unanswered which is alarming, covered in our most recent chasing letter.

I have not yet written to the Governor who does have responsibility for citizenship matters but if necessary, we will. This is probably our last, non-legal avenue.

If this case interests your review, I have a file of correspondence over an inch thick. I can meet with you if necessary.

My experience of my only complaint in over 53 years continuous residence is appalling. I am 65 years old and am amazed that any Child would be treated this way. Especially now that all the circumstances have been set out in writing.

Thank you for your time in considering this carefully composed submission.

Update – 16th October 2020

By way of an update here is the latest position on our attempts to obtain evidence in support of the child's residency entitlement case.

Our letters of 5th December 2019, 19th February 2020 and 17th September 2020 remain unanswered. We suspect this is because they cannot answer a critical question we have asked.

The question actually arises from their explanation of how the matter complained about had been originally handled by them.

Surely copies of the correspondence with the young man can be provided. He has authorised them to provide this in writing.

They have clearly lost interest in the complaint and are burying their heads in the sand. The entire Housing and Work Advisory Group are supposed to be familiar with the complaints yet none of them have replied to letters sent to them personally. They have we assume closed ranks and refuse to engage.

I actually feel like complaining again now about how they are handling our complaint about the original parental complaint. Indeed please Scrutiny take this as a complaint to your panel!

There can surely be no better example than this case ... of why residents get frustrated with the Governments lack of accountability. They are being stubborn for no good reason. It is the easiest case to resolve with just common sense. It is not as if anyone is seeking compensation or redress other than a reversal of the original October 2016, misguided decision.

If we, (myself and the panel) do not get the information we are seeking soon then we will write to the Bailiff first (as a courtesy) and then The Lieutenant Governor. What are they trying to hide here?

I hope these considered emails generate some interest in this case amongst the scrutiny panel.

Further update – 30th October 2020

We have now reached the firm conclusion that in the case we have been representing for over two years, the young mans' rights as a child have been denied.

The refusal of the Chief Minister to provide answers to questions that arise from written explanations provided by the then Acting Assistant Chief Minister is unacceptable. They may have had enough of dealing with this matter but the young man himself, his mother, her Jersey born partner, myself and our panel, have not.

The currently serving ministers have had ample time to put this matter right but are refusing to do so. The Chief Minister JLF, his former assistant Chief minister CT, the Housing and Work Advisory Group (Mrs JM, SP and SM) are all fully conversant with this matter, but do not seem to either care about it or address the evidence presented proving the then Childs residential status in Jersey. What exactly is their case for continuing to deny the young man his rights?

There are legal implications in this case, which is why from the outset I notified the Law Officers Department.

Given the circumstances relate to just one child, it beggars belief that in the light of all the evidence already submitted and explanations given, that the Ministers cannot see that they are doing the opposite of putting the then Child interest first.

It is almost as if because the young man is no longer a child the abuse of his rights when a child do not matter. Indeed that was implied at one point in their correspondence.

The office of the Children's Commissioner have been updated this week but they are busy and at this time we are not seeking their involvement. If this does go to a complaints panel hearing we will ask for their considered support or otherwise.

This is an important matter. To quote the Chief Minister JLF himself . "This is a matter of principle...."

Your review may be complete now but if not please do consider this as part of my submission.