

**WRITTEN QUESTION TO THE MINISTER FOR HEALTH AND SOCIAL SERVICES
BY DEPUTY M.R. HIGGINS OF ST. HELIER
ANSWER TO BE TABLED ON MONDAY 3rd DECEMBER 2018**

Question

Will the Minister explain to Members what lessons, if any, he has learnt from the case of “Eleanor” – the girl who was sent to a home in Scotland without the consent of the Royal Court, her mother and her guardian – and, in particular, how he will in future seek to reconcile any conflicting versions of events between the social workers and the family in such cases?

Answer

The situation to place a child in the UK without prior approval of the Court was an exceptional circumstance and is regretted. An apology has been made to the Court.

Whilst it is accepted that the approval of the Court was not sought prior to the placement of the child off-island, it is the Minister’s position that the consent of the mother and the child was obtained prior to the placement of the child off-island (see paragraph 12 of *In the Matter of Eleanor*). The Law does not require the consent of the Guardian to be obtained; the Court does however take into account the views of the Guardian.

It is appreciated that a decision to place a child in the UK is likely to be traumatic for any parent. It therefore follows that in a number of cases the parent may “fail to hear” or “misunderstand” the detail of the discussion. It is therefore accepted that in these circumstances it is important that the parent has the benefit of the details of the discussion being confirmed in writing as soon as possible after it has taken place.

It was wrong that the placement proceeded without the approval of the Court. Steps have been taken to remind staff of the legislation in the States of Jersey in this regard and the responsible Head of Service now personally oversees the decision if there is a plan for a child to be placed off-Island.

New staff joining the service, whether permanent or temporary, will receive information about legislative requirements in this regard as part of their induction process.