

**STATEMENT TO BE MADE BY THE
CHAIR OF THE PRIVILEGES AND PROCEDURES COMMITTEE
ON TUESDAY 24th SEPTEMBER 2019**

Recommendations of the Independent Jersey Care Inquiry's two-year review

Recommendation 6 of The Independent Jersey Care Inquiry Two-Year Review falls within the responsibilities of the Privileges and Procedures Committee and requires immediate response.

It is unacceptable that a briefing session for States members on their responsibilities with regards to the care of children, after the election in 2014, was attended by very few members.

PPC is already undertaking a review of post-election induction and is hitherto engaged in new mid-term training initiatives; these will now include a session on the welfare of children.

The recommendation that attendance at future briefings following elections should be mandatory and that there should be annual refresher training to underline the principle of paramountcy of the welfare of children in the care of the States is accepted.

The key here is for the earliest possible identification of dates for both the post-election session and the mid-term refreshers and for these to be explicit on the nomination form for all candidates together with an explanation that on signing the form and being successful at election, candidates are mandated to attend. The code of conduct for elected members will also have to be amended to reflect this. I am content to seek approval from PPC for this measure and to bring it to the Assembly.

To further emphasise the importance of corporate parenting, the panel recommended that "reference to this specific responsibility should be incorporated into the oath of office."

It adds that, "this would be a powerful symbol of a demonstration of a commitment to move from the failures of the past" and urges that "a decision and arrangements are made in this regard, without further delay."

The oath of office is not a symbol or cosmetic but a solemn promise and members will not wish to make promises they are not confident, through no fault of their own, of being able to keep.

All the background as to why a change to the oath (oaths, in fact) was never a very practical suggestion can be found in the report to P.71/2018 lodged by the previous PPC after exhaustive research and includes:

"Firstly, as H.M. Attorney General confirmed in answer to an oral question asked by the Deputy of St. John on 11th December 2017: "The concept of the corporate parent is not one currently recognised under Jersey law. Individual States Members, other than the Minister for Health and Social Services, do not have any specific responsibility towards children in care, rather for children generally."

Secondly, there are 2 oaths, one sworn by Senators and Deputies, and the other by Connétables. The latter oath dates from 1771, is in French and principally relates to Connétables' parish duties. Both oaths are set out in primary legislation in the Revised Edition of the Laws of Jersey (the States of Jersey Law 2005 and the Code of 1771) and therefore would take some time to amend, as amendment requires Privy Council approval. It could be argued that, if these oaths were amended,

other oaths, such as those sworn by Crown or Parish Officers, ought also to be reviewed. The oaths are expressed in general terms, and to include reference to one group – looked-after children – and to leave out other vulnerable groups, could lead to there being a messy and divisive approach to amending the oaths.”

It is disappointing that the inquiry panel didn't address these points or seek to engage anyone to find out why the recommendation wasn't implemented.

Paragraph 67 in Recommendation 6 in of the report is, however, helpful...

“We recommended that a Children’s Plan should be published which included SMART objectives. We note that a Children’s Plan has been published covering the period up until 2023. This is a brightly presented document which makes a number of important high-level commitments to the island’s children and young people. It is not however a truly SMART document which delivers objectives which are Specific, Measurable, Assignable, Realistic and Time-related. It is not clear from the published document how the laudable objectives are to be delivered and within what timescale nor what resources are to be applied. We are unsure that any member of the public reading the Plan would know whether and when it had been implemented and what difference it had made. In reality, children and young people do not need a document as much as they need the outcome of the plan in terms of the improved resources, services and life experiences it delivers.”

I am on record in this Assembly in pointing out that the Children’s Plan does not represent outcome focused public policy which is measurable.

The panel recommends that “more specific objectives, outcomes and timescales should be published, alongside clarity as to where responsibility for delivery lies.”

Once in possession of such a document it may be possible for PPC to design a meaningful public and visible pledge, perhaps at the time of being sworn into office.

We will keep this issue live.