

STATES OF JERSEY



HISTORIC ABUSE REDRESS SCHEME: APPROVAL BY THE STATES ASSEMBLY

**Lodged au Greffe on 3rd September 2012
by Deputy M.R. Higgins of St. Helier**

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

to request the Council of Ministers –

- (a) to keep the Historic Abuse Redress Scheme open to claimants until details of the Scheme have been debated and approved by the States Assembly and not to consider the Scheme closed to new applicants on 30th September 2012 as previously announced;
- (b) to agree that any claims that have already been settled under the current Scheme as full and final settlements shall be considered by the Council to be interim payments (which may subsequently be increased but not decreased) until such time as the States Assembly approves the details of the Scheme and the levels of compensation that may be payable under it;
- (c) to lodge for debate within 90 days of the approval of this proposition a report and proposition setting out for approval by the Assembly –
 - (i) the maximum and minimum levels of compensation payable to claimants under the Scheme,
 - (ii) the criteria that are to be used to determine the levels of compensation to individual claimants (including in the accompanying report a full explanation of the sources of the Scheme rules and how the proposed compensation levels were derived), and
 - (iii) any other relevant information regarding the operation of the Scheme or the application of any rules associated with the Scheme;
- (d) to continue to make payments to those victims in financial need, with any such payments being treated as interim payments until details of the Scheme have been approved by the Assembly to ensure that no victims are disadvantaged by the delay.

DEPUTY M.R. HIGGINS OF ST. HELIER

REPORT

This proposition has been brought for 2 main reasons –

1. The child abuse that took place in Jersey was not only an abominable crime but a monumental failure on the part of the Jersey Authorities who were responsible for the welfare of the children who were abused. It is imperative, therefore, that the victims of that abuse are properly treated, looked after and compensated by the States of Jersey and that adequate medical and other provisions should be provided to those victims who are still suffering from the after effects of that abuse.
2. Jersey's reputation was tarnished through the failure of the Authorities at the time to act openly and responsibly to those who they had let down i.e. the Government of the day appeared to be more interested in damage limitation rather than finding the culprits and looking after the victims. The scheme being proposed by the Council of Ministers is not totally transparent and there are allegations that the goalposts regarding the payment of compensation to victims are being moved and indeed that some victims will not be compensated. This is unacceptable and for this reason alone the matter must be debated in the States so that all the Council of Ministers proposals and criteria are examined in detail and in public. To do otherwise will tarnish Jersey's reputation further and deepen the suspicions of many of our citizens that the States is involved in another cover-up.

Financial and manpower statement

This proposition should have little or no additional financial or manpower implications as it only requires the Council of Ministers to bring their Compensation Scheme to the States Assembly for approval. There would only be financial implications if the Assembly felt that the levels of compensation being offered were inadequate or the scheme was being applied too narrowly or too restrictively and passed a proposition or amendment to remedy these perceived defects.