

2.6 Senator F. du H. Le Gresley of the Chief Minister regarding delays in settling the claims against the States of Jersey for compensation by some of the former residents of children’s homes who suffered abuse whilst in care:

Would the Chief Minister explain the reasons for the delay in settling the claims against the States of Jersey for the compensation of some of the former residents of children homes who suffered abuse while in care and advise whether he is satisfied with the performance of the lawyers handling these claims on behalf of the States?”

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

This question might imply that every claim made for compensation will and should be settled, and that is not necessarily the case. It may well be that it would be appropriate to settle certain claims where actual abuse has been established during the course of a criminal trial or where otherwise it can be established that a claim is well-founded. But there may well be other claims where a settlement would not be appropriate because it cannot be established that they are well-founded. Accordingly, it is important to put in place a robust system in which all claims can be given appropriate consideration and compensation paid where justified. That process is taking place and there has been some delay in finalising that system and this is regrettable, but certain matters needed to be determined before the system was put in place and that was unfortunately outside the control of the States of Jersey. However, I am able to inform the Assembly that the barriers that were causing the delay have now been removed and that a framework for settling these claims has been devised. During the delay the States lawyers met with the claimants’ representatives and assured them that as soon as the claims could be progressed the States lawyers would be in contact. Our lawyers are now able to meet again with the claimants’ representatives to explain the agreed framework and the assessment of claims may now begin. Despite this delay, I am fully content with the performance of the advice and the advice given by the lawyers acting on behalf of the States. None of the delay, as far as I am aware, was caused by our lawyers.

2.6.1 Senator F. du H. Le Gresley:

Supplementary, if I may? Given that proceedings have commenced in the High Court in London against the States of Jersey, is the Chief Minister concerned that the reported comments of the lawyer representing 38 claimants that the States of Jersey are all talk and no action?

Senator T.A. Le Sueur:

I am concerned to the extent that I believe that that lawyer may be misrepresenting the position. Certainly we are not all talk and no action, we are talk and action and the talk had to precede the action, as I said in my answer. As I also pointed out last week, any suggestion that a claim would be heard in the High Court is, in my view, extremely unlikely.