

5.7 Deputy M. Tadier of the Minister for Education, Sport and Culture regarding allegations against members of staff at the Education, Sport and Culture Department relating to historic abuse cases:

Following the Minister's statement on 6th December 2010 that all allegations against members of staff at the Education, Sport and Culture Department relating to historic abuse cases had been thoroughly investigated by the appropriate authorities and concluded, will he now follow the precedent of the Wiltshire Inquiry and publish a redacted version of the investigation reports?

Deputy J.G. Reed of St. Ouen (Minister for Education, Sport and Culture):

As an employer the States of Jersey does not divulge publicly details of investigations involving individual employees. Not only is this a matter of good practice but contractual obligations are in place to provide a duty of care and mutual trust and confidence to all employees. All abuse allegations made to the police have been investigated as part of a thorough and detailed inquiry into allegations of historic abuse in Jersey, and it is now time to draw a line under this matter. I would like to reassure the public and the Deputy that I have no reason to doubt the integrity and professionalism of all senior civil servants in the Education, Sport and Culture Department in whom I have every confidence. **[Approbation]**

5.7.1 Deputy M. Tadier:

Of course there is a difference between saying: "I have no reason to doubt the integrity of all my staff" rather than "any of my staff" but perhaps that is a slip on the part of the Minister. It would also be interesting to hear from the Minister for Home Affairs because it seems that contrary to what the Minister for Education, Sport and Culture stated, that it is not a policy right across the board in the States not to give out and publish investigations because clearly that has been happening with the Minister for Home Affairs, so I would not want the Minister for Education, Sport and Culture to mislead the House in that respect. The further question I would then ask, and the reason these questions do have to come back unfortunately, is because on the 6th the Minister was unable to ask 3 basic questions about who the appropriate authorities were, under what circumstances and when the investigation took place and the nature of the investigation itself; so will the Minister simply ... I understand completely the nature of confidentiality but will he at least say overtly and unambiguously who conducted the investigation?

The Deputy of St. Ouen:

First of all, when I mean all, I mean "all" staff rather than "any". All. That includes every member of my senior staff. The other point I have already made is that all abuse allegations, which is the subject that the Deputy keeps focusing on, made to the police have been investigated as part of that thorough and detailed inquiry into the historic abuse matter. These have been thoroughly investigated and no further actions are required.

5.7.2 The Deputy of St. Martin:

Half the question has been answered about the appropriate authorities. We now know it was the police, but could we have the answer please from the Minister as to when these investigations were carried out because I understood some more allegations were made in court quite recently.

The Deputy of St. Ouen:

I do not know what allegations were made in court regarding any member of staff of my department. The matter is that any allegations that were made have been properly investigated. I am not party to the timing of those investigations because they have been undertaken by the police who are fully responsible for their actions.

5.7.3 Deputy T.M. Pitman:

Really following on from the Deputy of St. Martin, given that an individual was named again in the court and the information of the name is available to the public, in fairness to the individual and all others, would it not be better if the Minister did put out something official, some written report just to put an end to all this?

The Deputy of St. Ouen:

We are talking about alleged or allegations made about individuals who have no right or ability to defend themselves, albeit that certain individuals choose to pursue these people, whether in public or otherwise. It is only right that we acknowledge that the inquiry is over, allegations have been considered, and the individuals who have been found not to be involved are considered and allowed to pursue their normal employment and lives.

5.7.4 Deputy M. Tadier:

I appreciate the Minister's clarification and, firstly, it should not be taken as a criticism directly of him as a Minister. But one must accept that just because an investigation and a case has been closed does not mean we cannot learn lessons from it. The question I really want to address, which I do not think has been answered, is that if indeed there were investigations by the police, which were subsequently concluded, why is it that there seems to be an inconsistency across States departments in the way in which some departments would, as a matter of course, automatically suspend a member of staff as a neutral act while investigations are being pursued by the police? Why is it that in this case this was not the case in his department? That is not to say that the decision not to suspend was wrong but that in other departments a decision to suspend is what would normally happen. I think that is the nub of the question and that is what certain members of the public are also having trouble with.

[11:30]

The Deputy of St. Ouen:

As I have explained in past answers, individual Ministers are not responsible for the employment of States employees. In fact it comes under the remit of the States Employment Board. I am well aware that there are policies in place that address and consider any allegations made against an individual and then determine what action should be taken. At no point was it determined or decided that any of our members of staff at the department should be suspended because of the allegations made to them.