

## **2.2 Deputy M.R. Higgins of St. Helier of the Chief Minister regarding the delay in making compensation payments to the victims of abuse at Haut de la Garenne:**

Will the Chief Minister explain to the States the reasons for the delay in making compensation payments to the victims of abuse at Haut de la Garenne and advise whether any settlements will be subject to a requirement for claimants to keep the amount of the award private and confidential?

### **Senator I.J. Gorst (The Chief Minister):**

Inevitably it has taken time to finalise the mechanism for delivering financial compensation to the victims of historic abuse when in the full-time residential care of the States of Jersey. This has also required close consultation with claimants' legal advisers and guidance from the States of Jersey's legal advisers including specialist U.K. (United Kingdom) counsel. The only aspect of the scheme that may be subject to a private and confidential condition is the amount awarded for any individual claimant. We would not wish to divulge this information in order to respect the privacy of the claimant. However, we will publish the total amount awarded once all claims have been settled. At present no objections have been raised on behalf of claimants to that suggestion. There is no intention for any restriction to be placed in relation to the underlying facts of any case.

### **2.2.1 Deputy M.R. Higgins:**

Supplementary. Will the Chief Minister... he did not say when he thinks this process may be resolved... because some of the victims of the abuse are in financial difficulties, like a lot of people in the Island, but some of them, particularly, are in financial difficulty. Will he consider interim payments to these people to help them through their time of need? So timing and also interim payments?

### **Senator I.J. Gorst:**

The Deputy raises a very good point. I do hope that next month we will be able to be in a position... there are some small final decisions which the Council of Ministers will need to make but I do hope that next month, which is March, we will be able to come forward with a scheme and therefore in light of that I will not be considering interim payments at this time.

### **2.2.2 Deputy M. Tadier of St. Brelade:**

Will the Chief Minister confirm whether any of the victims of abuse at the hands of the States of Jersey have been told that they have to choose, essentially, between whether they have compensation and whether they have an independent committee of inquiry and whether those 2 are, in fact, interlinked?

### **Senator I.J. Gorst:**

There is no question of choice between the 2. There was, perhaps, a question of which should run first, should the compensation scheme be set up and operational and making payments prior to the approval of a committee of inquiry. It appears, now, likely that in actual fact a compensation scheme will be up and running prior to the operation of the committee of inquiry but it is not a choice between the 2, both will be operational in due course.

### **2.2.3 Deputy M. Tadier:**

Supplementary, if I may. Will there be practical complications if certain abuse survivors are compensated with, perhaps, confidentiality clauses and then an independent inquiry is held at which they may be compelled or wish to give evidence, if they are bound by confidentiality?

### **Senator I.J. Gorst:**

As I said in my opening answer there is no intention for any restriction to be placed in relation to the underlying facts of any individual's case.

### **Deputy T.M. Pitman:**

Probably on the same lines as Deputy Tadier but perhaps the Minister could just clarify, in terminology that I would certainly understand, can he confirm that there will be no gagging orders on any of the abused victims so they will be prevented from giving evidence to that committee of inquiry?

**The Bailiff:**

I think, Deputy, that is exactly the same question as Deputy Tadier has just asked. I think we will just have new questions. Very well, if there is no further questions ... Deputy Higgins, do you wish to ask a final supplementary?