

2.16 Deputy M.R. Higgins of the Minister for Home Affairs regarding the alleged loss of evidence relating to child abuse in Jersey:

Can the Minister advise whether evidence relating to child abuse in Jersey has gone missing and thereby prevented the prosecution of alleged offenders and, if so, what investigations have taken place to find those responsible for the loss of this evidence?

Senator B.I. Le Marquand (The Minister for Home Affairs):

Neither the States of Jersey Police nor I are aware of any cases relating to child abuse in Jersey where evidence has gone missing which affected the prosecution of alleged offences as Deputy Higgins implies. If Deputy Higgins has knowledge of any such incident I urge him to report the matter immediately to the States of Jersey Police so that the matter can be looked into.

2.16.1 Deputy M.R. Higgins:

I do have evidence. I have been approached by a victim of child abuse. I have read his statement to the police which was absolutely horrendous and which basically related to someone who is a friend of people in high places. He has told me quite categorically the police have not gone ahead with the prosecution because they say they have lost some of the evidence that was given many, many years ago to the police, not in the current inquiry but many years ago, and they could not find the evidence for it. I will speak to that person and I will come to the Minister with it.

Senator B.I. Le Marquand:

I am not sure there was a question there.

Deputy M.R. Higgins:

I am just saying that I will take him up on his offer and send police the statement.

2.16.2 Deputy T.M. Pitman

Being familiar with the same victim of child abuse, I would just like to point out to the Minister for Home Affairs that the gentleman has already gone to the police and it has not done him a lot of good so perhaps the Minister can suggest a better way forward?

Senator B.I. Le Marquand:

If people feel they are not making necessary progress with the police it is always open to approach me. I will then contact the police and urge them to ensure that a proper process is followed in relation to the investigation.

2.16.3 Deputy R.G. Le Hérissier:

I understand in one instance a person was told that the pursuance of their complaint after having gone through all the various stages was not in the public interest. Does the Minister accept that this is not a terribly clear explanation to give to victims?

Senator B.I. Le Marquand:

I am not clear as to who said it was not in the public interest. The public interest test is normally applied by prosecutors in my experience although it is sometimes applied by police officers.

Deputy R.G. Le Hérissier:

Apparently it was stated by the police, presumably on prosecutorial advice.

Senator B.I. Le Marquand:

There are 2 tests normally applied by prosecutors, one is whether a matter is in the public interest and the second one is whether there is sufficient evidence to warrant a prosecution. That is normal practice.

2.16.4 Deputy M.R. Higgins:

Can the Minister give us an update on the situation with child abuse? Am I right in saying that all the investigations have now ceased or are the police still carrying on with investigations into this?

Senator B.I. Le Marquand:

I have in front of me the press release which was released at the end of Operation Rectangle, which made it clear that all the historical abuse matters had ceased but did not close the door if there was new evidence or additional evidence upon matters being reopened. Obviously, in addition to the historical abuse matters, there are always ongoing allegations and new matters which are arising.