

2014.12.09

8.10 Deputy M.R. Higgins of the Minister for Home Affairs regarding the procedures of the Police in respect of child protection matters:

What are the procedures of the police if independent expert witnesses opine that clear child protection concerns and risks to children are present, but these expert views conflict with those of their officers or representatives?

Deputy K.L. Moore of St. Peter (The Minister for Home Affairs):

In the event that any new information or evidence came to light in a child protection case it would be considered by both Children's Services, the lead child protection agency, and the police in respect of any potential criminality.

8.10.1 Deputy M.R. Higgins:

Thank you for a very vague answer from the Minister for Home Affairs. We are not talking about criminality, we are talking about children protection issues and the case that I am referring to is one in which the police advised the Jersey Child Protection Committee that they felt that: one, a crime had not been committed but; secondly, they felt there were no child protection issues. This, by the way for Members, is the one that I have raised before where a couple, unmarried, were having oral sex in front of 2 young children, it was videoed, on video, it was seen by the police and they still said they had no child protection issues. Yet a consultant clinical psychologist who had viewed it could not understand how anybody who had viewed the tape could have come to that conclusion. At the present time the police are refusing to accept his view and want to close the case. I might add that this information was provided to the court, through the Jersey Child Protection Agency, the police view - not the clinical psychologist - and as a result the court made decisions based on that information. What is the situation when information contrary to the police, in terms of a clinical psychologist, comes forward? Should the police not reveal that to the child protection agency and also to the courts?

The Deputy of St. Peter:

As I said, this matter has gone through the M.A.S.H. (Multi-Agency Safeguarding Hub) and it has been discussed with the relevant child protection authorities. This is the fourth time the Deputy has brought this matter to the States Assembly in question time and this is not the appropriate place to discuss an individual matter. I would ask the Deputy to discuss this with the Chief of Police as I am not able to give any further operational details.

8.10.2 Deputy M.R. Higgins:

First of all, I would say it is the place to bring it forward when the police are not doing their job properly and it is a matter of concern to the entire public. This is just one case illustrating some police failures. In fact I am going to give a copy of the consultant psychologist's letter to the Minister so she can see the facts herself. What is of concern here is the fact that information is being put to the courts but is not correct. The agencies concerned, and the police in particular, are not prepared to make any changes or to disclose information they should disclose. Will the Minister, upon seeing this letter, please review this and come back and inform this House that the police are going to comply first of all with the Data Protection Law and report the information they should, and also forward to the courts, through the Jersey Child Protection Committee, the full facts so they have a complete picture?

The Deputy of St. Peter:

A number of different points have been made during that question. I would be very happy to receive a copy of the report and I will discuss with the Chief of Police and the relevant superintendent. It is my understanding that this has been properly through the family court as well as being dealt with by the police. We will leave it there.