

4.3 Deputy M.R. Higgins of St. Helier of the Minister for Home Affairs regarding the police investigation of ‘Operation Vessel’:

Would the Minister explain to Members why the police investigation of ‘Operation Vessel’ in which suspected sex abusers who were allegedly grooming young girls were identified, was kept secret since June 2012 and how this benefited the investigation and the people of Jersey?

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

This investigation took place in summer 2013, not in June 2012. The States Police do not normally make details of criminal investigations public unless there is a good reason so to do, and a decision as to whether and when to make information public is made on an individual basis. This was a live covert investigation and the reason for that was that was the best way of maximising opportunities for securing evidence and also for safeguarding the children victims involved. The operation took place with the support from other key agencies and victims were supported by specially trained staff. I was aware of the existence of this investigation and as this was a multi-agency investigation so were all the relevant agencies and, where appropriate, parents or guardians.

4.3.1 Deputy M.R. Higgins

I find it amazing that we find out about this investigation through the *Jersey Evening Post*. What concerns me is surely if this grooming was going on, and the investigation appears to be at an end because no convictions were brought, why was it not put out into the media so other families, one could be aware of what was going on, and secondly, if there were other victims who could come forward... or was this just a case of again keeping quiet about child abuse in this Island because of fears for the reputation of the Island and not looking after children in the Island?

Senator B.I. Le Marquand:

No, the last insinuations of the Deputy are utterly ridiculous. The police are very well committed to dealing with matters of investigation [**Approbation**] and it is quite outrageous that that implication should be put forward. These matters have to be decided on an individual basis. Here, the primary concern was to protect the children involved. This was a highly successful matter. I am sorry that the Deputy does not seem to be able to recognise a successful matter because here we had detecting that something was happening at an early stage. We had intervention to stop it happening. We had potential offenders being arrested and questioned and so on. But there was not anything to be gained at the early stages of the investigation in going public. In fact very much the reverse. You cannot go public with details of the victims’ names for instance. You cannot go public with details of the alleged perpetrators’ names, particularly as in this case it did not end up... so I am quite satisfied this was most properly handled.

4.3.2 Deputy R.G. Le Hérissier:

Would the Minister not acknowledge that as exemplified most dramatically in the Savile case, publicity was indeed the way forward and the issue is not either accusing people unfairly or massively embarrassing victims by putting their names in? The issue is surely to put in the public domain the fact that an investigation is proceeding so that if other people have data and that was, as I said, exemplified in the Savile case, then they can feel that much more confident in coming forward with possibly related allegations. That was the issue. Will he tell us therefore (a) does he agree with my statement and (b) under what circumstances would he want to handle these or would he want the police handle to these investigations in a more open fashion?

Senator B.I. Le Marquand:

I do not agree with the statement in this particular case for the reasons I have already said, because you could not go public with details of the names of the alleged victims, nor could you go public with details of the alleged perpetrators. You simply could not do that in either case. You create witch hunt territory and all that kind of thing. There is an appropriate occasion to warn the public, and indeed that happened eventually via the *J.E.P. (Jersey Evening Post)* article, it is appropriate there is an issue generally. But frankly, you may call me a cynic if you like, but the issue of young men trying to ply young women with drink in order to get their - if I can go Victorian now - wicked way with them is not a new issue. This is a permanent risk, a permanent danger and that is a fact. What has been happening, on the positive side, is some excellent work has been done by the safeguarding board in training work in relation to the whole area of sexual exploitation of young people. I myself attended a half-day conference on this so the agencies are in a better place to recognise the issues when things are going wrong. But this was a massive success story and that I hold to.

Deputy R.G. Le Hérisier:

I wonder if the Minister could answer the question under what circumstances would he seek to have much more open investigation.

The Deputy Bailiff:

I think, Deputy Le Hérisier, he has already answered. He said it depends on the facts of each case.

4.3.3 Deputy M. Tadier:

I do not call the Minister a cynic, I call him blatantly complacent. The only reason we are aware of this episode is purely by chance that a request was made, and I think possibly some investigative journalism for a change has uncovered this. For the Minister to stand up and say that everything is dandy simply beggars belief. Does the Minister acknowledge the fact that the only reason prosecutions were not brought was because the individuals who were very young were unwilling to testify and that were they willing to testify these individuals would probably be locked up at La Moye or certainly on some kind of suspended sentences?

Senator B.I. Le Marquand:

In relation to the second point: yes, that is correct. This is unusual investigation because there was no evidence coming from the victims themselves. It was, in fact, coming from other sources, and without a complainant who would give evidence: it is quite impossible to bring a criminal prosecution. I am not in the least complacent in this area. There has been excellent work to improve the system. We are still working on improving the system and awareness so that information is shared. We have brought in the M.A.S.H. (Multi-Agency Safeguarding Hubs) system within the last few months, which is a data-sharing information system. The fact is if information has to be obtained, it has to go to the right agencies and then they have to take appropriate action.

4.3.4 Deputy M. Tadier:

Does the Minister not acknowledge there is a problem if the only reason that people who would otherwise be convicted have not been convicted because the very vulnerable people that they were abusing, attempting to rape - because sleeping with a person under 16 is statutory rape - these individuals are still at large and that it should be possible for prosecutions to be brought in a case when these individuals, for whatever reason, do not wish

to testify if there is other compelling evidence which is there. Does the Minister not agree, and if there needs to be a change a law will he bring that?

Senator B.I. Le Marquand:

You could bring a prosecution if you had other evidence. But the key evidence in such cases is the evidence of the victims themselves. Clearly, without evidence from victims, there was no possibility of a successful prosecution. We have a criminal law in which the test is beyond reasonable doubt. That is a high test. So the police did their very best and by doing this in a covert way, which part of the reason for that was to try to ensure they got the best evidence possible in relation to the matter. But at the end of the day they cannot always succeed.

4.3.5 Deputy J.A. Hilton:

Is the Minister able to tell Members whether the alleged victims were in care, being looked after by a government department, or whether they were in the care and control of their parents?

Senator B.I. Le Marquand:

I do not know the answer to that question. I could find out if the Deputy wants me to but I do not know the answer.

Deputy J.A. Hilton:

Thank you, I would appreciate if the Minister could do that for me.

Deputy R.G. Le Hérisier:

I thank the Minister but it was a point of clarification from the Attorney General, if he could advise us on circumstances where it is possible to proceed.

The Deputy Bailiff:

I am sorry, this is question time, not question time to the Attorney General unless you have put a question to him.

4.3.6 Deputy M.R. Higgins:

I will go further than Deputy Hilton's request to the Minister. I would also like to know if any of the perpetrators were in care as well. In other words, we are looking not only at victims but perpetrators, and I would also like to say that the Minister ... alleged, yes I accept that. The Minister is also trying to, in a sense, downplay this by saying, for example, it is not right to publish the names of the victims or the offenders. No one was asking for that. What we wanted to do was know that this type of activity was going on, it was in the investigation. If anybody had any information why not come forward and give the information to the police, and maybe some of these people would have been convicted. Does the Minister believe that the police should be far more transparent in these type of cases, without giving the names of victims and so on, but bringing it to the attention, not only as a warning but also to gather evidence?

Senator B.I. Le Marquand:

I believe the police have to make difficult decisions in these cases on an individual basis, as I said before. The police have to consider on the one hand issues like obtaining additional evidence, but they did not think that was very likely in this particular case, but they also have to consider on the other hand, causing unnecessary alarm to the general public.

[11:15]

That is also a factor that has to be considered in balancing any individual decision.

4.3.7 Deputy M.R. Higgins:

If there are 12 people who are alleged victims surely that is not causing alarm, it is informing the public what is going on.

Senator B.I. Le Marquand:

What I am talking about would be if they put out a general and alarming statement to the effect of parents be very careful about your girls because there are people around who are trying to do these sort of things. You have to keep these things in balance. It is quite a difficult decision, which they have to make in each individual case.

The Deputy Bailiff:

It is a very good opportunity to say from the Chair to those in the public gallery that you will have heard questions and answers and you can form your own views about it, but do not ever think that States Members do not care about what happens with you. **[Approbation]**