

**WRITTEN QUESTION TO THE CHIEF MINISTER
BY DEPUTY M.R. HIGGINS OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 24th MARCH 2015**

Question

Further to the answer to question 8674 of 10th March 2015 regarding the Independent Jersey Care Inquiry, can the Chief Minister detail:

1. In 3(b):
 - the proportion spent on representing individuals (including their number) and the department;
 - full details of expenditure under each heading;
 - whether the States is funding legal advice/representation for former States employees/members, and, if so, how many, and why;
2. In 3(c):
 - costs incurred by the bodies listed;
 - whether additional staff have been employed by/seconded to the bodies listed, how many, in what areas, for what duration, and at what cost;
 - whether the original roles of secondees have been recruited to and at what cost;
3. In 4:
 - expenditure on lawyers, broken down by type of work undertaken;
 - the law firms involved and the number of lawyers and other staff employed to undertake Inquiry work; how much each firm is being paid; the charge-out rate for each member of staff and the average cost to date;
 - the number of ex-gratia payments made and the median compensation paid out to claimants;
4. The nature and cost of professional, hired and sundry services provided;
5. The accounting officer(s) for all States expenditure directly attributed to the Inquiry to date?

Answer

Further to the answer provided to written question 8675 tabled on Tuesday 10th March 2015 regarding the Independent Jersey Care Inquiry, the following additional information can be provided.

1. Lawyers representing departments and individuals (item 3b in the previous answer)

The Departments seek to provide their fullest support to the Inquiry in discharging its Terms of Reference. Where current or former employees have indicated that they wish to give evidence to the Inquiry, or where the Inquiry has requested them to do so, the Departments are conscious that these current and former employees are unlikely to have given evidence in public before. As a result, Lacey Advocates have been instructed to work with, advise and support current and former employees, who wish, or who are required, to give evidence to the Inquiry. Where allegations have been made against current or former employees of unlawful conduct, Departments are not funding any legal costs incurred in responding to any such allegations. Should current or former employees require legal advice on such matters, they must obtain this either through the Inquiry or from their own lawyer at their own expense. As Phase 1b (evidence from staff) has not yet commenced, it is not known how many current and former employees will be required to give evidence. To date, approximately fifteen employees have sought the

assistance described above. Financial recording and billing systems are not able to provide an analysis of costs according to the individuals being represented.

2. Further details of departments' costs (item 3 in previous answer)

The costs incurred by the bodies listed were identified in part 3 of the earlier answer.

In relation to staffing, the States of Jersey Police have contracted four staff on a part time basis (the HOLMES Team) to assist during the Inquiry at a cost of £113,629 up to the 31st December 2014, as reported in the previous answer. The Chief Minister's Department has seconded three officers to work with Lacey Advocates for the duration of the Inquiry at a cost of £129,750 up to the 31st December 2014, as reported in the previous answer.

3. Further details regarding Inquiry and Redress Scheme costs (items 3 and 4 in previous answer)

Two law firms are involved in undertaking work for the Independent Jersey Care Inquiry, Eversheds as Solicitors to the Inquiry and Outer Temple Chambers as Counsel to the Inquiry. The costs for law firms engaged to support the Independent Jersey Care Inquiry are: Eversheds £2,193,323 up to the 31st December 2014; Outer Temple Chambers £545,480 up to the 31st December 2014.

Two law firms are involved in undertaking work for the States of Jersey in relation to the Independent Jersey Care Inquiry, Lacey Advocates and Carey Olsen. The costs for law firms engaged to support Departments are: Lacey Advocates £747,888 up to the 31st December 2014; Carey Olsen £471,298 up to the 31st December 2014.

The number of staff engaged by these firms on work relating to the Inquiry varies over time based on the nature of the work for each phase. The Independent Jersey Care Inquiry Information Index sets out the categories of information held by the Inquiry, which information can be made publicly available and how it can be obtained. The charge out rates are commercially sensitive and therefore unavailable for release. Financial recording and billing systems are not able to provide a ready analysis of costs according to the type of work undertaken.

In relation to the Redress Scheme, to date the total number of ex-gratia payments made is 116, with the median compensation paid out to claimants being £12,750, at a mean of £17,820.

4. Redress Scheme costs: professional, hired and sundry services provided (listed under item 4 in previous answer)

Professional, hired and sundry services include medical and psychiatric assessments as well as ad hoc payments including, for example, research by UK forensic data confirmation services. Total cost to the end of December 2014 amounts to £100,683, as reported in the previous answer.

5. Accounting Officers

The Accounting Officer for the Independent Jersey Care Inquiry expenditure is the Greffier of the States. It should be noted, however, that due to the need for the Inquiry to operate independently, the Inquiry Panel has directed the expenditure and the Greffier of the States has not been in a position to influence spending in the usual manner expected of an Accounting Officer.

The Accounting Officers for the relevant departments are responsible for spending in relation to the Inquiry within their departments. It should be noted, however, that this expenditure arises generally from responding to the requirements and requests of the Inquiry.