

**WRITTEN QUESTION TO H.M. ATTORNEY GENERAL
BY DEPUTY M.R. HIGGINS OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 30TH JANUARY 2018**

Question

What policies or guidance exist to cover a situation where H.M. Attorney General is in receipt of allegations of child sexual abuse, or has direct knowledge of such abuse, in respect of how the matter should be raised with the police?

Answer

If an individual suspects that a criminal offence may have taken place, they can report that matter to the States of Jersey Police. It would then be for the States of Jersey Police to decide whether to investigate the matter.

The oath of office of Attorney General requires the holder of that office to uphold and maintain the laws of Jersey.

A failure to report and/or a failure to act may be considered to be a breach of oath. However, this should be distinguished from a decision not to take a particular course of action where there is a reasonable basis to do so.

In February 2016 the Attorney General issued a direction to all Centeniers relating to allegations of sexual offences which states, inter alia, that no allegation of a sexual offence, where the evidential test is passed, should be dealt with other than by way of prosecution without the consent of a Crown Advocate or Legal Advisor employed by the Law Officers' Department.