

Witness Name: Graham Jennings
Statement No: First
Exhibits: GJ1-GJ14
Dated :

THE INDEPENDENT JERSEY CARE INQUIRY

EXHIBIT GJ13

Witness Name : Paul Le Claire
Statement No : First
Exhibits: PLC1-PLC29
Dated :

THE INDEPENDENT JERSEY CARE INQUIRY

Witness Statement of Paul Le Claire

I, Paul Le Claire, will say as follows:-

Background

1. I was born in Jersey in 1963. Between April 1999 and December 2011, a period of 12 years in total, I was a politician and member of the States of Jersey (the 'States'). During my time as a politician, I held the roles of 'Deputy' and 'Senator', which I will explain further below.
2. In this statement I provide an account of matters I witnessed during my time as a Jersey politician, and subsequently.

Election as Deputy and Senator

3. In early 1999 I stood in my first by-election for a vacant Senatorial seat, but I came second to the then Deputy, Jerry Dorey. Later that year, in April 1999, I stood in a subsequent by-election for his vacant seat and was successfully elected as Deputy for St Helier No 1 District.
4. As soon as I became a Deputy, I started to raise concerns about various matters and policies. For example, I immediately saw that Jersey residents were concerned about immigration and, when I looked into the matter further, I realised that immigration was clearly a problem in relation to the demands it was putting upon the public services of the island and the island's environment.

Graham Power, who had also felt that the political system in Jersey was led by civil servants.

74. That was borne out again recently with the States having agreed to my proposal for a study into the high cancer rates in Jersey – something the Health Department did not wish to conduct. Despite having won the debate in support of a study unanimously in the States Chamber, the Health Department hired a UK body to support their original view that this would be a waste of time and money when the main causes of cancer could be attributed to smoking, drinking and sun-bathing – a difficult thing to convince a parent who has lost a young child to a rare form of cancer. It highlights how little power the States as a chamber now has since the laws to create Ministers in corporate sole status have been drawn up, mirroring the manner in which the civil service had overthrown elected democracy within the UK as highlighted within a recent leaked internal document entitled ‘Indicators of Potential for Permanent Secretary Roles’ within the Daily Mail dated Thursday 10 July 2014. A copy of the article is exhibited at **Exhibit PLC10**.
75. It is of little surprise that Jersey finds itself in this position considering that the recent changes to the machinery of our government were extracted practically verbatim from the Local Government Act in the UK. We now have a system similar to that in the UK where politicians are for media purposes alone and have little to do with the running and implementation of policies which have been given in the main to the Civil Service who are far less accountable to the public in general.
76. There has always been a problem with independence and impartiality within the States, and as noted earlier, many of the same individuals move between high-ranking positions and simply go from one job straight to another. It is therefore very difficult for individuals to maintain impartiality.

Child abuse and concerns about children’s homes

77. I recall one particular Health and Social Services Committee meeting where the committee received an oral report about a group of children who were

being abused. This report was I believe given by Mr Anton Skinner and the Chief Officer, Graham Jennings.

78. I cannot recall who else was at the meeting, but I recall Graham Jennings, Senator Dick Shenton and Anton Skinner being in attendance. Whilst we were receiving the oral report about child abuse, most people around the table sat back quietly. When I heard the story being told, I was horrified. This was when I first heard the terminology that they ran 'an open house' whereby child abusers were effectively able to walk in to the children's home and take their pick.
79. My immediate response was that we needed to call the police to take these children off their parents. The response we got from Mr Anton Skinner was that the police already knew of this case and that the 'last thing' the States wished to do was remove the children from their parents. This they said was the last option, when all else had failed. I found this unbelievable and wondered what more needed to happen for a child to be removed from a situation like that. I felt very upset. I was concerned about the stories I was hearing but I assumed, having received confirmation from Anton Skinner, that the States of Jersey Police already knew about this and that something would actually be done about it. What the States of Jersey Police were doing at the time in relation to this matter remains unknown to me. However it has recently come to light as a direct result of this Inquiry's hearings that on previous occasions Mr Skinner had decided not to inform the police in relation to child abuse allegations because he believed, the Inquiry were told, that he believed it would cause more harm to the children for them to have to give evidence at trial. With this recent admission by Mr Skinner I urge the Inquiry to ascertain what the police knew about the X Children and the abuses at this time that they were suffering. These children were, I believe, the same children identified the guardian appointed to their care as some of the most seriously abused in the United Kingdom. The Health Minister has recently conceded that they should have been removed from their parents years ago.
80. Further on in this statement I will talk about the case of X children. I now believe that this particular committee meeting, where we received the 'open

house' oral report, may have related to X children. The implications of this are that if this was the case, those children continued to be put in harm's way with the full knowledge of the people engaged by the public to protect them for several more years. As a young and inexperienced politician I wrongly believed the system would protect the children, especially after the assurances I received. I did however manage to stir up enough concern within the meeting amongst the senior management staff that the Chief Executive Officer made the committee aware of a child protection guide which they proposed should be circulated to us all in order to calm me down. In it there were guidelines, duties and reporting procedures for all departments who came into contact with child abuse including the Honorary Police, the States Police, education practitioners and of course health workers. I exhibit a copy of this guide as my **Exhibit PLC11**.

81. In terms of why I personally did not take any further action, after hearing the 'open house' oral report, I didn't consider myself to be a professional in the child abuse field and I was assured by the committee that the police knew of the matter and so I believed that the children would be protected and the abusers brought to justice. I therefore thought that something would be done to stop the abuse. Due to the seriousness of this matter, I didn't think that this was another case that would be brushed under the carpet. I thought something was being done. I respected the seriousness of the case and against my better instincts I did not press the matter further, as I had already been chastised on the committee for going into matters that were of an 'operational nature' when I highlighted the renal ward issue. This unwritten code of not interfering with operational matters is a classic get out clause used by the establishment whenever they feel there is something being done to highlight failings in their departments. Most Ministers and ex-Presidents know that without their corporate officer's support their own political futures and reputations are short lived. If a Minister does not have his officers' backs then they do not have his and it is very easy for them to mess up. When things go wrong, the political call is for the Minister's head not that of the civil servant he or she is in charge of. So the ones that make the mistakes retire quietly with anonymity, settlements and their pensions whilst those who take the political responsibility

for the others failings carry the can with nothing by of final settlement or pension into their hastened retirements.

82. There was only one other occasion where child abuse was specifically mentioned in my presence, whilst I was a politician. This was during a particular meeting where the assistant Minister for Home Affairs, Deputy Jackie Hilton, raised some concerns about some other children on the island who were being abused. Jackie was having real problems trying to deal with the matter. I cannot recall a lot about this meeting but she recently went on radio Jersey in her role as Head of Health Scrutiny and repeated these concerns revealing she knew much more but due to confidences was not going to disclose publicly. Again, I am concerned that people are revealing publicly that they are not disclosing matters of concern perhaps due to confidentiality arrangements or political pressures.
83. I also recall a discussion in the States about Brig-Y-Don and the concerns a Member had about the home on 12 May 2009. There were also concerns that I raised about the facilities for children in care at Brig-Y-Don. I attach, as my **Exhibit PLC12**, a copy of the States Hansard from 12 May 2009 where, at pages 11-15 specifically, there is talk about Brig-Y-Don. At page 13 I confirmed that I had been informed that one of the challenges at the home was having to receive a 14 year old who was drunk and then beat up a four year old. The 14 year old had basically been placed in the same room as the four year old due to a lack of a dedicated facility. At page 78 of the Hansard, Stuart Syvret stated that he was about to present for scrutiny a 'catalogue of grotesque failings that have plagued child protection systems in Jersey for decades'.

Other concerns

84. Between 1991 - 2005, I was consistently raising concerns in the States about the matters I have mentioned above, and many others. At one point I raised concerns about the number of deaths attributed to alcohol and tobacco in Jersey which had been highlighted by the report of the medical officer of Health. When discussing this report at the Health and Social Services Committee meeting my concern for the matters led to Senator Dick Shenton