

THE PRELIMINARY HEARING

3 APRIL 2014

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INTRODUCTION

1. Good morning and welcome to this preliminary hearing of the Independent Jersey Care Inquiry. May I remind you please to turn off all telephones. This is the first public session of the Inquiry, and it provides me with an opportunity to explain a little about how the Inquiry will conduct its business and how you can contribute to it. We want to hear from anyone who has information relevant to our work.
  
2. Before I do that, I would briefly like to explain the purpose of the camera in the room today. The camera is being used by the Inquiry to film my address to you. This footage will be uploaded onto the Inquiry's website and be available to all those who are unable to attend. I would like to reassure you that the camera will be directed solely at me and my Panel members, and it will not be filming any members of the public. A copy of the Inquiry's Terms of Reference were available to you on your way in today. Further copies are

available from the Solicitor team if required. The Solicitors to the Inquiry also have copies of my speech today and copies of the Inquiry's protocols, to which I will be referring. These will be available when today's hearing has concluded. These documents will also be added to the Inquiry's website later today.

3. The Inquiry has been set up to establish what went wrong in the Island's care system over many years and to find answers for people who suffered abuse as children. We have been asked by the States of Jersey to investigate the abuse and mistreatment of children placed in childrens' homes and in foster care in Jersey from the Second World War.
4. On 6 December 2010 the Island's Chief Minister made a formal apology to all those who suffered abuse in the States' residential care system; acknowledging that the care system had failed some children in a serious way.
5. On 6 March 2013 the States Assembly agreed the Terms of Reference for a public inquiry to undertake a wide-ranging investigation into historical child abuse in Jersey.
6. The Inquiry's aim is to be open and transparent to the public. Fair treatment of witnesses is a priority. In conducting all of this work, we will be acting independently: independently of the States of Jersey, independently of the

police and independently of any other organisation or individual in Jersey or elsewhere. Our purpose is to establish the truth; the truth about what happened to children in residential and foster homes, how mistreatment of children remained hidden for so long and what was done when concerns were raised. We will investigate those matters robustly and fearlessly.

7. In summary we will be investigating what abuse took place, and whether abuse was covered up. We will examine whether abuse was reported and what was done, if anything, about those reports. We will be considering what safeguards were in place and whether they were adequate to prevent abuse and to ensure that reports of abuse were investigated properly and by the appropriate authorities. We will review the actions of the police, the justice system, the politicians and the various agencies of government, with a view to considering how each of them responded to concerns about child abuse in Jersey. In doing so, we will be asking ourselves whether the policies and procedures of those organisations were fit for purpose at the time. We will also consider whether appropriate decisions were taken in deciding whether to prosecute individuals and whether there was political or other interference in those decisions. Finally, we will consider what lessons can be learned for the current system of residential and foster care services in Jersey and make recommendations for the future of those services.

8. In conducting the work of the Inquiry, I will be assisted by my panel members, Alyson Leslie and Professor Sandy Cameron. Ms Leslie has a background in social work and her work includes Serious Case reviews into

child abuse. Professor Cameron is a former Director of Social Work in Scotland and former Chairman of the Parole Board for Scotland. He also has expertise in residential child care and fostering services. My legal team consists of Counsel to the Inquiry, Patrick Sadd and Harriet Jerram, and Eversheds, the Solicitors to the Inquiry. Between them, they have significant experience of public inquiry work and cases concerning the abuse of children in care.

9. The Inquiry hearings will take place at 11 Seaton Place in St Helier. These are dedicated premises for the Inquiry's use, with a hearing room, private interview rooms for witnesses, a media room and offices for the Inquiry team. We have made special adjustments for any witnesses who will be giving their evidence anonymously or in private, to ensure that their anonymity or privacy is maintained.

10. I will be setting out today:

- The Inquiry's interpretation of its Terms of Reference, so that everyone understands the scope of our investigations;
- The way in which the Inquiry will work - its 'protocols';
- How witnesses and organisations can get in touch with us.

## **TERMS OF REFERENCE**

11. I now turn to the Terms of Reference. They are set out on the Inquiry website and you should all have received a copy today.

12.The Inquiry is required to consider 15 terms of reference in all.

13.The Inquiry will not be treating each term of reference in isolation - there are many common issues all of which aim to address the following central concerns:

A. Establishing the extent of abuse in Jersey's childrens' homes and other statutory child care provision since 1945 - how pervasive was abuse in the statutory care system?

B. What systems operated in the child care system within which abuse took place and how effective were these?

C. Who was accountable for the running and oversight of residential child care ?

D. How did the relevant government departments, politicians, police and prosecuting authorities deal with the concerns about alleged abuse. To whom were concerns raised and directed, what action did they take and were these actions in line with policies and procedures of the day.

E. What now is the state of statutory child care in Jersey and could it be improved?

14.It is our intention so far as possible to hear the evidence in 3 phases, each of which will aim to cover specific terms of reference.

15.In Phase 1 we will take evidence from those who have accounts of abuse to give and from those who worked or were in contact with child care. Phase 1 will also hear from those accused of abuse.

16. In Phase 2 we will look at the decisions taken in relation to the timing of the police investigation and subsequent decisions to prosecute alleged abusers.

17. Finally, in Phase 3, having assimilated a very large amount of evidence, we will examine whether the child care system in Jersey since the war was adequate. What went wrong? Has the system changed for the better and what is the way forward?

18. Taking each Term of Reference in turn -

19. The first Term of Reference requires the Panel to embark on an historical review of child care provision on Jersey since 1945, with a particular focus on the period since 1960. We will look at:

- The legislative framework for taking children into care and the reasons in law justifying a child being taken into care and how this was applied in practice;
- The scope and duration of care orders - what ability parents or the state had to review a care order;
- We will look at childrens' homes on the island: their location and size, the mix of female and male, all aspects of provision within the homes; and
- We will consider boarding-out provisions and fostering: how fostering was organised and supervised: whether placing a child in a children's

home was seen as a preferable option to fostering: whether fostering in an island community presented specific challenges.

20. We will look at the use made of Jersey homes by local authorities in England and Wales when wanting to place children in their care and whether this presented specific problems.

21. It is essential to establish at the outset the context and to have an understanding of child care provision in Jersey. We intend therefore calling expert evidence on child care provision and that evidence will open the Inquiry, setting the scene for much of what will follow.

22. We consider the second Term of Reference to be an extension of the first, requiring us to look in detail at the management and governance of childrens' homes. We will hear evidence on how residential care staff were recruited, their background and training, and the extent of supervision and support they received. We will find out how these homes were managed and what oversight they were given.

23. We are also asked to consider the culture prevalent in the homes. We need therefore to hear evidence from those who worked in the homes - care staff, those cooking and cleaning in the homes. We also need to hear from those who visited the homes, regularly or occasionally - child care officers and social workers, the local GPs, clergy, the board of visitors, outside inspectors. This list is not exhaustive.

24. We also hope to hear from those in the homes who were not abused, to give their account of their time in care.

25. We will be looking at a mass of documents which have yet to be obtained: day books, punishment books, placement records, medication records kept in the homes, correspondence between the homes' management and the department running the home, inspection reports. Again, this list is not exhaustive.

26. By way of example, we know already that Haut de La Garenne was inspected in 1970 by two UK home office children's department inspectors. We know too that in 1981 two UK social work officers carried out an inspection of the children's section looking at statutory and voluntary child care services on the island and fostering arrangements. The inspectors went to Les Chenes Residential School, Haut de La Garenne, Le Squez, Clos des Sables, La Preference and Brig-y-don. We will examine all this work and establish whether recommendations made were in fact implemented.

27. We will assess the adequacy of the management and governance of these homes. We will determine on the basis of factual and expert evidence whether in fact, rather than in theory, the homes were adequately managed and overseen. Did the care of children in the homes and in the system meet the standards of the time?



28. The third Term of Reference sets out a broad remit requiring us to look at the role of the States' government and of the administration in relation to childrens' homes and fostering as well as child care services.

29. Did those responsible for administering and inspecting these homes do their jobs properly? If recommendations were made for improvements, were they followed? If they were not, why not? We want to know whether the various departments ensured that statutory child care provision was adequately maintained and developed.

30. We will form our own views based on the evidence received rather than seek to settle scores, however strongly and sincerely felt feelings may be.

31. The fourth Term of Reference is complex in structure. It requires us to establish what shifts have taken place on Jersey in the area of statutory child care in terms of public perception and understanding.

32. There was a time when police and child care officers would have been reluctant to accept the word of a child in care over an adult looking after that child; when a child in care would rarely be seen on their own. When the fact of the child being in care was seen as enough to doubt the story they were telling.

33. In the late 1970s and early 1980s, there was a better understanding by social workers, teachers and police officers of abuse. We will look at the attitudes

in Jersey over the whole period, and the changes that took place in the UK. We will consider whether and when those changes in attitude translated themselves to the Jersey care system and we will be helped by expert evidence on this issue.

34. The Inquiry appreciates that this is a particularly sensitive issue. There may be those who will be thinking “ how could abuse happen on Jersey?” There will be some who want to believe that it never did.

35. The very existence of this independent Inquiry, these Terms of Reference, the criminal convictions and the establishment of the redress scheme, puts that beyond doubt.

36. The fifth Term of Reference will be met by expert social work evidence: we will conduct a review of the legislation relating to child care practice and the governmental policy guidance in Jersey and the UK.

37. To understand the approach we will adopt to the sixth Term of Reference we need to set it out in full.

38. Under the sixth Term of Reference , the Inquiry is asked to,

*Take into account the independent investigations and reports conducted in response to the concerns raised in 2007, and any relevant information that has come to light during the development and progression of the Redress Scheme.*

39. Reports have been commissioned by the States of Jersey and by government departments. Some are in the public domain, and others not.

40. All these reports - and others whose existence the Inquiry may only become aware of in the course of collating the vast amount of information in preparation for the start of the Inquiry - will be critical to our acquiring a better understanding of the state provision for children in care in Jersey in 2014.

41. We will, in accordance with our remit, take those reports and investigations into account. As with much of the evidence the Inquiry will hear, we will have to monitor its relevance as the Inquiry progresses and if issues emerge which require further consideration, we will do that.

42. The seventh Term of Reference lies at the heart of this Inquiry and sets the scene for the important evidence that will follow.

43. We want to hear from anyone who feels that they have information relevant to the Inquiry, including people who have been in care homes or foster care in Jersey; anyone responsible for providing or monitoring these services; and anyone who had engagement with the care and fostering services, whatever their perspective.

44.Many of those taken into care will have felt, and may still feel, abandoned by the very system into whose care they had supposedly been entrusted.

45.I recognise that the Inquiry asks a great deal of you: quite simply , that you should come and tell us about what happened to you as a child - an account of your life both before being taken into care and whilst in care. We want to hear about how you were treated; complaints you may have made at the time, and complaints you may have made since; we want to know what the response was to your coming forward about your experience; we want to know what happened to you on leaving care. We want to hear from each witness what lessons can be learned. Only then can we move forward and begin to understand why abuse happened, how the care system allowed this to happen, how the care system has evolved and where it is today, and perhaps most importantly what checks and safeguards, if any, remain outstanding. Your evidence is the starting point for our investigation of why and how systems failed.

46.This evidence will be invaluable to the success of the Inquiry. It is your voice that the Inquiry needs to hear.

47.I am keen to ensure that witnesses who come forward to give their account of being abused only have to give their evidence to the Inquiry Panel once. The Inquiry envisages that this should be in Phase 1.

48. In setting out their accounts of abuse, witnesses may name abusers. Natural justice requires that those named and accused of abuse must have the opportunity to give evidence to set out their account, respond to allegations and give their perspective.

49. We will examine whether there was a pattern of abuse at any particular children's home or in foster care, based on the evidence, without the need to make individual findings as to whether particular acts took place.

50. In a moment I will set out the rules - or 'protocols' - that will operate in the lead up to and during the course of the hearings. Those hearings will start in due course. These protocols are intended to assist all those who come forward to give evidence: they provide a formal structure and point of reference for all involved in the Inquiry as to how it operates and what safeguards ('protective measures') are in place.

51. The eighth Term of Reference asks us to consider who raised concerns about abuse, and to whom, and what, if anything, was done about them. It also invites us to conduct an historical review of the systems in place for handling the disclosure of abuse by children. Although not expressed as such, we will be looking at disclosure of abuse within the setting of children in care.

52. We anticipate that witnesses who were abused may name in their evidence individuals who were told about that abuse but nothing was done. We want to understand why that happened.

53. We may hear from individuals who were told of abuse, but did not know what to do. They may have felt powerless or fearful. They may have lacked the authority or experience to take action and may now feel responsible for not having done something. Such witnesses may be entitled to the protection afforded by the protocols.

54. The ninth and tenth Terms of Reference can be read together.

55. The ninth Term of Reference has two parts. The first, to be addressed in Phase 3 of the Inquiry, will involve an historical review of official responses to child abuse. Although we are still at an early stage of collating evidence, we are aware of official reports over the years looking at specific cases involving the handling of abuse disclosure in a variety of settings.

56. The second part, to be heard in Phase 2 of the Inquiry, asks us to 'review the actions' of government departments, the justice system and elected representatives following the start of the investigation into allegations of abuse at Haut de La Garenne in 2007. We want to hear from the Ministers for Home Affairs and for Health and Social Services at the relevant time and from the Attorney General's office. Their evidence will assist us particularly in relation to the assessment that we must make of the lessons to be learnt.

57.The tenth Term of Reference I can deal with shortly, as it can be grouped alongside the other terms of reference that require the Panel to review the approach taken by government agencies, and in this instance, by government departments.

58.In assessing whether procedures were adequate we will hear expert evidence to supplement the Panel's own specialist experience. Ultimately it will be for us to determine whether in fact the approach adopted by the Department of Education, and then of Health and Social Services, was adequate.

59.The 11<sup>th</sup> Term of Reference requires the Panel to conduct an historical review of the approach taken by different agencies to the disclosure of abuse.

60.We hope to hear from witnesses - social workers, GPs, teachers, police officers - who can provide the Inquiry with their first hand experience of how allegations of abuse of children in care were dealt with.

61.We are aware that there is a perception that in the past allegations of abuse may have been covered up. If this is correct, and if evidence does come to light that complaints were not followed up, then we will want to understand the reasons why this happened.

62. In relation to the 12<sup>th</sup> Term of Reference, we are asked to take note of the fact of Operation Rectangle and we will hear evidence identifying the concerns that led to the setting up of the formal investigation.

63. In relation to the 13<sup>th</sup> Term of Reference, we intend addressing this term in Phase 2 of the Inquiry.

64. The 13<sup>th</sup> Term of Reference asks us to:

*“Establish the process by which files were submitted by the States of Jersey Police to the prosecuting authorities for consideration, and establish*

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- *whether those responsible for deciding on which cases to prosecute took a professional approach;*
- *Whether the process was free from political or other interference at any level.”*

65. We have considered the issues raised by the first part of this Term of

Reference:

- Did the police properly consider which cases to forward to the prosecuting authority; and
- Did the prosecuting authorities properly consider which cases to prosecute.

66. In assessing whether a professional approach was taken, we will consider the guidance applicable at the time, and the available evidence. It is only by an



analysis of the files that the Inquiry will be able to discharge its function in relation to this part of Term of Reference 13.

67. The Inquiry's approach to this Term of Reference is guided by two objectives. First, the need to ensure that confidence in the system of prosecution and procedural fairness is maintained. Secondly, the Inquiry will want to consider objectively whether the decisions taken were proper in the light of the evidence available. I emphasise again that the Inquiry is independent and will adopt its own course in relation not just to this but to all the Terms of Reference it has been engaged to consider.

68. The second part of the 13<sup>th</sup> Term of Reference asks us to consider whether, in either case, the process was "free from political or other interference at any level". We are concerned with the legal and political responses to, and outcome from, the police investigations.

69. We will formulate our own view as the Inquiry evolves and when we have accumulated sufficient evidence. Only then will the Panel be in a position to make findings as to whether the process was in fact free from political or other interference at any level.

70. Evidence in relation to the 14<sup>th</sup> Term of Reference will be taken in 3<sup>rd</sup> Phase of the Inquiry, by which time we will have gathered a wealth of evidence.

71. We will hear evidence from those who have conducted recent reports on statutory child care provision in Jersey; experts in this field and independent of the States. We will also be assisted by witnesses from the relevant departments, giving their views on the lessons to be learned. We wish to set out clear recommendations for the future structure and management of statutory child care services in Jersey.

72. The purpose and value of this 14<sup>th</sup> Term of Reference, and indeed the 15<sup>th</sup> Term of Reference, cannot be underestimated. It is to set out what lessons can be learned for the benefit of child and foster care services in Jersey.

73. I want to ensure that all who have a contribution to make are heard, and that those contributions result in an Inquiry that is judged to be fair, independent and constructive for the people of Jersey.

## **PROCEDURE**

74. I turn now to explain the Inquiry's procedure. Every Inquiry needs a set of rules to govern its work, so that all participants understand how the Inquiry will function and what is expected of them. This Inquiry is no exception.

75. Our procedure will be governed by a set of procedural protocols. These cover all the main areas of the Inquiry's work, including:

- The gathering and presentation of evidence;
- How witnesses and their evidence will be dealt with;
- Legal representation of those with an interest in the Inquiry's work;

- The measures that we will take to protect the identity of witnesses and ensure that sensitive personal information is handled appropriately; and
- Our relationship with the media and the public.

76. The full detail of those protocols will be published later today on our website: [www.jerseycareinquiry.org](http://www.jerseycareinquiry.org). I am not going to explain each of our protocols exhaustively today. However, I will set out the basic principles and the key points. I invite all of those interested in the Inquiry's work to read the protocols in full on the website.

#### *General principles*

77. For the Inquiry to operate effectively and efficiently, it needs to operate flexibly. The procedures set out in the protocols may be subject to amendment during the course of the Inquiry if we feel it is necessary. Where an amendment or clarification is made, that will be made available on the website.

78. In making any decision as to the procedure and conduct of the Inquiry, we will act with fairness and with regard to the need to avoid any unnecessary cost. Our aim is to be flexible, but fair.

79. We expect the full cooperation of all of those involved in the Inquiry to ensure that it runs as smoothly as possible.

80. This is an inquiry: no individual or institution is on trial. This does not mean that the Inquiry will avoid making criticisms, but it does mean that there are no parties and no sides; no scoring of points. Every witness will have a valuable perspective. There will be no cross-examination of witnesses.

81. The Inquiry will take on the role of investigating the facts and finding out the truth itself. All questions to witnesses will be put through Counsel to the Inquiry. This means that all questions will be asked by Mr Sadd or Ms Jerram during the course of the oral hearings. If there are particular questions that Interested Parties wish to be put to any witness, those questions must be submitted in advance, and Counsel to the Inquiry will ask appropriate and relevant questions at their discretion. This procedure strikes the right balance between ensuring that all appropriate and relevant questions are asked of witnesses, and avoiding the delay and expense that can go hand in hand with all participants being allowed to ask questions of witnesses directly.

82. The aim for this public inquiry is to be as open and as transparent as possible. Our proceedings will generally be held in public. However, there may be circumstances where it would be appropriate for some evidence to be given anonymously or for the evidence to be given privately.

83. We have also made a General Protective Ruling at this early stage. This is a ruling designed to protect the identity of certain persons and information by restricting the disclosure or publication of information contained in

documents. Broadly speaking, the ruling provides that the names of individuals identified as having claimed to have been abused or witnessed abuse, and any individuals accused of abuse, except for those who have criminal convictions for that abuse, will be removed from documents before being disclosed or published by the Inquiry.

84. The precise terms of that General Protective Ruling will be published on the Inquiry's website shortly after this hearing.

85. Over the course of our work, we will be gathering a great deal of documentary and witness evidence. Where that evidence is referred to in public hearings, it will be posted on the website and will be available for viewing by everyone. We will also be posting the daily transcripts of the evidence heard publicly at the Inquiry on the website, as soon as they are available. We will also publish our rulings and protocols on the website, as well as press notices. It will also carry all of our contact details, so that people can get in touch, whether by phone, email or in writing. We hope that the general public will make full use of the website.

86. In storing and managing the documentation provided to us, we will be using a secure electronic Document Management System.

*Interested parties*

87. I have just referred to - and you will see in our protocols - reference to “Interested Parties”. This is a term that will be given to those who have successfully applied for “Interested Party” status.

88. There will be a number of people and organisations who assist us by providing documentary or oral evidence. The vast majority of those who help the Inquiry will do so in this way. Others may have particular interests that warrant further involvement as an Interested Party. We must be satisfied that the individual or organisation meets the necessary criteria laid down in the protocols in order for them to qualify as an Interested Party.

89. We invite applications in writing within 14 days from today from anyone who wishes to be considered for Interested Party status.

90. Interested Parties will be able to submit questions to be considered by Counsel to the Inquiry, in the way I have described. They will also have access to the Inquiry’s Document Management System.

91. No one will be designated as an Interested Party unless they accept certain obligations as to confidentiality. This is to ensure that confidential information is not published or passed on to third parties. We will treat any breaches of these obligations very seriously.

### *Legal representation*

92. I turn now to legal representation. I repeat this is an Inquiry, not a trial.

You do not need a lawyer to provide your evidence to the Inquiry. The Inquiry's legal team will assist anyone asked to give evidence or produce documents. You will be taken through your evidence by Counsel to the Inquiry and will not be cross examined by anyone else. Most of those who give evidence to us will therefore not require legal representation. They will give evidence to the Inquiry and may have no further role to play.

93. There are others, however, who may want to be represented by lawyers. In any case, the party will have to make an application and we will then decide whether to grant permission for legal representation. The test is whether we consider it desirable and necessary in the interests of fairness and justice for the person or organisation to be legally represented.

94. It may be the case that Interested Parties with similar interests apply for legal representation from different lawyers. We do not think it desirable for each and every Interested Party with a similar interest to be represented by a different lawyer, or for there to be more than one firm of lawyers representing the same class of witness. In those circumstances, we will consider whether it is appropriate for there to be joint representation of Interested Parties.

95. In appropriate circumstances, certain Interested Parties may apply to have the costs of their legal representation met by the Inquiry. This does not apply to public bodies or organisations, or other bodies with substantial

financial resources at their disposal. Nor does it apply to witnesses who could reasonably expect their legal fees and expenses to be met by a public authority, organisation or body, or some other source. The criteria for the funding of legal representation are set out in the relevant protocol. We will, at every stage, be mindful of, and monitor the, cost.

### *Providing evidence to the Inquiry*

96. In relation to documentary evidence, to the extent possible, we anticipate that any documents we seek will be provided voluntarily. We have no doubt that Jersey's public bodies and the other organisations involved will wish to cooperate with our work and provide the documentation we request. These public bodies and other organisations have made us aware, however, that there are data protection considerations that apply to the documents. Therefore, cooperation and willingness on their part to provide the documents will not be enough. There are powers for the Inquiry to summons documents, meaning that we can compel their production. Summonses have therefore been issued and will be served shortly. The Inquiry understands that the public authorities and organisations generally accept that position. We are keen to avoid any delay in the Inquiry's work and we anticipate that summonsing documents will help to minimise delays.

97. Where we request documents to be produced, we would normally expect to receive them within 14 days.



98. In relation to witness statements, there are likely to be many witnesses who have already provided statements for one reason or another. Some will have provided statements to the police; others to the Redress Scheme. In some cases, the Inquiry will wish to rely on or use the statements given previously and will write to the witness asking for their consent to do so. Potential witnesses should not, however, assume that we are not interested in meeting them to obtain fresh evidence. The work of the Inquiry is very different from what has gone before.

99. In some circumstances, witness statements may be obtained by the Solicitors to the Inquiry, Eversheds. They have significant experience of obtaining witness statements for use in public inquiries generally and, in particular, from vulnerable witnesses. They will conduct interviews with witnesses where necessary and a statement will be produced for the witness to sign.

100. Many witnesses will then be invited to give oral evidence, although by no means all of those who give a statement. All relevant evidence will be considered.

101. We would like to stress that the gathering and taking of statements will be done as sensitively as possible. The Solicitors to the Inquiry are available to discuss any concerns or provide any help that may be required.

102. We have put in place several arrangements to support witnesses and encourage their participation. On our website, we will provide details in due course of the independent witness support service that all witnesses can use, free of charge. We encourage all who need it to use it.

103. We have also put in place several measures to offer reassurance to witnesses. In an island community, we expect that one of the biggest fears of potential witnesses is the fear of recognition: having their name published, or details being published about them which, whilst not disclosing their name, would allow them to be identified.

104. To allay those concerns, we make allowance for witnesses to apply to give evidence on an anonymous basis or privately. “Privately” means within a closed hearing, where members of the public and press are not allowed to attend. We will only make such a ruling if it is in the interests of justice or the public interest. “Anonymously” means that the evidence is given in a public hearing, where the press and members of the public can attend, but witnesses have the facility to give evidence from behind a screen, and where there is a ruling to prevent the identification or naming of the witness. Such a ruling would extend to all of those present, including the press and members of the public. Any breach of those rulings will be treated seriously. In the event of a breach, the Inquiry may consider exclusion from the hearings.

105. However, these measures are not likely to be appropriate for all witnesses.

For example, those in public office or in positions of responsibility are unlikely to be afforded such measures. Generally, we will expect those witnesses to give their evidence in public.

106. Finally, at the Inquiry premises, we have dedicated rooms where witnesses can meet with their legal representative, if they have one, or with members of the Inquiry's legal team. Members of the media will not have access to witnesses in those rooms.

#### *The media*

107. This brings me to the role of the media in the Inquiry and what we expect of those members of the media who attend the hearings and follow our work.

108. We wish to strike an appropriate balance between ensuring proper access to the Inquiry and its work by the media, and ensuring that potential witnesses are not discouraged by what they might regard as intrusive media attention. We therefore set out in the protocols what we expect of the media, and members of the public, who attend the hearings.

109. Filming, photography and recording are not permitted in the hearing room by anyone, including in the area of public seating.

110. The Inquiry's media protocol sets out the process by which applications can be made for media accreditation. These applications will be considered and

decided at the discretion of the Inquiry. Accreditation gives no privileges beyond access to the Inquiry's dedicated media room, which will have power points and work spaces. The effect of accreditation is simply that the accredited members of the media may use the media room. There are no other special benefits or privileges of being accredited.

111. All press releases will be put on the website and there will be no advance briefing of members of the media, whether they are accredited or not. No media interviews will be given by the Inquiry Panel or the Inquiry team during the course of the Inquiry.

112. The privacy of members of the public attending the hearings must be respected. Once witnesses have been sworn in, they must not be spoken to or asked about any matter in connection with their evidence until the conclusion of their evidence. No interviews are to take place in any part of the Inquiry's premises.

113. Any applications under the protocols should be made within 14 days of today. In particular, we request applications for Interested Party status, for legal representation and for media accreditation.

114. The Panel are not taking questions at this stage. There is a lot of material to digest in our procedural protocols and we think that they will answer a lot of the questions you are likely to have. You are invited to read the protocols

and get in touch with any queries. However, my legal team are available now for anyone who has any preliminary questions.

## CONCLUSION

115. I am calling on all those who have a contribution to make to come forward and give your account to the Inquiry. Everyone will have a perspective and the Inquiry wants to hear it. Whether your involvement was large or small, whether it reflected well or badly on you, we ask you now to step forward and tell us of your experiences. It is only with the cooperation of those involved that we will be able to reveal the truth about what happened to children in Jersey. And it is only with the full truth that Jersey will be able to move on, at the end of our Inquiry, and bring closure to this troubling episode in its history.

116. We ask you, then, to make contact with us. You can do so by phone, or email, or in writing. All of the details are on our website. Please come forward.

117. In concluding this hearing, I would like to reiterate what I said at the beginning. This is an independent Inquiry. We are not partisan and we favour no particular group or individual. We are here to do a job and we ask for your help in doing it. We look forward to starting our work in earnest.

118. This brings to a close our preliminary hearing. Details of the dates of the opening of the Inquiry and of the substantive hearings will be published on our website in due course. In the meantime, we will be working hard to obtain the evidence we need and preparing for those hearings. Until witnesses have made statements and documents have been provided, the start date of the first phase of the Inquiry cannot be confirmed. This is why we ask for witnesses to come forward as soon as possible.

119. Thank you.