

Witness Name : Trevor Pitman
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THE INDEPENDENT JERSEY CARE INQUIRY

Witness Statement of Trevor Pitman

I, Trevor Mark Pitman, will say as follows:-

1. I make this statement to the Inquiry in order to give my account of matters I witnessed during my time as a Youth & Community Development professional, a Jersey Politician, and thereafter. Its core focus will quickly be seen to be the exposure of what has become known as the notorious 'Jersey Way' which in truth covers a whole variety of judicial and political abuses. All of which are essential to understand to try and comprehend how the child abuse scandal in Jersey was allowed to roll on for so many decades; and equally how those who have tried to fight for justice – police officers Power and Harper, a handful of politicians, Citizens' Media bloggers, indeed, the victims themselves have regularly been intimidated, their reputations/stories trashed.
2. It should likely be stated at the very beginning that having first won election to the States of Jersey in 2008 as a Deputy for the St. Helier No. 1 district; and having been re-elected in 2011 I was forced out of Office (along with my wife Shona, herself a three-time elected St. Helier Deputy) in January 2014 not by any rejection at the ballot box; but as a consequence of our being made en Désastre; this following a lengthy defamation battle with the Island's

Establishment mouthpiece newspaper, the Jersey Evening Post and one of its clients.

3. I am proud to say that throughout my time in the States Assembly I was one of only a handful of politicians who fought for justice for the victims of State-concealed abuse; the vast majority of States Members simply 'keeping their heads down' on what had been allowed to take place. Though now outside of politics providing this statement is in my view simply a continuation of this.
4. For the record the above legal action arose from the publication in the island's only newspaper of the highly damaging falsehood – just weeks after my swearing into Office - that by my election our income had risen four-fold when in fact it had diminished by several thousand pounds: this due to my Education department salary having been higher than that of my new role. From the reaction of people who approaches my wife and I the 'in it for money' inference of this was clear. Suffice at this point to state that the consequence of losing the action meant that, unlike Members of the European Parliament and elsewhere in Europe, under Jersey law in being made 'en Désastre' (bankrupt) you lose your government seat automatically.
5. Regardless of the above the reason that I have come forward to speak to the Inquiry is obviously not in direct relation to my legal case at all; nor even primarily at least due to my previous career as a professional educator: but simply because I feel that this Inquiry may be the last chance for many of the victims in Jersey to have the opportunity to speak out and have what happened to them at the hands of those meant to protect them whilst in care finally heard. Many victims have, of course, waited, betrayed for forty or more years: time is thus running out.
6. Consequently, my belief that whilst having little faith that any holding to account of the guilty parties will flow from the Inquiry, it is crucial that those few political figures – of which I repeat I am proud to have been one – who fought for the Inquiry to take place and against the traditional 'Jersey Way' of

abuse being once again swept under the carpet now speak up in the victims' support.

7. Above all, perhaps, that someone who has been elected to the States Assembly be brave enough to stand up and publicly state the truth that based upon a detached scrutiny of the evidence key figures within the Island's judicial system such as the truly notorious Bailhache brothers and Sir Michael Birt for example - should really be facing a court to account for their child protection failures and condoned abuses of the judicial system. In my view and that of many others such individuals should not be allowed to preside over courts; or decide upon who is or who is not prosecuted for alleged abuse: their records demonstrate them unfit.
8. That this has happened further shows just how inadequate the 'checks and balances' that do – allegedly – exist under the constitution such as in the United Kingdom's Lieutenant-Governor of the Island really are. In fact such failures likely demonstrate only the UK's collusion and condoning of such appalling failures. Indeed, that the Lieutenant-Governor can go on record since my leaving the States to claim that an Attorney General with William Bailhache's record of failure and selective application of the law has 'all the qualities necessary to succeed' as the Island's new Bailiff speaks volumes to this regard. I will return to this within the section on my political experiences.
9. Indeed, all of this goes to the very core of the aforesaid 'Jersey Way' which is in turn at the heart of what the Inquiry team needs to investigate in order to understand just how the Haut de la Garenne scandal and others have been allowed to happen. Indeed, in support of this contention I refer to Paragraph 13 of the Inquiry's Terms of Reference with particular emphasis, as I believe so much of what I have witnessed from personal experience sheds significant light on this key area.
10. Along with a number of senior politicians, civil servants and police chiefs over the years - and not to forget - generations of local media 'professionals' who ducked out of challenging the 'Great and the Good whilst this scandal was

unfolding it is these people at the apex of the local 'justice' system whose failures ensured that the abuse finally exposed due to the tenacity and dedication of the likes of senior police officers Lenny Harper, Graham Power and a handful of other 'whistle-blowers' such as former Senator Stuart Syvret was allowed to go on and on for so many decades.

11. To this regard, as I have said in many speeches: 'silence is not a neutral position'. Although sadly most Jersey politicians seek to convince themselves to the contrary.
12. Having set out all of the above I would further add at this point that I will thus make reference to my own aforesaid legal case and experiences of Jersey's so-called 'justice' system *only* in regard to how a number of legal abuses and non-compliance with – for example - Article 6 of the European Convention on Human Rights (the right to a fair trial) experienced by my wife and I to help shed further disturbing light on the long-standing 'Jersey Way' culture/attitude of indifference to child abuse; those who choose to disregard such abuse, and deliberate manipulation of the law allowed to continue within the judicial system by successive Jersey Bailiffs and Attorney Generals right up to the present day. As it will continue *after* the Inquiry has concluded should this prove to have no real teeth.
13. I believe the importance of the above really cannot not be overstated as beyond any shadow of doubt this is absolutely essential for the Inquiry team to be able to see and understand how Jersey's court and police apparatus is thus manipulated against those who do speak out for the victims and against the continuation of such political and judicial corruption: in our own case as I shall outline, even resulting in my wife being knocked down and injured in front of witnesses on a pedestrian crossing – yet the Police claiming there was 'not enough evidence' to prosecute. More importantly still, of course, how this 'Jersey Way' culture is used and abused to disregard and even silence abuse victims themselves.

14. Political pressure on those who dare 'rock the boat' by questioning and/or challenging the system is also relentless, in turn both brutal and invidious: the reason so many 'keep their head down'?
15. For there is beyond any doubt a culture of fear present in Jersey and this aspect of the 'Jersey Way' is something which the Inquiry also needs to get to grips with in understanding why and how so many things have not been as they should. Indeed, all of what I have outlined above has been witnessed yet again since I first made contact with the Inquiry team; most disturbingly of all within the February 2015 attempt by former Attorney General and Bailiff (Chief Judge) Sir Philip Bailhache to turn public opinion against a final securing of justice for victims via scaremongering tales of 'blank cheques' and '£50.000.000 final costs'.
16. The above named Senator and former Bailiff has of course subsequently also been revealed to be an individual who according to a former Head of Education told him as Jersey's Attorney General not to go to the police regarding the abuse of a child! My evidence throws further light on this disturbing attitude so entrenched within the Jersey Establishment.
17. Finally, given that I not only Chaired a major Scrutiny (Select Committee) Sub-Panel review into the so-called BDO review and consequently many of the fallacies spun by Establishment politicians and their media lackeys about the management of Operation Rectangle; and am also able to give details about significant quantities of hidden evidence relating to child abuse at Haut de la Garenne found - then conveniently 'misaid' after being discovered I feel that it is my responsibility to speak out no matter what.
18. I would nevertheless make it clear from the start that whilst I have listened to a significant number of accounts from victims (more than a dozen in truth) about the abuse which they suffered - and must say that I have not felt concerned as to the truthfulness of a single one of these - I have not come forward to simply repeat their allegations. These tales are for these brave and betrayed survivors to outline being those who suffered these abuses. I

have supported these people to the best of my ability; and in some cases continue to do so even though now forced out of politics.

19. I also feel it necessary to stress for the record that my time as a professional Youth Worker is *not* what I originally intended speaking to the Independent Care Inquiry about; likewise the background to my first standing for election to the States. As I have made clear within my interviews my feeling was and remains that *most* of what I feel to be of key importance was discovered once I had entered politics in 2008. However, since the legal team has specifically asked about this; and in my recognising that some of this – particularly in regard to departmental attitudes arising from political pressure - may be useful in establishing the ‘bigger picture’ I have obviously agreed to do so.
20. My statement of evidence as I view it is thus provided primarily in that it explains and sheds significant light upon the political/judicial attitude, manoeuvrings and even blatant ‘turning of a blind eye’ which both allowed so much of this abuse to happen; and has subsequently attempted to thwart truth and accountability being delivered.
21. Due to so many matters being inter-related, and indeed, the variety of questions I have been asked, this statement is of some considerable length. I have striven to recall all and anything which may be of interest to understanding ‘the Jersey Way’ which so many of us feel lies at the root of so much of what has been allowed to happen. I make no apology for the lengthy response however; and simply reiterate that the COI may obviously use or ignore what I have to say as it sees fit.

Background and the Youth Service

22. I was born on Jersey in January 1960. As a youngster, I was not entirely sure what I wanted to do when I was older, and perhaps because of this found myself following a career in Business Management with a number of local and UK companies. Whilst this was not particularly fulfilling I nevertheless always enjoyed the training side of work I undertook on behalf

of two of these companies with young staff such as school leavers and work experience students. At the same time, possibly also influenced by my having a number of teachers within our family, I eventually decided that I might want to move into the field of education.

23. At the suggestion of my girlfriend of the time I decided to give two or three evenings a week to being a voluntary worker in Jersey's Youth Service. I found this very rewarding indeed and soon decided that this was what I wanted to do professionally and set about looking in to this.
24. At this time as fate would have it the Island's new Principle Youth Officer, the late Mr Peter Gambles was working very hard (as had his predecessor Mr Tom Kier Hardy by all accounts) to move from what had largely been a voluntary worker-led Youth Service focussing on recreational activities; toward putting this on an equal professionally trained (Degree/Diploma-based) footing as with teachers and shifting the emphasis on to personal development and informal education. A big part of this was what may be termed 'experiential learning' (essentially young people learning by being supported to do things for themselves. All of this really clicked with my own thinking.
25. This being the case in 1993 I consequently decided I would need to move to the UK mainland in order that I might train and graduate professionally in 'Youth and Community Development and Informal Education'. To this regard I was subsequently accepted to train at De Montfort University in Leicester. Having successfully graduated I returned to Jersey in late 1996 and – as a vacancy had just arisen – was fortunate enough to be appointed as the full-time professional at the Island's largest youth facility, the Grand Vaux Youth Project.
26. Despite the huge effort being made by Principle Youth Officer Peter Gambles I quickly found out that the Youth Service here in Jersey was not only widely misunderstood; but was also not as respected or adequately funded as it should have been for the huge amount of positive work it delivered. It was

really seen as the poor relation of the Education Department (within which it sat), and was in truth seen - not only by ordinary members of the public - but also by politicians who really should have known better as a voluntary provision – a ‘nice to have’ - rather than a professional one: in essence seen as a vehicle simply for ‘getting kids off the streets’. This was, over the next few years, to become hugely frustrating for many of us who would return newly qualified from Universities. .

27. The Grands Vaux area of Jersey where my new project was based was one of the most economically challenged areas on the Island. There was also still something of a negative image/stigma attached to the ‘Nicky Park’ (Nicholson Park) area in which the project was based which was often as unhelpful as it was outdated and unfair. As fate would have it my parents had actually lived in the neighbourhood at the time I was born; and I had spent the early part of my childhood there. I thus knew that whatever the problems there had also been some really good people there then and it would be no different today. I saw my role as offering an opportunity to go back and try to improve opportunities for the young people who lived in the area now.
28. I would enlarge upon the above to suggest that the Youth Service was then terribly funded set against the amount of work, both educational and recreational which my colleagues and I – and, indeed, the crucial volunteers we depended on - delivered week in/week out. I reiterate this was purely because ‘youth work’ was not seen as a sufficiently important by the States: not least by the individuals who then held the position of President (later Minister) of Education.
29. To this regard I can honestly state that this was probably my first experience of how so many – probably the majority – of States Members have little understanding of social and educational matters. (Something which has improved little if at all even as we move through 2015!)
30. Although it was technically part of the Education Department (later Education, Sport & Culture), the Youth Service did not have – and still does

not have - statutory status so the Education Department was not required to provide specific or anything like adequate funding to guarantee it. In my opinion this lack of statutory status allows Education Ministers to this day to see the service and those who work in; and use it sold short. I should highlight that a much needed attempt to secure this statutory service was eventually brought to the States by my own wife, the then Deputy Shona Pitman in May 2009 but was sadly lost by just one vote.

31. Out of fairness to her – and I admit I hesitate to mention this because it obviously demands praise of my own wife – I should also give credit where it is due in that right from the time she was elected in 2005, understanding much of what was going on Shona sought to push for improvements in crucial areas such as Sessional support staff. She had, of course, been both a volunteer and later a part-time paid Sessional worker at Grands Vaux.
32. It is probably very telling that such intervention and public highlighting of problems was not appreciated by the Great and the Good of the Establishment. Senator Philip Ozouf for example emailed the then Education, Sport & Culture Minister Senator Mike Vibert (another States Member had seen this email and told her of it) encouraging Vibert in attempting to stir things up on the grounds of how Deputy Pitman should not be asking questions about the Youth Service when her husband is a professional youth worker.
33. Instead of showing concern about the actual health and safety issue wagging his political tail obediently Vibert subsequently brought this up in the States. Which probably shows not only the double standards of the Minister but quite possibly his lack of brains: he was Education Minister and felt quite able to do the role – yet his very own wife was a Jersey *school teacher*!
34. Upon reflection I have come to believe that this type of thing shreds great light on the truth of what the former Principle Youth Officer Mr Gambles observed to me when we were once talking about approaches to child abuse and other controversial youth-related matters such as sexuality and drug

issues. It is of course a number of years ago now yet I recall some of this vividly because it struck home so deeply:

35. 'It shouldn't be this way but it is a balancing act; even a battle: Politicians generally will obviously not want the public to think such problems exist in their sphere of influence. But here in Jersey – probably because of the small size of the island - this sensitivity appears almost obsessive.' I will return to this aspect of my experience a little later as I think it sheds significant light on much that would happen years later.
36. To return to the situation of the Youth Service generally I think what was happening at the Grands Vaux Centre then was typical of the Jersey culture at the time, - out of sight means out of mind. In order to try and develop the building from what was effectively a very large and quite run down basic shell (the excellent sports hall aside); and to provide better equipment and learning opportunities my team and I eventually raised more than £250,000. We in fact raised around £72,000 to build a state of the art climbing wall.
37. To help achieve this we also brought in the Social Services Department (the Grands Vaux Family Centre) as a rent-paying tenant, and were also having to go to charities 'cap in hand' and make a case for the funding we needed. The fact is I eventually got securing external funds down to a fine art – which was just as well. At one point – and this is pretty incredible – I was told by the principle Youth officer that succeeded Peter Gambles after his untimely early death that I should stop because our young people's presentations were attracting *too much* support; and thus other projects were losing out because (and this is obviously true) there were only a limited number of institutions one could approach.
38. As I say a key aspect of this aspect of youth work for me 'fired up' as I was being newly professionally qualified from University was empowering young people to prepare the funding cases and present them to the charities to help with their confidence and to teach them new skills. With the money we raised, amongst other things we completely refurbished the whole building,

even, as I say, installing a climbing wall, a fitness centre (gym) and new coffee bar.

39. It seems incredible and probably foolish now but in the first couple of years whilst I was getting this going I was still also often even paying for things – equipment wise – that we needed out of my own pocket. We are not talking thousands of pounds here but it was still money that really should have stayed in my own pocket. I didn't expect any 'Brownie points' for it either: it was probably daft but one did it because it was needed. I know I was not alone in feeling I had to do this either.
40. It was a tough role as I will enlarge upon below and certainly unfortunately took its toll: in the cases of a number of professional colleagues facing similar experiences – took its toll and seriously so. Indeed for a number of years we had a disappointingly high turnover of professionals and the ridiculous working hours and lack of support was key to this. I nevertheless also found it rewarding as I felt like I was making a difference.
41. Indeed, it was this concept of full-time youth work being a 'vocation' rather than a mere profession which politicians and those at the apex of Education played upon for years; knowing that most of us would always go that extra mile – even in terms of ridiculous and dangerous working hours – and thus side-stepping the clearly needed injection of adequate funding and support staff. Unfortunately we still see the same attitude with professions such as nursing. Due to the low calibre and generally privileged background of most Jersey politicians in senior positions the understanding and approach to socio-economic balance is completely out of kilter.
42. Because it did not have this statutory status, the Youth Service was, apart from key worker costs and maintenance etc in many ways essentially a self-funding service: different projects relied heavily on donations/fund-raising to keep going. Parishes were (rightly) expected to contribute but for years this was a ludicrously 'hit or miss' exercise, with input varying hugely and with no central contract process. The Grands Vaux Youth Centre for example was

situated on the border of two parishes – St. Saviour and St. Helier. St. Saviour was far less supportive and for years contributed just £750 to our funds. St. Helier was much more forward thinking and consequently supportive if you could make a case for what was needed.

43. This hugely varying degree of support was repeated across the Island and in my view demonstrates just how 'hit or miss' the process of getting the necessary financial support was. By the time I left the Youth Service following my election to the States we had finally managed to achieve a more formulised agreement with the parishes in the Island but I must state it was a struggle and a long time in coming. Again I would stress the underlying message in this is clear: the Youth Service was neither understood or valued as it should have been; and worse than that neither was the concern for the safety of children/young people by many of those at the apex of the department and politically.
44. The above also illustrates how, despite the first Principle Youth Officer when I was employed being very capable and hardworking, with large scale indifference from senior civil servants at Education and from the supposedly responsible politicians (initially the President of the Education Committee and later an Education Minister) so much of what one could achieve for the young people came down to the relationships you yourself made as the professional worker. I would suggest this problem also showed itself in terms of child protection concerns.
45. I remember being surprised – shocked is the more apt word - by the general lack of rules and regulations that we had to comply with in some areas in the early years. I'm talking safety here at this point. I was especially surprised by the absence of those measures that I would have expected to be in place to protect both the staff and the children. For example, no matter what impression may have been given, there were in reality no written rules whatsoever governing the ratio of children that could safely be looked after or supervised by a handful of staff.

46. On a Friday night for example this could be – and regularly was as the Project became more and more popular – ridiculous. Yet complaints and highlighting these matters regularly fell on deaf ears – particularly after Gambles’ ‘moved upstairs’ so to speak and even more so once he was succeeded by his Training Officer who increasingly handled much of the day-to-day contact with problems raised by ‘frontline’ professional youth workers.
47. If you restricted numbers coming in due to where the Grands Vaux Centre was situated there would still be large numbers on the premises outside. Still ‘our responsibility’ yet we didn’t have the staff numbers to cope and when there were problems such as police being called it always seemed to end up as somehow being ‘the worker’s fault’. After Gambles’ untimely early death I think bowing to political pressure from above worsened significantly.
48. To illustrate the above problem I could regularly have up to 80 teenagers all in one building with a demonstrably too small number of adult workers: on quite a number of occasions just me and one female adult volunteer. Because we were successful in making the centre more appealing and the range of what was available more extensive the downside was that this success obviously pushed the numbers up and made things even more difficult: young people obviously are quite peer-motivated and wanted to go where their friends were going.
49. Eventually I got the rest of the Management Committee’s support (these were all volunteers but did not work at the project itself) to allow me to spend money on additional internal doors to be able to limit access. Yet in truth this often led to more problems with young people becoming frustrated. It was also hardly the best response but without departmental and political support it was a necessary one.
50. It is a fact that I would complain about all of this very vociferously – particularly when I was elected to be the professional Youth Work team’s Union Representative – but I have to say that particularly after the death of the Principle Youth Officer such concerns largely went disregarded. As I

alluded earlier within the upper echelons of Education/ESC there was evidently more concern about not falling foul of the Education President/Minister who wanted provision open and all apparently appearing hunky-dory no matter what.

51. In essence this attitude could be summed up by a saying some of us often used at the time: 'the President (Minister) wants a professional service but he doesn't want to pay for professional level support.'
52. Given the high number of young people attending which we were getting at Grands Vaux during certain years I was actually concerned that I would be hung out to dry if anything like an accident happened, yet there were no legislation/rules in place on a par with class sizes within schools. If one just considers that for a moment you can immediately see not only how potentially dangerous it is but how soul destroying, how frustrating for someone trying to deliver good informal education it is.
53. If the States were really serious about valuing the Youth Service right up this day then it would be given the statutory status Shona tried to secure back in 2009. I personally believe that this would go hand-in-hand with helping to guarantee child protection.
54. The working conditions were thus difficult to say the least. I repeat: the politicians and senior Education figures wanted a 'professional' service but they were not willing to put in the necessary financial resources for adequate staffing. Being a professional youth worker is *not* a 9 to 5 job. It can never be. Indeed, it was a very unhealthy lifestyle. Too many at the top however still thought all the Youth Service did was play ping-pong. Indeed, I actually wrote and produced a report – I think I actually titled it 'Something more than ping-pong' demonstrating what we *did* do to try and get the message through to politicians. The department should still have copies of this.
55. It was not in any way unusual to work in excess of 70 hours a week. Yet you would be paid for only half of this. We were not paid any overtime

whatsoever over all the years I worked for the service. We were meant to have 'time off in lieu' – T.O.I.L. - for the excess hours we had worked, but in reality, that time in lieu was hardly ever taken: it couldn't be – there was simply not the staff to cover for you to do so.

56. We were working such ridiculous long hours and were regularly so exhausted that the professional team used to joke that we should have t-shirts printed which said that we were "Powered by Prozac". It was certainly not a job that one can easily do for a long number of years and is not conducive to quality family life. As I say it took its toll on a number of professionals including me. I hung in there until I felt I had achieved all that I could and felt that now (2008) I could – hopefully – do more by going into politics; but a number of colleagues fell by the wayside for these very reasons – including child protection concerns not being supported.
57. It should be noted that it was common to regularly do a three way split working sessions almost every week: the last of these in the evening meaning that in reality you might get home nearing midnight having done your first work session in the morning. The number of evening sessions we had to work certainly was abused over the years initially and would not have been accepted in many jurisdictions as these were regularly in breach of the UK guidelines. Working twice the hours you are paid for is a safety issue for the professional and it is a safety issue for the young people in your care.
58. Indeed, like much else the reality that for many involved in 'caring' professions I repeat this is seen as a 'vocation' not just a job was grossly exploited by an Education, Sport & Culture department; and ultimately 'political leadership' (I use that term with reservation) who really did not care or even understand the underlying issues at hand. Everything seemed to be about image and appearances – a forerunner of the tick-box culture which would come in after the Kathy Bull Report. I.e. showing you had ticked all of your boxes became more important than the actual work and outcomes of doing good work. Hardly what Bull would have intended.

59. Returning to the issue of child protection itself I would just add that much of the criticism of other safety failings are quite ironic when one considers that the 'in house' training and support professional workers like me and, indeed, the Service's Training Officer eventually put in place to assist volunteer workers in recognising basic tell-tale signs of abuse were actually very good indeed – in stark contrast to the feeding back of information from above once you had flagged something up with your superiors.
60. Whether this was simply a communication problem or those 'at the top' not wanting to risk wide-scale knowledge – and ultimately public knowledge - of any problems or potential scandals I have never been quite sure. It is nevertheless a fact that political control of sensitive issues was clearly something of an obsession as I stated earlier in mentioning a conversation with Mr Gambles.
61. Having just earned my professional qualification prior to my return to Jersey I obviously had very strong and progressive views which involved trying to implement the best practice I had learned at University. I considered that youth work was about empowerment and educating young people to make their own decisions on their future and to be confident to do so. Key aspects of this included tackling what were largely still taboos or 'no go areas' with a Conservative Establishment. The main aspects of this were work around drugs and gay sexuality – and most resistant of all in Jersey, politics.
62. I am aware that I made myself far from popular with those in the higher echelons of Education because I made my opinions known on all of these matters; be they educational or around staffing conditions. In a departmental culture of fear which certainly escalated after the death of Mr Gambles – and I admit then I had no idea how this was prevalent in so many others aspects of life in Jersey - I was one of the only people who stood up and demonstrated backbone. A trait I am proud to say I took with me into politics regardless of what it has cost me in other ways.

63. As I say I spoke out about many issues, safety and child protection; the areas (see above) the Service was shying away from and also the professional workers' hours and salary, and regularly for others who felt unable to do so themselves. Bullying of staff from the top was at one point endemic and if you couldn't stand up to it a nightmare. Indeed, ESC had a reputation as a bullying department to work for particularly in the Senator Mike Vibert years. One colleague eventually actually left the Service because – on top of many of the other issues I have highlighted - he did not feel that he had been supported over a child protection issue he had reported..
64. Professional Youth Workers were not classed as civil servants but were bound by a rigid civil servant linked pay structure which initially kept pay disproportionately low; this in terms of both the wide variety of tasks we had to undertake (educational, child protection, managerial, administrative, fund-raiser and even ad hoc caretakers); the very long hours and indeed very anti-social hours. I thus felt that it was my duty to fight to get salaries increased to what they should be. In the end I am proud to say this was achieved and professionals were very well paid in line with the wide-ranging skills and roles necessary.
65. The truth is I suppose I had come into the job with a different attitude to what had gone before; and on top of this though basically being quite a reserved, person (no one in politics will ever believe this but it is true!) I had also been brought up to stand up against what I thought was wrong
66. Previously it had been acceptable to allow children/young people to play ping-pong or netball for hours just so that they had something to do. I had nothing against any of these activities, but was of the opinion that if a child/young person attends a youth centre, then they should leave having had the opportunity to 'learn' something in the process even if they often thought initially that they were just having fun. This is what modern youth work – 'informal education' is all about.

67. I further thought that we should be teaching young people how to fend for themselves, so if they were cooking, we should have been teaching them how to make a healthy, affordable meal for themselves from scratch; and, of course, how to do this safely. This was hugely beneficial because it was regularly apparent that some children/young people had not been fed adequately.
68. Learning team work, shared responsibility and respect for others were central to almost everything we tried to do. It was about ensuring young people and even slightly younger children could 'learn by experience'; still, of course, having fun in the process. It was not sufficiently ambitious to aim simply to keep them occupied for a couple of hours.
69. We had youths between the ages of 12 to 21 attending the centres which were not ideal in terms of finding appropriate activities for all age ranges but it was just about manageable – *when* you could get the necessary support staff. Unfortunately, because of the lack of understanding of those in control of Education and the Youth Service politically and department wise we also had to try and cater each week for children as young as five. I argued that not only was this not youth work but 'play work' it was also not good in terms of child protection.
70. Children of this young age clearly need some resources on top of what they get at home and school; but the fact is this is 'play work' and not what the Youth Service – *any* Youth Service should be trying to cater for. Yet we had to for years. It took years to get this message across and whilst things had improved by the time I stood for election I still believe there is further work to be done. Indeed, in my view ideally we should have a Youth Service funded to cater for 'youths'; and a separate Children's Service funded to provide earlier evening activities for Primary School ages.
71. We also needed – and still need – a designated Children's Minister but unfortunately the majority of Jersey politicians past and present simply do not sufficiently care or understand: they would rather support empty, prestige

posts like the faux Foreign Minister role of 'External Relations Minister' created for Senator Philip Bailhache.

72. I am conscious that I stated above that delivering services under these circumstances was still 'just about manageable'. I should thus make clear that as I shall attempt to explain as we progress the truth was that things could only be 'just about manageable' over a limited length of time: eventually the lack of support staff; over work and long hours etc would take its toll on people.
73. As I indicated at the beginning I did not intend to talk about much of this in making a witness statement but as background I suppose it may be useful to see how things worked: at least in regard to the attitude of those at the top both departmental wise and politically. Observations within this section can thus be disregarded or utilised for further enquiry as the COI sees fit.
74. At Grands Vaux we also championed projects that would allow young people to learn something that they would not ordinarily have the chance to find out about. One of the most rewarding ways of doing this was by securing funding to take young people who had regularly not been anywhere to places outside of the island. Indeed, to this regard I would state that the learning opportunities inherent – if such projects were delivered properly – were second to none.
75. To this regard on one occasion, we ran a nine month long anti-racism project which culminated with twenty young people travelling to Madeira so that they could experience being away from Jersey and learn about diversity. Anti-racism education is something I see very much as an aspect of child protection – particularly within a jurisdiction with a significant ethnic minority such as the Portuguese/Madeiran community. The finances for this had to be generated ourselves but it was worth the effort to know that they would experience something new. I subsequently made such off-island projects a regular aspect of our work. Other groups visiting Britain, France, Spain and even the Greek island of Rhodes.

76. To this regard it is nevertheless interesting, and probably very telling to note, that though my colleagues and I as yet knew no details of the horrendous child abuse having been allowed to take place during 'off-island' trips within the formal – school – education service as evidenced in the private school, Victoria College, Andrew Jervis-Dykes scandal (more about this and related matters later in my specific political evidence it is *that* demonstrative of nearly all that is wrong with Jersey's alleged 'justice' system and those entrusted with running it) trips such as I organised highlighted above had child protection at the very forefront.
77. For example staff ratios were deliberately upped to higher than normal levels and there were ALWAYS staff of both genders. Without this I just would not undertake the projects.
78. This is as I say a stark contrast to what we would learn years later was allowed to take place – year after year – at Victoria College with Jervis-Dykes allowed to regularly be the only member of staff on sailing expeditions he organised as a vehicle to allow him to abuse young boys; and which the Board of Governors and those in authority clearly covered up. It appears to me that there is only one plausible explanation for these different approaches and standards evident in the Youth Service and the private school of Victoria College and that is this.
79. In the Youth Service which I joined you obviously had a small team of largely newly professionally qualified practitioners; many of us still 'fired up' with all of the things we had seen and learnt as best practice at University. For all of the other wider failings in the service we had a system where – even if the feedback was sometimes not as good as it should have been coming back down from 'the top' – the team was small enough, dedicated enough – and across the board highly professional enough - that we could know that our planning and oversight of projects in this sphere would be considered once we had submitted them: we thus put what was right and expected first.

80. In the case of the Victoria College/Jervis-Dykes scandal it has become apparent to me once I finally got to see the Sharp Report into this scandal; and also talked to a number of people who had direct insights in to this – all around the summer of 2012 (this was by pure chance only coming about, as I shall set out later in this statement, upon concerned members of the public contacting Shona and I about the history of one Jurat John Le Breton – a former Vice-Principle at the College - who had been allowed to judge on ‘fact’ and ‘evidence’ in our defamation case) that one could see the full failings at Victoria College were because there were a group of people involved who actually saw child protection and doing something about child abuse as wholly secondary to protecting what they saw as the College’s ‘good name’ and reputation as – apparently – the Island’s ‘premier’ school.
81. The perfect example in many ways of the now notorious ‘Jersey Way’. As I will enlarge upon later figures at the very apex of Jersey’s Judiciary were demonstrably absolutely pivotal to this catastrophe.
82. Recognition that journeying ‘off-island’ with groups of young people to unfamiliar localities offered greatly increased potential for things to go wrong appeared to be far more acutely honed within a small – staff-wise – service such as ours than it did within elitist institutions such as Victoria College: equally, I would suggest, the recognition that anything going wrong could have hugely negative impacts for such a small service.
83. At Victoria College it is surely evident that too many of the ‘great and the good’ at the top of the College hierarchy – including Crown Officers such as sat on the Board of Governors – evidently thought such things were not that serious at all; and/or could certainly be swept under the carpet and buried: as in fact happened for years. Through chance I would in fact learn years later – again in and around the summer of 2012 – that many concerns/warnings and even evidence had been raised with those at the top of Victoria College but evidently had been disregarded.

84. I will talk about the Sharp Report specifically and its now apparently vanished SIX appendices (I would in fact bet money on the COI being prevented from obtaining them) depicting the full scandal at some length further on. However, at this point it is surely correct to suggest that what must be most disturbing of all for the Inquiry team to consider that amongst these group of 'professionals' were not just the College Headmaster, one Jack Hydes (now deceased) and two Vice-principles, Jurat (lay judge) John Le Breton and Piers Baker but a former Education Committee President, then St. Lawrence Constable Iris Le Feuvre and both the Bailiff and Deputy Bailiff of the day. These being Sir Philip Bailhache and Francis Hamon.
85. I subsequently suggest that it really is disturbing to hear contention that the horrific and concealed abuse at Victoria College should not be considered by the Inquiry; allegedly because such abused pupils were apparently 'not in care'. I put it to the Inquiry that the truth at the heart of the principle is that young male pupils who suffered in the Jervis-Dykes' scandal were – as are all children in education – 'in the care' of those overseeing such institutions.
86. Then Bailiff Sir Philip Bailhache – now Senator Sir Philip Bailhache – is of course interestingly now the politician seeking desperately to undermine and curtail the abuse Inquiry callously spinning stories about 'blank cheques' and pulled-from-thin-air and utterly without evidence claims of £50,000,000 costs as I mentioned in my introduction.
87. Yet returning to the Youth Service questions put to me by the COI lawyers, upon reflection I should probably add that I met my wife Shona when she approached the Youth Service about engaging young people in research she was undertaking for her Masters Degree within the Human Rights discipline of International Peace Studies. I mention this because the Youth Service was, and from what I pick up still is, also way ahead of school-based local education regarding anti-racism matters: racially driven bullying obviously being another form of abuse.

88. There must be a message here I would suggest – even if I am not 100% certain what it is. But smaller, highly dedicated and ‘up to the minute’ trained staff teams where it can be seen sloppy work will be all the more readily noticeable and thus be challenged has to play a significant part in my view. The lack of any elitist ‘good name’/‘protect the reputation above all else’ mentality likewise.
89. In something of a paradox this strength of a small, frontline’ professional youth service team is a stark contrast to what I will highlight next where such cutting edge educational approaches in other areas were frowned upon: this emanating not directly from within the service but being passed down from senior Civil Service and political movers and shakers. I feel this is relevant to the Inquiry’s terms of reference in that the issue of a deliberate stifling of political involvement and empowerment through education – i.e. through the development of the confidence to speak out and challenge - may be seen to help feed and maintain the acceptance and non-questioning of the political status quo and those who preside over this. I contend it is not difficult to appreciate how this would/could undermine young people’s confidence to challenge abuse in places like Haut de la Garenne and other institutions.
90. The people who don’t want to be questioned are obviously the very people who have allowed so much abuse to go unchallenged; and if children/young people are empowered to speak out with confidence as we were trying to instil so much of what the Inquiry is hearing about would be far harder to sweep under the carpet in the traditional Establishment ‘Jersey Way’. Indeed, I suggest it easy to see that the manipulations of the ‘Jersey Way’ begin at a very young age and for very good reason. It is often quoted how for decades children should ‘be seen but not heard’. In Jersey under our long-entrenched Establishment I suggest such an old saying takes on a much darker hue.
91. Earlier I also mentioned what might be termed educational ‘taboos’. I quickly came to realise that there were certain things that the States did not like us discussing with young people; and which my immediate superiors were scared of rocking the boat on. I found these incomprehensible at first until I

began to understand more about how Jersey ‘works’ politically. Drug use, particularly the harm reduction approach (this was the area I was also employed within via the UK government’s Drug Prevention Initiative (DPI) in Leicester whilst doing my University course. Also actual sexuality – particularly gay and lesbian sexuality. This is an area of course which often generates huge amounts of torment and bullying for young people questioning their own developing sexuality: so seemed to me wholly bizarre.

92. One of these taboos, and in fact the one to which we faced the most resistance of all was *anything* to do with politics as I highlight above: particularly as regards any giving of information on alternative approaches to political/economic principles which have become the norm in Jersey; and likewise the party-based norm found almost everywhere else in the democratic world. The ‘Jersey Way’ – the way of the Establishment here – is to keep young people, other perhaps than the public school ‘elite’ dumb about politics and their rights. This reality is in fact very relevant to the child abuse which has been allowed to go in Jersey for decades as I will touch upon again later. Knowing what a young person has a right to object to and report is inherently tied up with confidence and sense of self-worth.
93. To first touch briefly on the drug taboo however. I found it particularly difficult not to talk about drugs awareness at the youth centres. It had been a key topic when I had studied in the UK, and from what I could see, it was as much of a problem in Jersey: indeed, the availability of cannabis for example was in my view far more prevalent than it had even been in Leicester: and this, believe me is quite a statement to make.
94. As I say, I had actually been employed within the UK government’s Drug Prevention Initiative (DPI) whilst at University such as undertaking late night street-based work around areas such as the environs of the huge Saffron Lane Estate. Indeed, the truth is that Jersey’s prison would not be a viable financial concern were it not for the staggering number of comparatively minor drug related convictions which regularly criminalise fairly young people.

95. Like child abuse however it is not something most of those in power want in the open in case it is bad for our international image: they would rather such problems were covered up and/or treated as if they did not exist. Similarly the government does not want any serious, open debate on such central issues as whether certain drugs should be legalised; or whether there might in truth be any 'positives' to drugs such as cannabis.
96. Another of the topics that the States did not want us to talk about or recognise when I first took up my post at Grands Vaux was the aforementioned gay and lesbian sexuality. I remember that a colleague - Martin Knight - who we brought into the project through Health had his house covered in graffiti because he had publicised a free phone line for young people to call with any issues about their gay or lesbian sexuality. Instead of making a stand on this those at the top of the Education Department bowed to political pressure and withdrew posters and year planners that the Youth Service had had printed up by which to publicise the contact lines.
97. I believe that the conversation I referred to briefly earlier with the then Principle Youth Officer regarding political attitudes to highlighting abuse actually occurred around this time; though I can no longer be 100 per cent sure.
98. By the time I finally left the Service after my election it must be said that the drug and sexuality taboos situation had improved significantly. The same cannot really be said however about the taboo regarding politics. Inroads have been made but the truth remains those at the top of the Establishment are actually terrified of empowering young people to think and question entrenched political 'givens' - regardless of all the right noises they regularly make.
99. For a jurisdiction which on the surface will look progressive from outside in having reduced the voting age to sixteen prior to the elections of 2008 this will likely seem surprising: yet the facts prove the taboo very much alive and

well. As previously alluded to I believe that this is actually of interest to the Inquiry for the reasons I will briefly enlarge upon here.

100. I personally had always had a keen interest in politics since I was 14 or 15 and saw no reason not to talk to young people about what I perceived to be relevant topics such as their rights as citizens; the inconsistency of ages of consent for various things and how, once they started work their taxes would be spent by Jersey's government. Similarly the concept that if we don't bother to vote we can't really complain about what happens.
101. The fact that I was willing to talk about politics with young people however, and encouraged my support workers to do the same came as a shock to others – even though we were just flagging up information; not telling young people what do think about it or do about it. People – even 'professionals' just do not like rocking the boat in Jersey; they have seen what happens to those that do; the problems they encounter. Ironically enough more than ever since I went in to politics when you consider what has been done through abuse of political power and the 'justice' system to people such as Graham Power, Lenny Harper, Stuart Syvret and obviously – even more ironic – Shona and myself.
102. I would labour the point here in stressing that the above approach was about seeking to encourage young people to think literally and for themselves about things; to question and consider; give out information – but not in any way tell them what or who they should support. Exactly the same approach we use with drugs, sexuality and their own personal rights in fact.
103. The crux of this is the problem that in Jersey the majority of those in power want to keep children/young people politically unaware; and unfortunately submissive. They do not want young people to think for themselves. They do not want young people to know their rights. They ultimately do not want the risk of significant numbers of young people reaching the conclusion that – actually – there really is an alternative to both the Neo-Liberalism policies that drive ever upward immigration and consequently the need to cover the

island with concrete; and of course to the wholly unaccountable shambles of bogus 'independent'; 'consensus' politics.

104. I believe wholeheartedly that this has serious negative implications for undermining young people's ability to respond and protect themselves from abuse.
105. As stated an excellent example of this of relevance to the Independent Care Inquiry can be traced back to the Establishment suppressed Jervis-Dykes child abuse scandal at Victoria College: if the boys abused by Jervis-Dykes had known that the way the Headmaster, two Vice-Principles and even Board of Governors treated the abuse was not just immoral but illegal – for example a clear breach of the then 1969 Children's Law - they could and almost certainly would have acted differently. Quite possibly so would certain parents who complained but were essentially fobbed off and silenced by the school, Board and certain individuals within the Judiciary.
106. 'Elite' politicians and judicial figures (not to mention senior civil servants having their support) allowed by the media to be viewed 'untouchable' helped make an already appallingly difficult system to challenge nigh impossible for such victims. I repeat: with evidence now available that an Attorney General then Bailiff would even order a Head of Education *not* to go to police about child abuse what do we expect?
107. At the bottom line this desire to suppress political awareness and awareness of rights may also be seen as due to it helping maintain the apathy which sees Jersey's voting turnout amongst the worst not just within small Island communities but in the world – particularly with regard to the working class – and thus helps ensure the same self-interested, wealthy people hold on to power.
108. Of course this is denied and will always be but any analysis proves this demonstrable nonsense. Claims to the contrary are sadly nearly always simple spin and a façade in order to appear to do something positive. Indeed,

it is fair to say that since we put all of eggs in the off-shore/tax haven basket Jersey has become all about the projected image.

109. A good example of this is the highlighted fact that the legal voting age was reduced to 16 here in Jersey for the 2008 elections – far in advance of the situation in the UK. It would thus surely make sense for young people to be made aware of what is happening politically, and be able to form their own views on such matters. Yet when it came to the election in stark contrast to party politics in the UK political candidates were not even allowed to offer themselves up for questioning by 16 year olds at all.
110. Indeed, even politically active young people themselves were not allowed to put their own information on notice boards or form discussion groups. Young people from the Jersey Democratic Alliance (JDA) - the party I was Chairman of by the time I stood for election - wished to do this but were denied. Perhaps most telling of all even when a 'student hustings' was organised by some progressive Senatorial candidates the Education Minister would not let schools allow student to have 'school' time to come and attend: it had to be done after school hours meaning many would have to miss their transport home. In fact with twenty one candidates on the platform there were more of us than students.
111. To further highlight this desire of the Jersey Establishment to keep political rights and awareness out of the reach of young people I will briefly outline an incident in 2005. As part of my attempt to modernise the Youth Service, back in around the Spring of that year I decided to run a programme with the youths in my centre which was based on the format of the Question Time television show. With young people we worked very hard to ensure this was accessible to young people from all over the Island by visiting all the other youth projects.
112. We arranged for six politicians to attend so that the young people, who were aged between 14 and 20, could ask them questions. The six were chosen by the young people themselves according to their own awareness. The only

caveat insisted upon was that the panel should include the Education Minister – Senator Mike Vibert - and the Assistant Minister – Deputy Ben Fox - who now had responsibility for the Youth Service. Not surprisingly perhaps as they were then probably the two best known politicians in the Island Senators Stuart Syvret and Ted Vibert were also invited by the group. Syvret also happened to be on Grands Vaux's Management Committee.

113. It was a very successful event and once the young people had gained a bit of confidence the politicians had to work very hard to answer the questions from the young people; questions which ranged across everything from the newly increased smoking age to disability laws. A young person even filmed this with the intent of putting it on the internet. However, a few weeks after the session, I was called in to the Education Department and told that on the instruction of the then President / Minister, the late Senator Mike Vibert it would not be happening again
114. Being none too pleased with this attitude with the opportunity arising I actually tackled the President / Minister about this and was told in what I took as a veiled threat that I needed to limit my role to what was traditionally expected of me. Information about local politics apparently needed to be 'through the curriculum'. This might be fine only it never happened – and from the young people I speak to still hasn't happened to the degree that it should. The intent was clear: as a Youth Worker I shouldn't be encouraging young people to become more politically aware or to question how the Island was run.
115. All of this can be seen to arise from the same Establishment attitude that would not too long afterward be evident within the attacks on Shona once she had been elected for raising concerns about shortcomings in the Youth Service.
116. I must admit that on top of the other problems highlighted above this wholly wrong attitude contributed to a growing disillusionment with the Youth Service. Things were just not as I had at one time imagined them to be. The

lack of ambition to empower young people and assist them to become well informed and involved members of society evident in some of those people at the top of the power structure – department wise and politically - could not help but create a feeling of frustration.

Relationship between Youth Services and other Agencies

117. The Youth Service dealt with a lot of children/young people from what might be at best termed dysfunctional families who had a lot of issues but as far as I can recall, there was really no co-ordinated inter-agency co-operation or relationship of any description to assist us in referring these cases to other departments. Ironically I believe I actually spoke on this subject at a very early attempt at a 'cross-agency seminar' which we in the Youth Service actually organised within the first year or so of my being back in Jersey; so probably during 1997. I do recall it took place at the youth facility at Maufant. Nothing much seemed to come from it however – certainly with regard to the average 'frontline' professionals.
118. My own thoughts began to be that this was not just down to some of the problems touched upon previously and the way in which the Youth Service had traditionally been viewed but also because of what I might term some mid-level and senior figures jealously protecting their own little empires. I actually believe that this 'protecting the empire' mentality also had implications for the abuse that has subsequently been revealed being allowed to take place and go unpunished.
119. be this as it may any information passed between the Youth Service and the various sections within the Health and Social Services Department etc tended to be hit and miss and very much depended on whether you had a good relationship with the relevant health workers on an individual basis. I would not necessarily be able to find out anything about an individual child/young person I was concerned about unless I had a good relationship with my point of contact. What makes this even more surprising is that most

of this was all before Data Protection was taken seriously in Jersey let alone the law having been introduced.

120. In my opinion, a lot of children/young people were probably inappropriately returned home from their time at our youth centres just as it appears they were from schools. For example, children/young people were allowed home to mothers who were on their own and who were addicted to heroin or alcoholics. This was not my decision but because the background was apparently already 'known' when I reported it and the 'relevant services' involved. This type of situation was obviously more worrying when younger children were involved as opposed to teenagers.
121. A couple of other separate cases which I can recall were still left in situations where it would not be uncommon for them (both children, a boy and a girl of around 11/12 to return home from school to find their respective mums drunk and unconscious on the floor. On one occasion which I reported the girl finding her mother unconscious in a pool of blood where she had fallen over drunk and hit her head on a radiator.
122. This young person was so used to such a life to survive – and was evidently so used to hearing the sort of terminology used by Social Workers etc - she had hardened herself to the extent where you often felt it was more like talking to a considered or at least 'resigned to the fact' 35 year old. And yet teachers apparently wondered why she was always tired and wanting to fall asleep at school! With the young woman's consent having her trust I again reported this.
123. As I have said, however, feedback once you had reported this type of thing was very unsatisfactory. Outside of the 'inner circle' you were treated very much on what those at the top appeared to feel was a 'need to know' basis. This was unhelpful to say the least when it came to continuing to work with the young person in question.

124. We did our best for all children/young people we came into contact with but with the best will in the world, the time that these spent at youth centres was a drop in the ocean compared to how their lives were when they were at home or at school. When one did have serious concerns you would pass it on to the Principle Youth Officer or via Mrs S Mason once she became the Training Officer. After the death of Mr Peter Gambles I have to repeat feedback to keep me in the loop was few and far between indeed.
125. This is an important, indeed key issue, which I believe has now improved because staff at the 'frontline' who are the ones to pick up on the problem do need to be kept informed in order to monitor the situation. I repeat that Peter Gambles himself was a very capable man who took a huge interest in trying to modernise the system but he was fighting a one step forward/two steps back kind of battle because there was just so little co-ordinated thinking between departments; and it would seem quite apparent either little concern or understanding at political levels. The main concern as I have stated appeared to be about keeping any problems politically 'under wraps'.
126. In essence I would conclude by saying that individual young people at risk's hopes of problems being picked up were very dependent on front line professionals; and particularly on that individual being trusted and having top notch inter-personal skills. I believe that I can say these were always strengths for me which, so long as I still had contact with the young person through the project, generally enabled me to find out from them what was going on and how they were coping when superiors were not telling me. This was far from perfect but it was all you could do.
127. I also recall one occasion when a 15 year old boy was brought to the youth centre by Social/Children's Services and I could see more or less straight away that there was something not quite right with him. It turned out that he had a history of violence (mum was a heroin addict, 'dad' wasn't there etc) and had – so it was said - apparently (I learned this only later from a member of staff) come close to kicking another young person to death in a UK secure unit.

128. Despite the obvious risks to staff and other children, there had been no communication with me about any of his background prior to this boy/young man being dropped off by Children's Service staff at the youth centre however.
129. What was immediately disturbing and worrying was that the young man – who Social/Children's Services had seen fit to be taking to karate classes – was even brought to the youth project having been allowed to stay dressed in his karate suit! In the long term I could see that such discipline inherent in a martial art *might* be a very positive thing. However given some of the background which would only emerge later one would have to wonder as I shall outline.
130. Without any background or remotely functioning inter agency liaison over this young man we were therefore wholly ill-prepared as by chance I was meant to be on a rare evening off due to the huge amount of hours I was already owed; and a female part-time 'Sessional' worker meant to be in charge. Just consider: a large, well-built young man only recently returned from a secure unit in the UK: I felt no option but to abandon my planned night off and work the shift. The youth was effectively just dumped with us. It wasn't his fault in any way of course.
131. I was also able to find out through contacts – this too had been kept from me - that the young man was not allowed to be left alone with female workers because of his aggression, moods and overt sexualisation in contact with females. I was pretty angry that my female Sessional worker could have been left in a very difficult situation and complained about this and repeated my concerns in the strongest terms possible. Upon reflection I would say that this incident is typical and illustrative of the lack of communication between the other departments and the Youth Service *and* the internal 'top down/need-to-know' problem over those years.

132. It was not a problem actually of the Youth Service's making per se – it was the Jersey political culture: the 'Jersey Way'.
133. What was particularly sad here within a very sad situation generally was that when I managed to speak to staff working with the young man it became clear that Jersey did not really know what to do with him. They saw him as a 'self-fulfilling prophecy' – someone who would almost certainly end up in prison or dead: they were effectively just trying to manage things until he hit adulthood and could be abandoned to whatever happened. Sad indeed.
134. During my time at Youth Services, in an effort to share what we were doing with other departments, I initiated the production of reports which provided background to what we offered and the projects that we were completing each year. These were passed to Peter Gambles. He would then provide them to politicians – most of whom it must be said were apparently not interested. Indeed, I can vividly recall the politician who at one point had political responsibility for the Youth Service – the then Senator Ann Bailhache - telling me about catching political colleagues putting reports/events calendars on the Service received in their mail straight into the bin in the States building..
135. Ironically I would say that it appears some potential improvement for inter-agency relations may, contrary to intent, have later been set back by the introduction of Data Protection legislation. This being due to initial confusion around what could and could not be shared. And also in my view further example of the fact that there was a lack of awareness as to just how professionally qualified the modern Youth Service was: for the record certainly far more so than many working within Social Services and Children's Services then. The Independent Care Inquiry would need to check with current practitioners to see if this has been overcome.
136. We do, of course, now have initiatives such as M.A.S.H. meant to make inter-agency contacts more effective. Yet in speaking to not one but two different

doctors early in 2015 both stated they were not impressed by this at all. This is negative opinion I have encountered elsewhere.

137. To this regard – and I will end on this within this particular part of my statement – by the end of my time in the Youth Service it must be said that almost in paradox to other, more positive developments, a deep concern to both myself and a number of professional colleagues would be the growth of what I can only describe as ‘tick box culture’. There was such a drive for everything to appear perfect to keep the politicians happy that being able to show you had drawn up a policy/had ensured staff had this in place etc that this had become more important than actually delivering the work.
138. What I say about ‘tick-box’ culture is undoubtedly sad but in my view wholly true. Unfortunately this type of thing was one of the developments which arose out of wholly appropriate and necessary interventions like the Kathy Ball report and in stark contrast of course to what was really intended.
139. Mentioning Kathy Ball I should also state whilst I recall it that it was a source of frustration to me and others that when she was in the Island doing her research ‘frontline’ workers like me were not permitted to speak with her – only those higher up the ladder or those personally selected by the Principle Youth Officer (Mrs Mason). Indeed, I requested to speak to her but was refused by the Youth Service. I have no doubt that this was another political decision arising from the ‘Jersey Way’. There was fear as to what people like me would be outspoken enough to say.
140. As chance would have it I even bumped in to Kathy Bull whilst she was at the Education building and told her of this. She said that she was sorry but it had been decided for her who she could and could not talk to in the Youth Service. This probably says it all.
141. Actually, a final point I should probably mention as I now recall it demonstrates what I am trying to get across about this ‘tick box’ culture perfectly. In or around the approximate time Kathy Bull was doing her

research in Jersey – probably a year or two afterward – the then Principle Youth Officer (not Mr Gambles) initiated what was meant to apparently be an Ofsted-style ‘external’ review of the Jersey Youth Service. All well and good.

142. Apart from – to my mind the anomalies that not every project was reviewed the same and it came to my attention that the person brought in to carry out this ‘external’ bill of health was actually a former colleague and friend of the Principle Youth Officer from her time in the UK. To me this highlighted just how much of a negative this ‘tick box’ culture drive could be: it was all about political appearances and impressions.

Final thoughts on child protection in Jersey near the time of my decision to stand for election

143. Whilst training at University and within my work placements I would state that child protection was seen as very much a key issue in the UK and I feel that attitude was not replicated here to the degree that it should have been ‘from the top’. Which I hope I have made clear. Because of my having just completed my professional training I suppose workers like me were more aware than some others. My then colleague Dave Yeltram, who had qualified shortly before me (and who was sadly eventually one of those who actually left because of some of the issues/failings I have highlighted despite loving the work) was one of the few other people on the Island who was really talking about some of the ‘taboo’ issues that we needed to tackle.
144. I would say however that in my view the Youth Service itself did come to put in place some good basic child protection training for volunteer workers and in some ways – such as implementing policy to protect young people from risk in regard to on line (internet) child protection issues were eventually well ahead of schools. Once again this was very much frontline worker inspired and delivered
145. It was quite obvious – and I know I am repeating this point yet it is very important in my view - that cutting edge policy on child protection should

have been formed from the top of ESC, but “the top” - or the very top to be more accurate - seemed to be oblivious or perhaps in denial that horrible things could sometimes happen. Then again, perhaps with the benefit of hindsight gained from what I would learn in politics, the real truth was those at the top knew that whatever might happen in regard to child protection failures it could and would be covered up whether this be by senior civil servants, politicians or via Crown Officers via the closing of ranks in best – or should I say *worst* – ‘Jersey Way’ fashion. The already touched upon tragedies of Victoria College, Haut de la Garenne; Blanche Pierre, ‘Family X’ and elsewhere pretty much in a nutshell?

146. This last group of legal ‘professionals’ for whom it must be said from subsequent political experience concealment or the turning of a ‘blind eye’ was standard practice. Probably I would suggest even ‘official’ practice if obviously unwritten practice. The revelation to the Inquiry from a former Head of Education regarding Senator Philip Bailhache’s true attitude to reported abuse when Attorney General – which I obviously did not know of prior to first being interviewed – only confirm this in my view. More examples/evidence of this a little further on.
147. With regard to the key matters which led to this inquiry it should be said that by 1996 when I became a professional full-time youth worker Haut de la Garenne had already closed. The Victoria College or Jervis-Dykes child abuse cover-up (which I talk about at length within the political evidence section of this statement) was to finally unravel whilst I was a Youth Worker; but as I have said full and coherent details – certainly all of the names, their failings, their ranking in some case right at the very apex of the Jersey Establishment etc - of this were never, ever made known to us as Youth Workers any more than the ordinary public at large – something not surprising given what I was to find out many years later once I had become a politician. However, the very type of ‘sweeping it under carpet’ failings I mention would eventually be seen to be absolutely central to scandal.

148. The aforementioned name of the paedophile teacher at the centre of the scandal Andrew Jervis-Dykes was eventually mentioned; and that this related to off-island boat trips with pupils but that was about it as I have said.
149. Of course it would come to light years later that it had apparently been the then Outdoor Education Manager who was actually linked to the Youth Service team and who was very hot on such issues who allegedly 'blew the whistle' on what senior figures – at the College, within the Judiciary and politically - had evidently been covering up for years by not acting as they should knowing what was going on with Jervis-Dykes' off-island boat trips. But as I say, certainly none of the details of this collusion to cover the scandal were ever known to me or my colleagues at the Youth Service 'coalface' – any more than other members of the public would know. This is obviously illustrative I suppose of just how effective the 'Jersey Way' was in 'keeping a lid' on things that would be embarrassing..
150. This is probably not that surprising with hindsight for years later in politics I would learn, for example, that even other States Members on the Education Committee of the time were apparently only allowed to read the report into this scandal – the Sharp Report - whilst sitting in a room which they were not allowed to leave with the reports; further still these reports then all being collected up and accounted for once they had finished. I was confided this remarkable story directly by one of Jersey's most respected and long-serving politicians; the former Senator Alan Breckon.
151. I believe it also very telling and of interest to the Inquiry team's investigations that the names of Sir Philip Bailhache and Iris Le Feuvre come up again and again in regard to child protection failings and attempts to play the extent of Jersey's scandals down. More detail on this later as well once we move on to my political experiences specifically. I apologise here but because so much of this overlaps it is very difficult to confine talking about certain issue to just one area. I trust the Inquiry will pull out and collate whatever they think most important.

The importance of understanding ‘the Jersey Way’

152. As I outline later on in this statement an example such as Victoria College likely demonstrates very well indeed the problem of how ‘the Jersey Way’ attitude amongst senior civil servants, senior politicians and Crown Officers (Attorney Generals, Bailiffs etc) where *appearance* and *image* and protecting their friends and/or associates – whether it be of the exclusive private school so many of them attended – or Jersey’s as a ‘whiter-than-white’ off-shore centre is evidently far more important to them than protecting children from the abuse which ultimately will have allowed Haut de la Garenne and other scandals to happen.
153. Indeed, I would state the opinion that the above example of ‘the Jersey Way’ is of paramount importance to understanding *everything* else the Care Inquiry is looking at and I will focus on this at some length in the political section. For the bottom line is that abuse going on for decades simply could not have happened without this ‘Jersey Way’ mentality. The ‘Jersey Way’ informs the culture and climate of fear existing in Jersey; the political apathy; why so many people do not speak out themselves and the actual abuse and cover-ups. It is I repeat the key to everything. Indeed, should the Inquiry doubt this culture of fear then it is perhaps quite adequate to simply ask: why have so few States Members – even since 2008 – actually ‘put their head above the parapet’ to challenge or even ask questions?
154. Actually, if I may just go back a step to what I referred to as a ‘tick-box’ culture prior to moving on to your interest in my decision to stand for election to the States; I would add that to be fair this growing ‘tick box’ culture also appears to have been a wide-spread development within Jersey in many other areas beyond the Youth Service’. I find this both sad and ironic when one considers that something – a process – meant to actually lead to better practice if not simultaneously supported with adequate funding and staff to enable genuine improvements to take place actually results in a situation where the process and its appearance becomes the *focus* rather than the desired improved *outcomes* themselves.

155. Indeed, I also think it correct to suggest that for many within the current 'Establishment' – political and judicial – finally agreeing to the Inquiry a handful of us fought so long and hard for is likely also just another aspect of this tick box culture necessary for them to get a clean bill of health and thus return to 'normal service' as quickly as possible. The claim will then be that 'lessons have been learned' while more than likely the same old indifference will quickly reform. Certainly this will be the case – in my view – without serious external intervention.
156. After all if one looks at the bigger picture encompassing the present and past two States Assemblies collectively it quickly becomes apparent that the number of those politicians who have actually contributed in real terms to the fight for an Inquiry and justice for the victims is truly tiny. It is probably thus fair to say most others who have belatedly voted for an Inquiry have done so because they know those who have fought are not going away; it is thus better to hope for the best and get the thing out of the way.
157. This said the recent moves to see the Inquiry abandoned due to the red-herring of blank cheque cost promoted by former Attorney General, Bailiff and member of the Victoria College Board of Governors Senator Sir Philip Bailhache being supported, poodle-like, by Establishment non-entities such as the current Education Minister Deputy Rod Bryans is a development almost beyond belief and should be viewed by the COI with the deepest of suspicion. As ESC Minister Bryans is one of the three 'corporate parents' if I can put it that way. Yet he is shamefully going along with his liege lord. It is incredible really.
158. The fear must be that if no holding to account arises from the final report of the Inquiry however – and it must be stated that I doubt the UK Minister for Justice or the Privy Council will give a damn about it the 'Jersey Way' I have highlighted as being central to all of these scandals will just roll on; the abuse of the Jersey 'justice' system as a tool of oppression continuing likewise. Just as with the utterly untenable position in the real world of the so-called 'dual

role' allowing as it does, without a proper separation of powers, unelected Bailiff after unelected Bailiff to interfere and manipulate political matters to protect and conceal longstanding Crown Officer failings in child protection and prosecution matters.

My decision to become involved in Politics in 2008 & relevant observations

159. Again I highlight that I *only* speak about this particular period because I have been asked to do so to provide background as to my decision to move from being a professional educator – a better paid, well pensioned; and far more secure career - in to Jersey politics.
160. Should the Inquiry Committee instead conclude that this is irrelevant I ask that you please simply bypass the following section: it is included only because I was asked. Nevertheless, in answering the questions put to me I stress again that the key areas which I personally believe to be of importance of my time in politics are in examining that which underlies what many in the Island refer to darkly as the frequently mentioned 'Jersey Way' itself and the reality of which I began to see and experience in earnest upon deciding to enter politics:
161. i.e. the attitude to abuse and keeping a lid on it when it is revealed; the closing of senior ranks; cronyism; the powerful people at the heart of this and how a number of them appear within child protection failings and highly dubious responses/actions again, and again and again. Also, of course, the inter-related fact that very little of this could have gone on for so long without a failed – and I would say utterly craven, morally bankrupt, and malleable mainstream media - who have failed for years to undertake the depth of true, professional investigative journalism subsequently demonstrated by mere 'Citizens Media 'bloggers' like Mr Neil McMurray and Mr Rico Sorda.
162. Whether it is pure coincidence that very senior figures from both the local newspaper and TV channel have allegations against them relating to very

serious sexual assaults (more on this later) or indicative of why these journalistic failings happened I must leave to the consideration of the COI.

163. Nevertheless I certainly concede that briefly setting out my own, and, indeed, my wife's entry into politics in this period certainly does also likely have relevance to the investigations of the COI in that it shows starkly what will, and does happen to those who dare 'rock the boat' by pointing out the aforementioned appalling child protection failings of figures like Jersey's Bailiff and his judiciary: just as consideration of what happened to Senator Stuart Syvret and the police chiefs in charge of the Haut de la Garenne investigation has.
164. For in regard to this point about the failings of an all-powerful Bailiff this is exactly what my wife, then the *Deputy* Shona Pitman did. This is in truth why I have agreed to talk about this period. It provides the background to what would otherwise be almost incomprehensible to anyone not understanding that under the 'Lord of the Isles' mentality of successive Bailiffs Jersey is *not* a functioning democracy but a real life Royston Vasey as in TV's the League of Gentlemen black comedy: a kind of neo-feudal throwback hand-in-glove with the Off-Shore finance industry that has captured both the jurisdiction and consequently economic policy making.
165. It must be made clear right away however that my decision to run for election to the States Assembly was not in any way as a result of my concerns specifically in relation to child protection: my concerns were much more widely based. For I was beginning to understand all too much of the way that Jersey was being run, and it was obvious to me that if things stayed the same, that there would be nothing for so many local young people in ten to 15 years' time. So many young people I had worked with were already planning to leave. To use a somewhat clichéd phrase it was increasingly obvious there was 'no Plan B'.
166. The Jersey Establishment was – and still is – absolutely obsessed with the Finance industry which has completely captured this island jurisdiction since

the mid 1990s; much in the same way and with the same negative impacts on life and other industries as those found in 'mono-culture' jurisdictions captured by the oil industry. There was also clearly little understanding of, or willingness to acknowledge and confront just how increasingly precarious 'Off-Shore' or Tax Havens will be in the not too distant future: certainly in my view within as little as ten to twenty years.

167. Indeed, this remains true to this day: as I say, absolutely no 'Plan B' – just a naïve hope that the tax avoidance gravy train will run forever. Or just as plausible: being that those who are allowing this to happen are almost exclusively very wealthy the attitude that by the time the effluent hits the fan they will be off elsewhere having enjoyed things whilst they could; the rest of the community left to deal with the consequences as best they can? This is all relevant when the COI considers the Establishment reaction to facing up the child abuse scandal finally leaking out perhaps best personified in the now infamous 'You're shafting us internationally!' comment from the then Chief Minister Senator Frank Walker made to Senator Syvret in the early days of the Haut de la Garenne cover-up finally breaking internationally.
168. Indeed, one might have thought that the fact the political Left in the Island were proven spot-on about the foundations of sand upon which Jersey's formerly lucrative 'fulfilment industry' had been constructed and flourished (i.e. via exploiting a UK tax loophole) would have kick-started some serious Plan B thinking in government. Yet it has not even as we move on into 2015. We have also been proven right regarding our concerns about the Zero-Ten tax policy shaped to pander to the Finance industry. At time of giving evidence we have a 'black hole' in the region of £150 + million. What more needs to be said?
169. Nevertheless, in 2008 I thus wanted to do something to try and help reclaim my home Island for ordinary working people; and young people in particular before it is too late. We needed to start seeing the 'bigger picture' again politically, economically and socially if I can put it that way. In an extension of my years of youth work I wanted to empower young people to help bring

about positive change themselves so that they could have a long term future. After all it would be them who would pay the price for the Establishment heads buried in the sand today.

170. I'm afraid Jersey has always concentrated on the short term since Finance has held sway and in essence I wanted the States to start putting people before pure profit. Sounds like clear and perfect common sense but in Jersey doing this goes against the grain of the whole 'Jersey Way' which has allowed today's two-tier society of 'haves' and 'have nots' to develop. In essence I went into politics because I wanted to encourage a change in perspective. I wanted Jersey to understand that governing is not all about finance and cannot be run successfully on a purely business model: government must make pounds (tax) work for the people not a section of the people be slaves to pounds.
171. Nevertheless daring to voice these concerns/criticisms immediately places anyone entering local politics at logger heads with those for which 'Off-shore and neo-liberalism is the only way'. A direct consequence of this will always be that one is then tarred as – and these are the favourite Establishment propaganda terms in modern times – 'anti-finance'; 'a wrecker' and generally 'anti-Jersey'. Indeed, these insults would be repeated in the States again and again. Particularly in the years 2008 to 2010 when the JDA was at its height; and the threat of imminent party politics more real than it had been since immediately after the Nazi occupation.
172. Sadly most of the blame for the problems Jersey faces today however is that the political system and democracy in general – certainly our so-called 'justice' system - have been wholly hijacked over the decades by people who generally fall in to two categories (although these both overlap quite often). To this regard then that we have allowed ourselves to be captured and become hugely dependant on Finance is only part of the problem. The industry certainly does now call the economic policy shots – and all that may impact on this - but the inter-related problem I am talking about is the group

who believe that they are, or in some cases want to be the island's power shapers or Establishment 'elite'.

173. Firstly those who hide behind 'tradition' but in fact believe Jersey should, and needs to be run by this type of small and wealthy 'elite' and delude themselves that this is what they are. These are people who though intelligent in some cases still retain the arrogant view that only what social observers like Walter Lippmann and later Chomsky would describe as a 'specialised' class or allegedly 'responsible' men who *must* control political life because the 'bewildered herd' of the rest of us (ordinary people) apparently don't understand the complex issues or what needs to be done in our best interests.
174. I would suggest that the likes of our Bailiffs – certainly the current one and the previous two - and almost all of our senior Establishment politicians in recent times fit into this. They generally have little understanding of the economic struggle faced by so many ordinary working people – most will never have experienced it. Unfortunately it is also true that a great many of these people – probably the majority – are in fact not particularly capable at all but are blinkered to this having often inherited significant wealth or been given power and position (on the condition they don't rock the boat) far beyond their abilities. It all contributes to a set-up which might quite reasonably be argued to be a kind of neo-feudal/neo-liberal hybrid.
175. Secondly, and in many ways these people are even more dangerous, are those who are basically political and social wannabes; and who see becoming a States Member and gaining some kind of title – even something all but meaningless like being a so-called 'Assistant Minister' is the easiest way to achieve this becoming a 'someone'. In effect it is quite apt to state that many of these sad individuals see being a States Member as the nearest they can get to being a local celebrity.
176. An unfortunate offshoot of this mentality is that once gaining that status by being elected they will rarely open their mouths in criticism of the

Establishment majority for fear of losing it. They become what the excellent Citizens' Media blog 'Voiceforchildren' tags 'Silent Assassins' rarely speaking in the States; rarely if ever bringing their own propositions; and always pressing the 'pour' button in support of the Establishment. They survive basically because they do nothing to rock the boat of offend those in the Inner Circle who they want to join. Frankly they are maggots of the worst order.

177. Again in my experience these people are always marked by two specific traits. They are again generally in my experience none too bright as mentioned above and have little understanding of politics, policy and certainly socio-economics; and two, are almost totally malleable to the senior 'important' and 'untouchable' figures above them in being wholly terrified of risking the aforesaid 'rocking the boat'. As it should be easy to discern this is clearly a recipe guaranteed to eventually bring disaster. Such fear of losing position is a de facto license for those above to do what they please without fear of rebuke or challenge. Thus the 'Jersey Way' rolls on. And on...
178. This type of problem looms large when one considers the decades of abuse the Inquiry team is investigating. I will later give a very revealing example of this within a conversation I had with a couple of then political colleagues shortly before Shona and I were forced from political office due to Jersey's highly questionable en Désastre law. Their argument being essentially that it was 'too difficult' standing up as we did. And yet this, as I shall outline, was from two basically nice, wholly pleasant people!
179. Though I would obviously never compare Jersey with 1930s Germany the truth is these 'Bush League' (junior) Establishment wannabes whether in or outside the States are a part of the same sort of petty bureaucrats whose cowardice and silence arising from their desperation to belong to the 'in crowd' and thus be 'important' allowed such appalling atrocities as the treatment of the Jews to happen. Indeed, I repeat in Jersey it is this which I would argue has played a large part – in truth probably the key part - in the

decades of child abuse the Inquiry is investigating to happen and continue for so long.

180. As I said earlier in this statement 'silence is not a neutral position' yet for many States Members – in fact the majority it is seen as such. Most disappointing of all this malaise appears to erode the drive to always do the good or right thing even amongst people who are basically wholly nice individuals. I have watched it happen. Too many can't face the prospect of being attacked the way the few of us who put our head above the parapet are.
181. It is an integral aspect of the now infamous 'Jersey Way' I will enlarge upon later. Indeed, in reflecting upon this now I would have to also suggest that on the evidence available – e.g. States votes and speeches on propositions relating to Haut de la Garenne, the fight to get a Committee of Inquiry and the disgraceful misrepresentation of what really happened – regardless of how they will try to camouflage this the vast majority of States Members during my two terms of office don't actually care about vulnerable children being abused very much if at all; or that there should be justice for everyone regardless. It is shocking to actually hear myself say this yet I don't doubt its accuracy for a moment. The demonstrable contrivance of Police Chief Graham Power's never-ending suspension and the tiny number of dissenting voices within the States probably shows this on its own.
182. But to conclude on the underlying reasons for me leaving the Youth Service to enter politics then – and I repeat I talk about this only because the Inquiry team have asked me – back in 2008 it was clear to me that there was a huge gap – a huge imbalance if you like in the necessary emphasis and commitment to the social side of socio-economics. Social housing for example was in truly dire straits and we know that deprived living circumstances can impact significantly on abuse..
183. Indeed, in early 2015 I was shocked to hear from a person who had attended a seminar that the current Social Security Minister, one St. Clement Deputy

Susie Pinel had allegedly claimed that there was 'no poverty in Jersey'. This I'm afraid is the type of spectacular ignorance we are up against. And unfortunately we see it again and again in the handing out of Ministerial jobs.

184. To be fair coming from a politician so unaware of the real world that she stated at a 2014 hustings during her re-election campaign that we really should bring in dog licenses – when these have been in force in the island for decades – I suppose one really should not be too surprised:. This is the low type of calibre of individual largely elected as Establishment politicians; and the low calibre I was talking about who in the view of many thus make keeping huge problems under wraps so easy for those at the Establishment's apex.
185. As another example back when I entered politics there was a backlog of essential maintenance to States houses of around £100 million which, in a small and very wealthy island, was as absurd as it was wicked. (once again the Island's media did not report it: this was left to the JDA in a campaign organised by Shona). In my view that this huge sum was allowed to develop was yet another consequence of the elitism, cronyism and sheer incompetence I mention above: the actual Minister in charge whilst this built up for example – one Senator Terry Le Main - not only should have been sacked half-a-dozen times over on his record but never should have been given the position in the first place.
186. Often mocked behind his back by people he no doubt thought were his political friends Le Main was daubed the 'Establishment's Rottweiler' or Attack Dog. Predictably he would become a vociferous – if largely incoherent – critic of Harper and Power's Haut de la Garenne investigation. Just as he would attempt to discredit and mock the political Left every time elections rolled around.
187. I would also stress right away that the climate within the States I discovered once elected was not only a confirmation of the above; but like that evident within departments described earlier one of attempted bullying, fear, control

and cover-up: all of which plays so major a part in trying to understand the child protection failings which the Inquiry team is investigating. This culture feeds into absolutely everything that happens here. To use a term put to me by many former constituents 'Jersey has lost its soul and it's the government that stole it'.

188. Indeed – and I obviously say this as an acknowledged Socialist/Social Democrat – it felt at the time of my deciding to stand for election and to be quite honest still does to this day – that in Jersey the dark shadow of the failed, greed-based politics/economics of Margaret Thatcher has never left: Time has stood still here and we are stuck in the 1980s where greed, money and the promoted distraction of a 'Me! Me! Me!' society and screw the rest are still paramount. Where people and social issues like our entrenched two-tier society – and child abuse is a part of this - are topics that no one wants to deal with in case it damages our reputation as a (faux) 'whiter-than-white' Off-Shore centre in their public airing.
189. Likewise huge non-locally registered companies, so-called 'High Net Value' individuals and, of course, the many vehicles utilised by financial institutions for their super-rich clients pay ever less – in real terms – some even no tax at all; whilst those in 'middle Jersey' and at the bottom get squeezed ever more tightly. I suggest that this reality of a society so entrapped in the Me! Me! Me" ethic I outline is very relevant in seeking to understand how so many people can appear to be so apathetic to what has gone on; and toward the efforts of the few to try and put it right. Where selfishness and greed is promoted as the ideal caring – including what might be called 'family values' - understandably goes out of the window all too often.
190. With direct regard to the breeding ground for abuse to both happen and go unchallenged the increasing drive to mimic UK neo-liberal 'austerity' policies will only make this worse.
191. Nevertheless, in wishing to move on to give evidence on the key issues of importance which I see of most relevance i.e. my experiences in being one of

very few politicians who fought consistently to achieve openness and accountability over the child abuse scandal and the deliberate Establishment trashing of the two senior police officers who – along with former Senator Stuart Syvret - bravely dragged it out into the light I would add only this brief ‘recap’ for the record.

192. My wife Shona was an original member of the Jersey Democratic Alliance (JDA) this being the first real attempt to bring about genuine party politics in sixty years – since straight after the Nazi occupation in fact. The JDA was very much rooted in social democracy and entering politics for altruistic reasons. Shona was elected in 2005 and would go on to win three elections to the States: never, of course, losing her seat via the ballot box: but as with myself losing this only as a consequence of the demonstrably corrupt nature of Sir Michael Birt’s non-ECHR compliant Royal Court in our case as indicated.
193. Not least to this regard being the eventual exposure of successive Bailiffs happily condoning the appointment of individuals with documented histories of disregarding evidence of child abuse – even of attempting to bully victims into silence - to sit as Jurats in the Royal Court. But more on this subject which I believe goes to the heart of shedding light on the true Establishment disregard – many would claim *contempt* for victims of child abuse and its seriousness a little later.
194. The JDA had been founded by Senator Ted Vibert – undoubtedly one of the Islands finest politicians ever. Outspoken and charismatic Vibert was brave enough to finally try and set about bringing some accountability to quash the ‘Old Boys Network’ that runs Jersey as a private club. Though sharing many of the qualities of Senator Stuart Syvret he was the first to really push to achieve this via establishing open and accountable party politics.
195. Though a member of the JDA in 2005 I decided not to stand at this time. As you might understand politics is a pretty insecure profession at the best of times unless you happen to be rich: you could easily work very hard but still

find yourself without a job or income at the next election. Indeed, this is one of the key reasons the rich who have run Jersey like the aforesaid private club for generations resisted introducing a salary for politicians for so long: it kept the peasants they so despised out by default.

196. In regard to myself standing there was also still a significant amount of work which I wanted to complete back in 2005 to feel that I had done all that I could at Grands Vaux; and at the bottom line the truth is I was not at all sure that I could afford to take the significant drop in salary that would result from my becoming a politician.
197. We were then living in the flat I owned in St. Helier and saving toward buying a house. Looking back this is now all pretty ironic given that, as briefly mentioned, only a couple of weeks after my eventual election 'swearing into Office' in 2008 the JEP's then editor Mr Chris Bright would collude with one of their right-wing clients – Mr Roger Trower of the Estate Agents Broadlands - to allow the publication of a full page Christmas 'cartoon' in which the Jersey people, including, of course, those who had voted for us on the back of a social justice election campaign were falsely told we (Shona and I) were now getting '4 x the salary, darling!' by my entering politics! Indeed, Trower and the JEP even depicted Shona and me smirking behind a huge election rosette made not of ribbons but banknotes!
198. The truth was, of course, as stated that in 2008 our income dropped by around £5,000 and I swapped a career with a very good pension and significant security for one with none at all.
199. To explain my election in a little more detail I had finally stood for the States and was elected as a Deputy for St. Helier No. 1 district in the autumn of 2008 – three years after Shona – and was sworn in at the beginning of December. This was obviously very pleasing as not only had I taken over the Chairmanship of the JDA in 2007 and played a key role in the policy manifesto behind a much improved election performance by the party after that of 2005; but was also joining Shona who was herself re-elected in St.

Helier No. 2. This meant we were the first husband and wife ever to be elected to sit in the Chamber. Probably something which will never be repeated?

200. I suppose I should also mention that in standing for this election in 2008 it was then that the 'Jersey Way' culture really first kicked in against me personally; although with hindsight 'anti-Establishment' propositions brought by Shona in the States likely also played a role in this happening; as did the simple fact the JDA were successfully challenging the untouchables. For when I had first announced that I would be standing for election, it had been agreed that I would take all of my holidays in one block so that I would have time to go out and campaign: as a professional educator I obviously fully accepted I needed to be away from my work throughout.
201. Shortly before I was due to take the agreed holidays, however, the authorities decided that 'after high up discussions' (I was eventually told this was allegedly with the Minister for ESC (Education) and the States CEO) I could not use the holidays that I was owed at all; and that any time that I wanted to take off in order to run a campaign would have to be unpaid leave.
202. I was furious. For not only did the ESC Department and Minister know full well that Shona and I had a mortgage to pay; at that point between my deliberately untaken statutory holiday entitlement for the year and the time off in lieu (T.O.I.L.) that I was owed for having to have had work so many hours above my contracted working week over many months without any overtime meant that combined I was actually entitled to almost *three months* off had I wanted to make a Union issue of it.
203. I should point out that ESC knew full well there was no payment option open to me at all – as professional youth workers we never had the possibility of 'overtime' payment. Yet the T.O.I.L. so many of us were owed could in reality hardly ever be taken due to the lack of support staff. I was thus left having to use savings to pay my half of the mortgage whilst I ran my campaign!

204. To add insult to injury I was also told by the Human Resources Manager at ESC that whilst I could not use my holidays to campaign for myself under any circumstances I *would* be allowed to use it if I wanted to campaign for my then political boss – Establishment ESC Minister, Senator Mike Vibert! If ever a ‘law’ can be shown to be farcical it was surely this. I repeat the ‘law’ (part of the States of Jersey Law as I recall) meant that I was able to take paid leave to campaign for others - but I could not use statutory holiday entitlement to run my own campaign! Crazy. To be fair even the HR Manager agreed this was ludicrous.
205. It was obvious to me that this was being done deliberately as an obstruction and, once I had done a little research, that such a move was not compliant with Human Rights legislation. I was later to demonstrate this once I was elected by making it my first act to lodge a 2009 proposition to see this abuse scrapped. The fact that the proposition was successful says it all in my view. I should add that though I was the only States employee to openly challenge this farce at the time others were successfully deterred by the difficulties: I believe just two other employees eventually stood out of an original total of eight which I was aware of.
206. A footnote to all of this is that having been successfully elected the States Education, Sport & Culture department which obviously employed me broke my contract in refusing to pay me the three months notice I was entitled to. This was a not insignificant sum of around £12,000! I had, of course, never resigned as another successful former States employee had. The ‘Jersey Way’ yet again
207. It is also very telling I suggest and relevant to understanding the aforesaid ‘Jersey Way’ so central to how not a few years but decades of child abuse was allowed to continue by the Jersey Establishment that prior to the election the JDA successfully pushed for the law to be changed so political groups can actually be officially registered as a party. Yes, this is how backward and frankly neo-feudal Jersey was. The reason I highlight this however is because during this process the Establishment attempted to have the law

constructed so that *every* person who wanted to become a member of the JDA would have to hand over their name and address to the Bailiff's Royal Court!

208. The Jersey judiciary who have failed so many child abuse victims also originally went along with this without a murmur which I once again feel is very telling. This abuse of 'the law' was sheer corruption in its most naked form - yet was actually put forward by the Establishment dominated Privileges & Procedures Committee - I don't think this type of brazen abuse has even been tried in places like Zimbabwe. Not only would such a move not be compliant with the European Convention on Human Rights would even breach the farce that is Jersey's regularly manipulated Data Protection Law. Yet the Establishment tried it on anyway.
209. Other than highlighting for the record that the JDA's eventual significant success in 2008 had obviously come on the back of a social justice campaign in tandem with a call for genuine constitutional reform – such as an end to the Bailiff's insidious and wholly negative 'dual role' which sees unelected Judges controlling what elected representatives can say or even bring to the States for debate and even what they may say about child abuse failings (the COI should hopefully be aware of the Bailiff's turning off of the microphone during Senator Stuart Syvret's highlighting of this in his 2007 Christmas speech as 'father of the House') I would like to add only this for the Inquiry team's consideration at this point as I feel the lack of such reform is pivotal to how outrages like Haut de la Garenne have been able to happen.
210. Is it really in any way surprising that Bailiffs and Attorney Generals who have failed so appallingly the victims of abuse have been able to get away with this for so long when they are allowed such demonstrably damaging interference in government and democracy? Indeed, the Inquiry team should ask themselves where else in the modern world would one see it accepted that an unelected judge – a man without a mandate from a single member of the public - be a community's 'First Citizen' handling communiqués with other jurisdictions and wining and dining visiting dignitaries and Heads of State

which in almost every other democracy in the world would be undertaken by the elected Prime Minister or President? It really is as laughable as it is darkly disturbing.

211. Sir Philip Bailhache's 2008 Liberation Day speech claiming the 'real' scandal was not the child abuse but international media reporting - which led to my wife's Vote of No Confidence in him is damning evidence of this.
212. Yet the British Crown and Her Majesty's representative here in the Island – the 'Lieutenant-Governor' – go along with this; just as they have done for some 800 years. And as we have seen yet again in February 2015 *still* says and does nothing as a central figure in so much of what has gone wrong in Jersey child protection wise – Sir Philip Bailhache – attempts to hide in full sight to whip up scare-mongering tales of a £50.000.000 cost of the Inquiry in the hope that the investigations may be curtailed and normal 'Jersey Way' service be resumed with not a one of the major players held to account or questioned even now. And further allows his former Attorney General brother responsible for so many failures to prosecute abusers to be promoted to Bailiff.
213. Upon reflection it is also very relevant at this point to add that in the light of the political climate underlying the child abuse scandals the Inquiry is examining that in entering politics Shona had not only an Environmental Degree but also a Masters in the Human Rights discipline of International Peace Studies. I mention this only because I vividly recall that the then Establishment Senator and Housing Minister, Terry Le Main once said to me that she must have been 'daft to come back to Jersey with a qualification in human rights as we don't have any here'.
214. Humour or not this comment says so much about a jurisdiction which is one of only a handful of places in the world who had still not signed up to the United Nations Convention on the Rights of the Child; and I believe beyond a shadow of a doubt the resistance to this by the Jersey Establishment over so many years is very telling evidence of what I said previously about the

majority of States Members actually not caring very much about the welfare of vulnerable children at all. Is it really in any way surprising that abuse went on for so long?

215. I would ask the COI to consider this a moment. Under Jersey's version of 'ministerial' government we still don't have either a Children's Minister or a Justice Minister. Yet we have a totally superfluous 'Minister for External Relations' I mentioned earlier and are planning a Minister with responsibility for digital commerce!
216. Indeed, what, I ask the Care Inquiry team, does this none signing of the Convention on the Right of the Child say about the Jersey Establishment attitude to child protection if not an indication of political ambivalence at the very best? I again suggest that the Jersey Establishment – be this Bailiff's like Sir Michael Birt and the Bailhache brothers or *most* political Ministers – 'care' only when something is leaked or dragged out into the global spotlight which might damage our precious image as an 'Off-Shore' centre (tax haven).
217. Actually, as a last 'final point' within this 'political background' segment of my statement I should point out that both Shona and I left the JDA (which has since demised) in the summer of 2010. We did so purely because of differences of opinion on how the party was subsequently being run. I was no longer Chairman by then having had to stand down upon my election; as the party's constitution rightly required that the role be held by a non-States Member due to the workload involved. My commitment to social democracy/socialism remains unchanged

Haut de la Garenne & 'the Jersey Way' – Experiences as States Member

218. In early 2008 (as I said I would not be sworn into office until the December following an autumn election) thanks to the efforts of Chief of Police Graham Power and his Senior Investigating Officer Lenny Harper; and indeed that of the then Health & Social Services Minister Senator Stuart Syvret decades of child abuse and its concealment had begun to be dragged into the spotlight. The anger - and I would say this was driven by fear - from within Jersey's Establishment had created a political and judicial climate which was truly

poisonous and almost palpable. The hitherto 'untouchables' were being challenged and they did not like it a bit.

219. Jersey was descended upon by international media organisations from all over the world. It was, I have to say, unlike anything I ever could remember. You could sense the panic from the Establishment who dominated politics (both inside government and without). This is something probably best illustrated for the Inquiry by the now infamous Chief Minister, Senator Frank Walker and Senator Stuart Syvret 'You're shafting us internationally!' incident live on the BBC I highlighted earlier; and the equally infamous and wholly farcical later press conference where the backdrop and chairs were removed before an incredulous world media to try and stop Syvret speaking..
220. In July of that year – having also attempted to bring a proposition ending the dual role of the Bailiff and one seeking to legislate that the Chief Minister must be elected by the public rather than by 53 States Members (intriguingly blocked by the said unelected Bailiff!, Sir Philip Bailhache) – Shona had herself given the abuse cover up a whole new and more focussed public dimension in bringing the aforementioned unprecedented proposition actually calling for a vote of no confidence in Bailiff, Sir Philip Bailhache I touched upon earlier..
221. This is also well worth the COI considering the implications of. It being not just due to Bailhache's outrageously insensitive and offensive speech – i.e. that the global reporting of the abuse allegations was 'the real scandal' rather than the abuse - in hijacking the 2008 Liberation Day celebrations. But also previously little known revelations about his appalling failings in doing nothing to prevent a man he knew to be a convicted paedophile – Mr Roger Holland - from being sworn into the St. Helier Honorary Police whilst Bailhache was Attorney General.
222. The significance of this vote of no confidence really cannot be overstated. Not only was it the first and only time in history a Jersey Bailiff has faced such a public challenge; when one reflects upon what would happen to

Shona a short time afterward at the hands of Sir Philip Bailhache's Attorney General younger brother, William, (now Bailiff with, according to Queen's representative Lieutenant-Governor Sir John McColl, 'all the qualities necessary to succeed') I contend the dark political/judicial machinations by which how 'the Jersey Way' operates become all the clearer still.

223. For the benefit of context here it is worth highlighting that by his own words Sir Philip Bailhache, within an interview with the Jersey Evening Post, demonstrated the deluded sense of superiority inherent within these wholly without public mandate 'First Citizens' when he compared the alleged respect he believed those who hold the Bailiff role must command with the UK's Royal Family! Yes, he really said this (2010). Little wonder then I suggest that a vote of no confidence from a lowly working class backbench elected representative would go down as a very challenge and affront to the aforesaid 800 years of 'tradition'.
224. To return to the reasons Shona brought the vote against the Bailiff in a little more detail however; it is the contention of many who actually know the truth about this disgraceful child protection failing that constitutes the Holland affair that Attorney General Sir Philip Bailhache should have been sacked immediately – and would have been if there was any genuine concern as to law and order in the island from Her Majesty's Privy Council or the government at Westminster. Likewise from the 'Jersey Way's' on Island enabler the Lieutenant-Governor.
225. Of course, unfortunately as we have seen again and again in recent years; whether this be through visiting UK politicians or successive Crown Appointed Lieutenant-Governors there is instead only complete indifference and collusion. Multiple failures and/or abuses by Crown Appointed Judges simply do not matter to the British Monarchy or government – and certainly not to their representatives within the Island.
226. Though unknown at the time I was deeply disturbed to learn after my initial interviews that another witness – a former Head of Education no less – told

the COI that Attorney General Philip Bailhache had told him *not* to go to the police about the abuse of a child. I suggest to the COI the developing picture and multiple examples once again speak volumes as to how decades of abuse at institutions like Haut de la Garenne could and did happen for so long.

227. Thus instead of being sacked as he should at the time of the Roger Holland scandal Sir Philip Bailhache had been promoted to Bailiff – just in time one might say to play a central role in another child protection failure at Victoria College already touched upon - and for years the true, shocking details of what really went on within this astounding and deeply disturbing child protection failure set in motion by Roger Holland was all but airbrushed out of history and the public arena.
228. The truth was, of course, that Bailhache's allowing Holland to be sworn into the Honorary Police was to have truly catastrophic consequences as the direct result was to be more young girls being sexually abused: some of the abuse actually taking place within a police van! Almost as shocking was the fact that the innocent former Constable of St. Helier, Mr Bob Le Brocq was despicably allowed to wrongly take the public blame for what happened. The Establishment lackeys of the mainstream media went along with this of course. Hopefully Mr le Brocq will personally give the COI evidence on this outrageous example of 'the Jersey Way'.
229. Nevertheless, as I say none of this was evidently of any concern to the Queen, Her government, Her Lieutenant-Governor of the time, or hardly anyone at all within the States of Jersey: certainly to not a single political member of the Establishment. They simply closed ranks as they always do – 'the Jersey Way'. All that mattered was to protect their hold on power and – I challenge anyone on the Inquiry to come up with a different, even half-plausible answer – set against this throwing one of their own to the wolves so to speak – no matter how much he deserved it for his incompetence and negligence - for the sake of a few molested young girls just wasn't going to happen. Just as the appalling abuse of children from powerless poor and/or

even dysfunctional families at Haut de la Garenne, Blanche Pierre and other institutions wasn't going to see the Establishment turn on any of its own.

230. The same attitude from within the highest echelons of Jersey's judicial and political Establishment still exists today; and the Inquiry team need to look beyond the smoke and mirrors to see this for itself. Remember this is the pompous and arrogant man who whilst fully aware of his own lamentable record on such issues is, in 2015, now trying to curtail the Inquiry investigation before it reaches him and – hopefully – finally puts him on the stand to answer some very searching questions under the smokescreen of exaggerated costs.
231. Indeed, the lack of fallout for Sir Philip Bailhache over the Holland affair yet again emphasises how the decades of abuse and cover up at Haut de la Garenne could and did happen in the most vivid of illustrations. In Britain the reality without a doubt would have been that the national media would have crucified such a failure; and even if they had not wanted to the 'Establishment' would have been forced to axe him. Here, however, our media kept their heads down at the time and, when Shona's vote of no confidence made the facts more widely known than they had ever been before came out staunchly on Bailhache's side; 'tradition' and being a pillar of the community was evidently a lot more important than his spectacular failing of children. Indeed, unless my memory fails me around this time Bailhache was even given a two page spread to talk about his health issues. No such coverage of course for his child protection failings!
232. Once again I ask the Inquiry team to ponder where else would one see media and elected representatives accept truly disturbing and pathetic excuses such as Sir Philip Bailhache's claims on the theme that at the time 'we didn't really understand how dangerous paedophiles were'? I flag up for the Inquiry that this was the 1990's *not* the Seventeenth century or incident from the fictional pages of Charles Dickens! Or indeed the quite staggering and for a senior Judge equally disturbing contention from Bailhache that it could be thought Holland would 'grow out' of his paedophile tendencies?

233. I challenge the Inquiry – get this former Attorney General, Bailiff and now Minister in and demand answers from him. Answers he has always previously managed to avoid because of the very ‘Jersey Way’ I highlight again and again in this statement.
234. I would actually like to enlarge upon something I said earlier because one of the other most disturbing aspects in all of the Holland abuse scandal was the then St. Helier Constable, Mr Bob Le Brocq, actually being forced quite wrongly to spend several hours in a police cell: blamed for something which was demonstrably in no way his fault. Indeed, even his possessions were removed from his as I understand it when this was done as if he were some kind of common criminal.
235. Sir Philip Bailhache could and should have spoken up on Le Brocq’s behalf as the man truly to blame – yet did not. And this is the type of man subsequently allowed to preside over our Royal Court by both the British Crown and States Members; and thus strut the stage for more than a decade as Jersey’s wholly unelected – and in my view wholly unfit - ‘First Citizen’.
236. Nevertheless, rather than repeat every aspect of this particular scandal here and its illumination of ‘the Jersey Way’ attitude to child abuse I provide for the Inquiry team a report into the Holland affair listed as evidence **TP1**. I also refer the Inquiry to the vote of no confidence proposition brought by Deputy Shona Pitman and the Hansard transcript of the truly shocking debate – or rather lack of one as **TP2** and **TP3** respectively. I similarly also suggest that the Inquiry seek to verify the facts of Bailhache’s child protection failings within the Roger Holland affair by interviewing (if they have not already done so) former St. Helier Constable Bob Le Brocq himself.
237. I humbly also suggest that in reading the above mentioned report the Inquiry team also take special note of the attitude and clear failings further demonstrated by Bailhache’s successor as both Attorney General and Bailiff Sir Michael Birt: not least in his incredible decision that – even after this

disgraceful horror show - the introduction of background checks which would have saved the later victims of Roger Holland should even now *only* apply to *new* Honorary Police officers and not ones already working! As I remember this would not be rectified for another two or so full years and even then, according to what I have been told, with considerable reluctance. Why?

238. As I will outline further on it would eventually become apparent to me that both men, Bailhache and Birt – the one succeeding the other – would again display this ‘Jersey Way’ indifference to child abuse and those willing to ‘look the other way’ when confronted with it in their attitude to allowing the aforesaid disgraced former Vice-Principal, at Victoria College – one John Le Breton - during the Jervis-Dykes child abuse scandal I now return to in greater detail to become a Jurat. Bailhache as Bailiff and Birt as Attorney General.
239. Both men subsequently not only allowing an inarguably unfit individual to subsequently be made a Jurat (lay judge) – charged with deciding on *fact* and *evidence* in court cases – but to hold such a role for an incredible 14 years! Le Breton holding a role his clear dishonesty and malleable commitment to evidence and justice demonstrably mark him as wholly unfit to possess through the years of both Crown Officers’ terms as Bailiff – or to spell it out more poignantly CHIEF JUDGE!
240. This appalling failure even including both men Bailhache and Birt allowing Le Breton to sit on child abuse related cases. Indeed, though having ‘retired’ in 2012 after being allowed to sit on the defamation case brought by Shona and myself (I would point out that we knew none of this selective commitment to honesty and justice at the time as I shall later make clear) it really says just how little has changed in the Jersey Establishment’s attitude to child abuse that even with the Care Inquiry taking place in the Island; such is the arrogance of those at the apex of ‘the Jersey Way’ Judicial system that Le Breton was actually brought back out of retirement to sit on the February 2015 abuse case against paedophile Ian Bartlett?

241. Brought back of course under the Royal Court stewardship of none other than Sir Philip Bailhache's brother William. A man who I remind the COI equally disturbingly was described by no less than Jersey's current Lieutenant-Governor Sir John McColl as 'Having all the qualities you need to succeed' as Bailiff! Bartlett of course it emerged bullied his victim into silence. How revealing then that the Sharp Report and one of the former police officers leading the investigation show Le Breton 'bullying' victims of paedophile Andrew Jervis-Dykes into silence! The actions of a man fit to be a Jurat...
242. I repeat the question: has anything at all really changed or been learnt in regard to the attitude from those at the top of Jersey's 'justice' system in the aftermath of Haut de la Garenne? I would suggest to the Inquiry the flaunting of a demonstrably unfit – I would actually use the term demonstrably dishonest and morally bankrupt - individual like John Le Breton on Royal Court's benches says very clearly: nothing at all.
243. At this point I feel I should also draw attention to my own challenge to the now Senator Sir Philip Bailhache on his part in the above: this following our having clashed in the States Chamber after Bailhache had attacked me for raising a significant number of questions regarding the lack of checks and balances in place regarding inappropriate people becoming Jurats; and Le Breton's example in particular. The exchange took place in the States Members' coffee room so there is obviously no transcript of it; but it was witnessed. The exchange in the States itself is of course on Hansard.
244. What I feel to be the most telling part of the Senator's response to challenging him on just how he, as Bailiff, could accept someone who had – as the Sharp Report makes clear – refused to examine and consider hard evidence of child abuse before instead writing to the Victoria College Board of Governors in support of his friend and colleague paedophile Andrew Jervis-Dykes to both become and remain a Jurat is this; and I quote:

245. 'Just because Jurat Le Breton failed to pursue the right course of action once I fail to see how this could be taken as evidence that he might do so again.' I ask the COI: is this really the sort of guarantee people should expect of an individual – *any* individual – whose job it will be to decide a person's fate based on thorough, unbiased consideration of ALL evidence? I suggest not.
246. For the record of completeness Bailhache also stated to me the view – remember he was on the Victoria College Board of Governors, even chairing meetings – that: 'There was no cover up at Victoria College over the Jervis-Dykes case. Just some very naïve people.' Perhaps the COI will be able to persuade the former Bailiff and Attorney General to enlarge upon this statement. If, of course, he is able to recall it?
247. Was he himself 'naïve' or was he simply failing to do his job because he didn't want any embarrassment to his beloved Establishment? I know which my money is on. Worse in his bizarre world view this is of more import than the safety of children or than holding abusers to account?
248. I make this observation simply because I have seen media reports that in regard to the statement from the one time Head of Education, Mr Rodhouse that he was allegedly told by the then Attorney General not to go to the police as he should have done regarding the abuse of a child that Senator Bailhache claims he 'does not recall' the incident. Further still because I have had personal experience of both Bailhache and his successor Sir Michael Birt making such – I might suggest – very convenient claims on matters very relevant to the COI and the issues of abuse.
249. The one relating to Senator Philip Bailhache revolves around the now infamous and quite shameful case of the young woman known as [REDACTED] Though not involving a child as the complete betrayal of a highly vulnerable young woman by the Jersey Establishment – Judiciary, politicians and church – and one in which Senator Sir Philip Bailhache played a leading role I would suggest this is a case highly relevant to the COI in itself. For what it revolves

around is the calculated Establishment drive to transform the victim [REDACTED] into the villain of the piece.

250. Indeed, the excellent former Deputy of St. Martin Bob Hill has done much work in trying to support this victim of 'the Jersey Way' (I am proud to have also played my part in striving for the truth) so hopefully he may give evidence on the matter to the COI. All I wish to flag up in support of my own evidence and contentions is the following as it demonstrates further evidence of how this 'not recalling' is a strong theme within the Jersey Judiciary when held to account.
251. As is well documented both in Hansard and through a number of political blogs; and even the so-called mainstream media I was approached by two country parish based businessmen who were appalled and concerned to find themselves able to read highly confidential – this including police documents – regarding the [REDACTED] case whilst sitting near to Senator Philip Bailhache on an a flight. Indeed, the businessmen were able to ascertain personal and case details including the true identity of [REDACTED] and personal statements.
252. Such laxity on the part of individuals be they politicians or civil servants – even ignoring whether Bailhache should have even had such confidential documents (one of the excuses for the Chief Minister, Senator Ian Gorst refusing to act on such a serious breach was that it was claimed Senator Bailhache was not acting in an 'official capacity') – has often, as I am sure the COI will be well aware, led in similar cases in the United Kingdom to firm action being taken. Not in Jersey of course.
253. Yet all I wish to flag up in cutting a long and unpleasant saga short is that once again as the pressure mounted; with significant details being provided by myself through the businessmen this same excuse of 'not recalling' was wheeled out. It is a response which a number of observers have suggested to be a lawyer's way of sidestepping actually saying something didn't happen. Viewed alongside the incident alleged by Mr Rodhouse and one I shall outlay in a moment involving Bailhache's successor Sir Michael Birt I

suggest to the COI this sheds some very revealing light on the way Jersey's Judiciary operates when failures are exposed. They simply claim they 'do not recall' knowing full well that no-one in higher authority will hold them to account.

254. Nevertheless to return specifically to the clear and disturbing disregard for the adequate vetting of Jurats I believe the Inquiry really needs to consider not only the final, still strong but nevertheless watered down, Sharp Report into the Victoria College child abuse cover-up which I attach as **TP4** but most definitely also the SIX (6) Appendices to this. I believe this essential for the COI to begin to see just how shocking the behaviour of people like Le Breton and other Victoria College colleagues was in the Jervis-Dykes scandal: and by extension of course how indifferent to abuse and its concealment senior figures at the apex of Jersey's judicial system like the Bailhaches and Birt were and remain.
255. The Inquiry team will, however, undoubtedly be blocked in obtaining official versions of the latter just as both Senator Stuart Syvret and I myself were. Indeed, they will probably be lied to that they don't exist. To this regard I would suggest that the Inquiry team persist for the truth is the Appendices and, according to my information also the TWO earlier versions of the Sharp Report 'belong' jointly to the States Education Committee/Department – not just Victoria College. Should the usual obstruction occur and these not be forthcoming I believe it essential that Stephen Sharp be contacted directly for assistance.
256. As I touched upon earlier in my statement it should also be most revealing for the Inquiry team to note that a core group of individuals seem to appear within these child protection failings in Jersey again and again. As flagged up both Sir Philip Bailhache and former Education Committee President, Constable Iris Le Feuvre sat on the Victoria College Board of Governors during the Jervis-Dykes abuse cover-up. Bailhache, of course, and/or his younger brother William, in truth appear almost everywhere appallingly inexplicable decisions are taken. Sir Michael Birt being not far behind.

257. Even after what she will have clearly known about former Vice-Principle Le Breton's appalling failings at Victoria College such as his failure to comply with the then 1969 Children's Law (bullying victims in to silence/doing nothing about complaints of abuse) and refusing to look at evidence of Jervis-Dykes' abuse - instead writing in support of his friend and colleague the actions of former President of Education Iris Le Feuvre are simply jaw-dropping.. The actions of no less than *three* bailiffs now as of 2015 likewise.
258. Knowledge of such gems as Le Breton's contention that Jervis-Dykes had 'served the College without outstanding competence and conscientiousness'; and that if the police did not prosecute (as the College Board of Governors was hoping) Jervis-Dykes abuse could be viewed as 'unsubstantiated allegations'. Despite all of this Iris Le Feuvre would consequently still be one of the two individuals who would actually put forward John Lyndon Le Breton to become a Jurat within Jersey's highest court – the Royal Court - when he dodged a dismissal bullet by taking 'early retirement' instead of being forced to resign as his Headmaster Jack Hydes and fellow Vice-Principle Piers Baker finally had to.
259. I ask the COI to consider what this says about the Jersey Establishment's attitude to abuse, abusers and the disregard or concealment of this? Therein lies the answer to how so much horrific abuse was allowed to happen for such a long period of time.
260. Throughout Le Breton's 14+ years on the Royal Court benches as a Jurat not a single one of our three most recent Bailiffs – Sir Philip Bailhache; Sir Michael Birt or William Bailhache - challenged the appropriateness or safeness of this at any time. Indeed, when this was finally challenged in 2007 by Senator Stuart Syvret (I did not learn about this complaint until 2014); and by Shona and myself in the summer of 2012 this was first ignored by the Bailhaches and then actually defended by Sir Michael Birt.
261. As further supporting evidence of this I would refer to two incidents. Though they occurred as a consequence of the aftermath of revelations emerging

directly as a consequence of my wife and I inexplicably losing our defamation case (something I will not turn to specifically until the end of my statement) I highlight them now as it seems wholly appropriate to matters at hand here.

262. The first being a letter to us from the Bailiff I will attach as my **TP5**. I suggest it makes revealing reading generally. Yet what I believe to be most telling is both the complete disregard of Sir Michael Birt to face up to and acknowledge what our complaint says about his own failures - let alone those of the Jersey judiciary generally - in allowing John Le Breton to ever become a Jurat in the light of the clear evidence. Secondly, the inter-related issues of his excuse/justification along the lines that all he 'could say was that all who worked with Jurat Le Breton would state him to be scrupulously fair and conscientious in his work.
263. It should be noted that Sir Michael Birt felt able to write such demonstrable garbage even in the light of Le Breton having also been revealed after we had lost our case to have been entertaining a close friend and fellow Jurat who just happened to be both a director of the defendant Jersey Evening Post's owners *and* a member of the family who had founded the newspaper in the lead up to our case going to court!
264. Nevertheless, the second incident relating to the above arose from a meeting my wife and I eventually managed to secure with the Bailiff regarding all that had been revealed – thanks to concerned members of the public – after the court case. I was not allowed to record this interview. However what I feel to be so relevant to the issues at hand within this part of the statement was what was claimed by Birt at the very end. For in regard to our objections/criticisms of Le Breton having been allowed to become a Jurat let alone sit on the case of two politicians who were amongst the few who had stood up in support of the child abuse victims to Sir Michael Birt said this.
265. 'I have to say that I do not recall there ever having been *any* complaint about either Jurat Le Breton's judgement or his integrity prior to your case.'

266. As I trust the COI will have noticed information I set out above prove this to be demonstrably untrue: the then Health & Social Services Minister Senator Stuart Syvret had drawn attention to this in an email as long ago as 2007. The three men who have been the last three incumbents of the Bailiff role – Sir Philip Bailhache, his younger brother William and Sir Michael Birt himself – were all recipients of this email. An email which I now attach as my evidence **TP6**
267. Yet to return to Iris Feuvre – this Constable of St. Lawrence and one time Education Committee President - would also play a pivotal role in fronting a letter written by a senior Civil Servant at Health, one Marnie Baudains, leading to the eventual removal of Health Minister Senator Stuart Syvret in the summer of 2007 when he would not keep quiet about what was coming to light. As if this isn't damning enough Le Feuvre would also be revealed long after the event as the author of the infamous letter written to the paedophile Alan Maguire and his wife thanking them for their work and 'love' whilst overseeing the horrific abuse at the children's home at Blanche Pierre in St. Clement: some victims of whom I know the Inquiry has heard harrowing evidence from.
268. To those who try to dismiss the 'Jersey Way' as fiction and likewise contend that all in Jersey's political and 'justice' systems are as they should be I ask what could be more demonstrably perverse, more morally corrupt than writing a reference for a man known to be accused of horrific child abuse; put forward another individual evidenced as being happy to disregard evidence of horrific child abuse to become a Jurat – and yet in contrast subsequently seeking to try and help engineer the removal of a politician trying to *expose* child abuse?
269. Indeed, in regard to the abuse investigation and the crucial need the Inquiry team has to try and understand how 'the Jersey Way' allowed all of this abuse to happen as further evidence I would also draw the team's attention to Le Feuvre being quoted in the media – the Jersey Evening Post as I recall - stating how it was Philip and William Bailhache whom she apparently really

'felt sorry for'; they had allegedly 'been through so much'. Incredible, sickening, hard to comprehend sentiments but true: 'the Jersey Way' once again in all of its twisted glory. Just how many times will I get to say this I wonder?

270. But to return specifically to Shona's vote of no confidence in Sir Philip Bailhache again should any further illustration of this 'Jersey Way' and all that I have said thus far be needed; examination of the aforementioned official Hansard record of the debate – or as I indicated – the lack of one and the subsequent vote will reveal that only Shona and two other politicians out of 53 States Members were brave enough to support the vote as evidence clearly demonstrates they should have done. One of these three, of course, being the aforementioned Senator Stuart Syvret who had been removed from his position as Health Minister that same summer due to his uncompromising stance on the abuse cover up and other manifestations of the very same 'Jersey Way'..
271. I recall that listening to the debate - such as it was - I was shocked that despite the overwhelming evidence why members should have supported the no confidence motion – here was a 'First Citizen' after all who regardless of the damning Roger Holland scandal had just dismissed and insulted every child abuse victim in the Island by hijacking Liberation Day to inform the world criticism of Jersey in the international media following Haut de la Garenne was 'the real scandal' rather than the abuse - there was almost zero focus by politicians on the reason why Shona was actually making this proposition.
272. What does this say about Jersey and its 'leaders' of the time – other than to shamelessly proclaim that closing ranks and protecting those 'in the club' will always be more important than the physical, psychological or even sexual abuse of vulnerable children in the States' care?
273. Indeed, there was really no acknowledgment other from the three as to the undeniable fact that the Bailiff had effectively looked the other way and

allowed a convicted paedophile into the honorary police service; and, almost as shockingly, had let someone else – an innocent man – take the blame for this decision (see comments on Constable Bob Le Brocq earlier); and further tried to deflect from his own failings with the most lamentable of excuses. Yes, a tiny few other States Members had been ‘miffed’ over Liberation Day but that was it. When it came to standing up to be counted for the victims their silence was deafening.

274. If I ever doubted ‘the Jersey Way’ people talked about existed at that time then I can state that for me this was a real eye-opener and confirmation even if I didn’t yet understand all that underlay it. Not least to this regard being then Chief Minister Senator Frank Walker’s contention that essentially States Members should not give the vote of no confidence motion credibility by speaking in the debate. Frankly it was embarrassing; and with the benefit of hindsight can now be seen as a foretaste of what was to come. Ignore the serious issues around child protection failings; pretend they do not exist; close ranks in time-honoured ‘jersey Way’ fashion. I repeat that I include this most revealing of non-debates as evidence **TP3** as mentioned.

Selective prosecutions & sentencing – Background and child abuse examples

275. On a personal note upon reflection I do believe a lot of our own problems really started at this very point: problems which would come to a head within the legal abuses evident in our 2012 defamation hearing and subsequently being made en Désastre as a way to silence us and remove us from politics – something the Establishment were obviously unable to achieve via the ballot box. Having by necessity already highlighted the unfit-for-the-role of Jurat behaviour of John Le Breton already I will round up this particular ‘Jersey Way’ saga shedding light on the background of judicial abuse relevant to the Inquiry’s investigations right at the very end of this statement.
276. Suffice to outline at this point that the fact is the Jersey Establishment hated the JDA and those who represented the party with a vengeance right from its very inception in 2004/5; and likewise the very effrontery of some Bolshie

Left-wing peasants from the wrong side of the tracks thinking they could not only dare launch a bona fide political party to challenge the Establishment pro-finance clique who saw government has their personal fiefdom – but actually had enough support from the people to get elected. Now, of course, with this no confidence vote Shona had cranked the challenge up to a whole new level.

277. With Shona also openly and very publicly challenging a politically motivated and discriminatory election law (more detail about this illustration of judicial abuse shortly) they wished to bring in with hindsight we should have known there would be a very heavy price for such fearlessness in standing up for democracy, abuse victims, the vulnerable and disenfranchised and – put at its most fundamental - what is right.
278. Once again suffice to say that with guaranteed carte blanche from a couldn't care less Monarch, Lieutenant-Governor (Andrew Ridgeway at the time as I remember) etc the Bailhache brothers and their judicial lackeys remained free to abuse and pervert the true principles of law and order in whichever form they so wished. And abuse this they did; and in a way which I suggest is wholly relevant to the attitudes to consistent application of the law - and likewise consistent treatment for all – which the COI seeks to understand in the child abuse cover-ups.
279. For to cut a long story short and yet adequately explain: following the proposition to remove the Bailiff, both Shona and Geoff Southern (who had been the third Member to vote in favour of the no confidence vote) were to provide the exponents of 'the Jersey Way' the perfect opportunity for revenge by following through in line with their principles.
280. This arose from another 2008 debate on a proposal by the Privileges & Procedures Committee (which as alluded to had of course tried within the same batch of proposals to make it law that the JDA must give the Bailiff's Royal Court details of every one of our members) to fly in the face of best practice in every democracy in the Western world regarding the active

encouragement of registering of people for postal votes. To achieve this a 'problem' which demonstrably did not exist – and had never existed - was invented by the Establishment and its poodle PPC.

281. Specifically – and it is important to highlight this given that both the rapporteur for PPC and subsequently the Establishment media would deliberately seek to muddy the waters and confuse this with actual postal votes to mislead the public - instead making the giving of assistance to elderly or disabled constituents any candidates may encounter illegal.
282. Effectively thus meaning that these already vulnerable and disenfranchised people – the majority of whom obviously lived in some of the more economically challenged areas of St. Helier and thus could be expected to vote for candidates of the Left - would more than likely not be able to engage in their democratic right to vote in the election at all. Precisely what the Jersey Establishment wanted.
283. For as Mr Daryn Cleworth from the Parish of St. Helier – the parish with more than a third of all voters in the Island - confirmed: they simply did *not* have the manpower to fill the gap once such a new law was introduced.
284. Believing from her Human Rights background that this was illegal being in breach of the ECHR due to its disproportionate and discriminatory impact on these elderly, vulnerable and disabled residents Shona stated in a short speech that because of this she would disregard the law if passed and continue to give the help to any who needed it to register to eventually receive a postal vote. Deputy Geoff Southern (a fellow JDA Deputy) subsequently supported this stance. Come the election campaign of autumn 2008 they were subsequently both true to their word.
285. Tellingly the Article 39A law was evidently so needed and urgent that funnily enough it was not brought in for the Senatorial election in September at all - but *only* for the Deputies election which followed the month after!
286. This meant that standing for election as a Senator (these elections are traditionally dominated by Right-wing candidates due to the heavy weighting

in favour of country voters and the deterring factor for many would be working class candidates of the significant costs of a campaign) I could assist the disabled Mr X to fill out his registration form with impunity. But if returned the following month as a Deputorial candidate and did the same I could be made a criminal.

287. Oh yes – I have to say it yet again: the infamous ‘Jersey Way’ new Bailiff William Bailhache wants to ‘reclaim’ in all of its brazen glory. Again I apologise for labouring the point but this is how modern Jersey ‘works’ and crucially this is the type of deliberate abuse of ‘law’ which underpins what has been allowed to happen to so many victims of abuse. If I am hammering this point home ad infinitum then I hope the COI will understand why.
288. Nevertheless, even though it was common knowledge right from the start of the election campaign that other candidates – both sitting politicians and new candidates – were also braking the new law (Article 39A) regardless just keeping publicly quiet about it - in early 2009, just weeks after a hugely successful election for the JDA, Deputy Shona Pitman and Deputy Geoff Southern were subsequently prosecuted by then Bailiff (Chief Judge) Sir Philip Bailhache’s younger brother, William – who as I say just happened to be Attorney General (Chief Prosecutor)!
289. That is correct in case you thought you had misheard – one brother Chief Judge; the other brother Chief Prosecutor. Basically Jersey is the political/judicial reality of TV’s Hazzard County or an updated ‘rotten borough’ from Blackadder the Third. Only for many people the result isn’t very funny. I ask with all sincerity: is it any wonder my home island has problems with judicial abuse and corruption?
290. Of course on the face of it one may well say ‘well, right or wrong Article 39A was a law passed by the States Assembly and the two deliberately broke it’. I fully appreciate that sentiment and would accept it – were it not for the fact that despite being fully aware of the evidence William Bailhache pursued only selective, clearly politically motivated prosecutions: i.e. he prosecuted Shona and Southern alone yet did not do so with not just one but *two* non-JDA

candidates in the very same St. Helier No. 2 district where Shona and Southern stood!

291. The type of selective prosecution process Bailhache would again follow in child abuse cases such as the infamous Donnelly case. Of course in most cases regardless of the evidence if it suited he would not prosecute at all.
292. Indeed, not only did Attorney General – now Bailiff as of 2015 - William Bailhache pursue these selective, politically motivated prosecutions of Shona and Southern he even had the gall and arrogance to attempt to mislead – that is lie to in the real world – the States Assembly when I challenged him on this in March 2009 by denying there had been *any* other cases. As one further piece of evidence to help the Inquiry team understand how the selective justice of ‘the Jersey Way’ attitude works and; how this will clearly be seen to cross over and contaminate child abuse I refer the Inquiry to the Hansard record of 31st March 2009.
293. Indeed, I attach a very relevant page from this as my **TP7**. As the COI will see, once impossibly caught out and exposed the Attorney General William Bailhache suddenly ‘recalled’ the JDA members were not the only ones who had breached the law. More on this in a moment. Suffice to highlight for the moment it is clear that under the man who is now Bailiff the law - or its breach - is only important according to who you are.
294. Rather like as is apparent in the selective prosecutions of child abusers.
295. I will reiterate this point for it is beyond doubt so illuminative for the Inquiry to see and understand how the commitment to justice which should be so central, so integral, so crucial to any Judge or Attorney General’s work simply does not exist in Jersey when it comes to our ‘justice’ system under the consecutive stewardships of Sir Philip Bailhache, Sir Michael Birt and William Bailhache likewise. Understand this and one understands with far greater ease and perspicacity the chasm between the weasel word excuses of those at the top of the Jersey ‘justice’ system and the grim reality.

296. The fact is that in the States on that day in 2009 I held up documentary evidence of these two cases. The first was in regard to a candidate who had broken the same Article 39A law but had not been charged – but whose offence had incredibly still been initially felt sufficiently serious to have it filed against... DEPUTY GEOFF SOUTHERN himself! The witness' statement (clearly reluctantly given just as the two disabled people intimidated by the police into giving statements against Shona were) clearly stated how she 'hoped she had not got Mr X (the candidate) into trouble' by his helping her!
297. Predictably enough in best 'Jersey Way' fashion this other candidate's offence (I held this up in the States at the time) was miraculously vanished before Shona and Southern finally went to court. Nevertheless, should the Inquiry team doubt my word on this document's existence and veracity I would be most happy for them to approach Deputy Southern himself to confirm this fact. Indeed, I would like to *insist* upon it!
298. A second non-JDA candidate also breaking the same law in Shona and Southern's district yet not being prosecuted by Attorney General William Bailhache was also evidenced within transcripts arising from Shona's police interview prior to her being charged with assisting two elderly/disabled constituents to register their request to later receive a postal vote.
299. This starkly describes a male individual with a beard and a three letter name beginning with an 'R'. I would obviously not want to give away who this is as the truth is that no one should have been prosecuted for breaking this most malicious of 'laws' whatever their politics
300. While there is thus much more that I could say on this subject however for the record I will simply add that the JDA won all three seats in St. Helier No. 2. Along with Southern the other two, Shona and Debbie De Sousa, were obviously women: with Southern clean-shaven throughout his many years in the States it is readily apparent none of the three JDA candidates had beards! Indeed, there was only one candidate in the district who did.
301. Which would tend to suggest Jersey's police are either spectacularly inept; or that the decision not to prosecute what was in this instance an out and out

Establishment candidate was handed down by Bailhache deliberately; just as he had done with the first non-JDA offender mentioned in the witness statement originally falsely charged against Deputy Southern and then conveniently 'vanished'.

302. Given that a friend who is still an officer in the Jersey police confided in me that he was told by a colleague that instructions not to pursue the two non-JDA candidates I will call Mr A and Mr B allegedly did indeed apparently come direct from the Attorney General's office I would trust the Inquiry team will understand why I believe the answer to lie in the later. Once again 'the Jersey Way'.
303. To use a quotation Shona highlighted at the time – one from Martin Luther King I believe – 'an unjust law is no law at' I would add only that if a law – even one has manifestly immoral as Article 39A is – is going to be enforced by the State at all than it surely should be applied consistently to all: and as I demonstrate this clearly just did not happen.
304. This selective prosecution process by a Jersey Attorney General is highly relevant because it can also be seen again and again in police cases relating to child abuse as I mentioned.
305. Not least in the infamous 'show trail' case of James Donnelly initiated by the same William Bailhache I alluded to earlier; and also the sickening betrayal of justice that was the non-prosecution of the bogusly 'terminally ill' Blanch Pierre abuser Alan Maguire; and his non-extradition a decade later by Sir Michael Birt and Bailhache again respectively if memory serves!
306. It obviously goes without saying that – should funding to continue the Inquiry team's investigations not be suddenly terminated - I really do hope that the Inquiry will be insisting that both Sir Michael Birt and the Bailhache brothers get the opportunity to publicly invent some half-plausible excuses for their huge number of failings under firm questioning. In my opinion upon considering the evidence all three are liars when it proves necessary; their commitment to applying the law fairly and consistently – in my opinion – demonstrably wanting. Indeed in my opinion all three are unfit to hold judicial

roles. Indeed, I believe all three should have faced criminal action. I am not alone in this assessment.

307. All that really needs to be added on William Bailhache's selective and politically motivated prosecutions of Shona herself – who is also of course one of the few of us who have consistently supported the abuse victims - and Geoff Southern alone is to highlight that in another Establishment 'show trial' both obviously pleaded guilty.
308. For the record I feel that I should also state here that Shona herself desperately wished to refuse to pay the fine, so unjust were both the Article 39A 'law' itself and the selective, politically motivated way in which prosecutions were pursued, and opt to serve two months in prison. It was me who pressured her not to go down this route for concern out of possible 'knock on' implications such as negative impact on our subsequent ability to travel: one only has to look at what would happen to U.S. journalist Leah McGrath Goodman after her 'flagging up' by Jersey due to her investigating haut de la Garenne to see how valid my concerns were. Nevertheless, I was wrong and I regret it deeply.
309. Nevertheless, amidst much hot air about how the Royal Court would 'not tolerate' candidates breaking election law (well, unless they were non-JDA or Establishment candidates obviously!) Shona and Southern both ended up with criminal records and large fines which gave the Establishment media, particularly the Jersey Evening Post the opportunity to go into overdrive with a similarly selective version of what really happened; including one of its favourite ploys: the publishing of critical letters from people who did not exist.
310. Once again this is very revealing because in the case of the Jersey Evening Post the journalist who is now the paper's editor had access to the full facts and supporting documents proving just how selective William Bailhache's prosecutions were yet did not make use of them. The Jersey public – and remember (though such sales figures have dramatically plummeted now – at the time the newspaper was claiming that around 75% of all adults read the

paper) I can say the above about the newspaper having all of this evidence of selective prosecution yet not publishing it with such confidence for one reason: it was me who actually provided this apparent investigative journalist and now newspaper editor Mr Andy Sibcy with them.

311. Oddly the Commissioner spouting this hypocrisy about the Royal Court 'not tolerating' candidates breaking Article 39A in best 'Jersey Way' fashion, one Julian Clyde-Smith also somehow forgot to make any mention in all of this of how his own brother and sister-in-law had both been amongst the proposers for a bearded – and frankly woefully inept - candidate who first complained about alleged breaches of Article 39A having finished a dismal fourth after bragging he would top the poll: a candidate who of course obviously stood to gain the most if the validity of the election could be sufficiently undermined. Not the most blatant instance (by Jersey's appalling standards) of where a judicial recusal should have taken place it is true; but one which would be seen to be indicative of an ever-more brazen abuse over the years which followed.
312. Interestingly, in a case arising years before when the then Establishment Constable of St. Peter was proven to have concealed constituents' completed ballots in his pockets ultimately causing a fractiously close Deputies' election there to be ruled null and void the Bailiff and Attorney General of the day declared that any prosecution of the Constable was 'not in the public interest'!
313. Nor apparently was any type of investigation! The court records I tracked down prove this. Once again further evidence of how the Royal Court and 'justice' is manipulated according to who a person is; and has been so for decades if not centuries. Indeed, the Bailiff of the day actually spoke of what a great friend the Constable he was letting off was. Should I say 'the Jersey Way' again at this point? I'm sure that I should.
314. As an end note to this example the fact is that after Shona and Geoff Southern's prosecution there remained, to my personal knowledge through

either admittance from the individuals or contact from members of the public, at least five successfully elected politicians who had all breached exactly the same article of law.

315. Add in the three non-successful candidates who I am aware of doing the same and I think little more needs to be said about the selective nature of prosecutions pursued by then Jersey Attorney General William Bailhache here. Of course I stress again not a single one of these should have been prosecuted because the Article 39A was as ethically wrong as it was discriminatory. I flag these numbers up only to illustrate the point about selective prosecution.
316. To repeat my earlier comment outlaying the above case is very relevant because it bears witness to the reality that 'justice' in Jersey is entirely arbitrary and dependant on whom you are – not what you might have done. As I also keep saying setting this out is crucial I believe to assist the Inquiry team to understand how this 'Jersey Way' approach and attitude has been applied within the many child abuse scandals being investigated.
317. The Attorney General is the ultimate arbiter in terms of who is prosecuted in Jersey. The office of the Attorney General also cannot, as I understand it, be easily 'judicially reviewed' in any way open to those falling victim to the various incumbent's often inexplicable (in legal perspective) decisions. All very handy and contributing to the continuing abusive mess in which Jersey finds its self.
318. In a nutshell like others who have felt compelled to fight for the victims of Haut de la Garenne and other institutions I believe the truth is that the Jersey Attorney General picks and chooses prosecutions according to whether or not the alleged offender has any desirable/beneficial connections – even friendships - to the Establishment; or a prosecution be highly awkward, damaging or embarrassing.

319. Or whether they might on the other hand instead fall into the category of being outside of the fold so to speak; or even be seen as an out and out opponent or enemy of the established order - in which case a damaging prosecution might be very useful. It seems to me that on the evidence one's fate will revolve around this. The seriousness of the actual 'crime' does not really enter into it.
320. Of course our esteemed Crown Officers will deny it but the evidence speaks for itself as I will demonstrate.

Examples of selective prosecution and sentencing in child abuse cases

321. I would stress that this selective prosecution issue is also intrinsically linked to that of the staggering inconsistency in terms of the sentencing of abuse offenders – or of not even prosecuting them at all.. Something which is obviously of key interest to the COI and the core reason alongside illustrating 'the Jersey Way' why I bring this up in response to my questioning.
322. One example I will give which appears seriously out of kilter with the norm is that of the convicted abuser James Claude Donnelly.
323. Donnelly was convicted in 2009 of abuse offences arising primarily from a long-term sexual relationship with an underage young girl [REDACTED]
[REDACTED]
[REDACTED] This later fact of course in no way lessens the seriousness of Donnelly's actions. The first key point I wish to make, however, is that Donnelly received a custodial sentence of 15 years. At the time of first being interviewed for this witness statement this sentence was, as far as I can recollect, then the longest handed out for sexual offences since the infamous 'Beast of Jersey' case back in 1971.
324. Of course, since then in February 2015 with the Inquiry team on Island another paedophile, one Ian Bartlett was suddenly sentenced to 'life' by new Bailiff William Bailhache and a group of Jurats. I would suggest to the Inquiry

team that regardless of Bartlett's evidently horrendous rape and abuse over many years this length of sentence would not have been handed out had the Inquiry been done and dusted. This view is of course something wholly unprovable: but is based upon the inconsistencies over a number of years I highlight here. Like many I see the return to sentencing severity as wholly designed to portray the Jersey judiciary as being 'tough' on serious child abuse offenders when the evidence arising out of Haut de la Garenne and Operation Rectangle etc proves the exact opposite. The more likely scenario is that once the Inquiry is long forgotten Bartlett will just serve the apparent minimum of ten years stated.

325. An intriguing footnote to the Bartlett trial is also the fact that – to the horror of many who know the background - disgraced former Victoria College Vice-Principle/Deputy Head in the Jervis-Dykes child abuse case, and proven disregard of evidence of child abuse etc, Jurat John Le Breton was brought out of mothballs (he 'retired' in 20012 the Inquiry will recall) to sit and judge on 'fact'. Once again I suggest: how much more needs to be said about the lack of integrity and professionalism within our Bailiff's 'justice' system? A man exposed as happy to disregard evidence of child abuse – even bullying abuse victims into silence according to the police officer investigating Jervis-Dykes reign of abuse – brought back by William Bailhache to sit in judgment on another paedophile!
326. In another aspect of what this case illustrates, and though not wishing to digress too much, I believe it should also be very revealing to the Inquiry team that it consider how despite three other examples of Bartlett's paedophile activities in the 1980s and 1990s each and every one of these had previously been 'dealt with' at Parish Hall inquiry level and had gone no further. Another aspect of 'the Jersey Way' to be sure; for in reality such wholly inappropriate use of the Parish Hall inquiry system has regularly meant that the accused – regardless of the offence – will get off lightly if he or she happens to be from a well-respected family in the parish.

327. If you happened to be from outside of the fold, had a record or just happened to be a bit Bolshie the exact opposite was likely and a person may well end up in court. (Though the parish inquiry system has some genuine merits for minor offences this favouritism issue has always been a problem). The Bartlett case proves the former spectacularly and says so much about the Jersey Establishment's true attitude to child abuse and really should be examined by the Inquiry team.
328. The fact of the matter is however that in the Claude Donnelly child abuse case – which for all of its indisputable wrongness appears to have seen none of the violent sexual abuse and evil intimidation starkly evident in Bartlett's offences – throws up a number of deeply disturbing questions.
329. As alluded to the first clearly apparent matter here lies within the way the Jersey Establishment has sought to portray the heavy sentence as demonstrative of their being 'hard' on abuse arising from the Haut de la Garenne scandal. Indeed, it is to this day regularly portrayed by the Jersey media as one of 'seven' cases arising from this. The fact is, of course, that in reality Donnelly's offences had nothing to do with Haut de la Garenne whatsoever.
330. This was done beyond a shadow of a doubt to muddy the waters and deflect from the lack of judicial action by Attorney General William Bailhache elsewhere – indeed his record is shocking - and the truth that the number of convictions, and crucially even prosecutions, arising once Lenny Harper had retired and Graham Power had been shafted by a politician many have described as no more than an Establishment 'glove-puppet'; a wannabe but nevertheless 'five-minute' Home Affairs Minister, Deputy Andrew Lewis' citing of 'damning' evidence within the Interim Metropolitan Police Report that in truth he had never seen because said 'damning evidence' did not exist were almost non-existent.
331. The Donnelly case gave the Establishment the opportunity to spin themselves as being tough and decisive with an eye-opening (by Jersey

standards) sentence. And they have just repeated for the benefit of the Inquiry with the Bartlett case. I repeat: just how tough Jersey's Establishment really are can be seen both in the previous non-action following Bartlett's earlier offences and the figures I refer to next.

332. I ask the Inquiry to consider. Given the original number of alleged victims coming forward – I believe this to be 192 with 151 alleged suspects; 121 of these still being alive – even given the established reality that such high profile cases will always see a small percentage of people who were not victims at all but perhaps drawn by the possibility of compensation: the number of convictions and even more tellingly prosecutions was absurdly tiny.

333. As the Inquiry team will no doubt already be well aware this has caused serious disquiet to many of the victims and groups such as the Jersey Care Leavers. Indeed, the Jersey media still mislead the public to this day that there have been 7 convictions related to Haut de la Garenne; when the truth is there have been only 4. This lack of prosecutions by Attorney General William Bailhache desperately needs investigation. And I repeat the view that he must be made to answer for it in public and without being treated with 'kid gloves' either.

334. The second issue here is that the Establishment were, as I say, deeply worried about who Donnelly's victim was: not least about what implications there could be media-wise if she went public. Again this should be of key significance to the Inquiry in examining the true, wholly selective judicial attitude to child abuse by those controlling our Judicial system. I am conscious that I must be very careful here in how I pick my words – because the victim in the Donnelly case does happen to be [REDACTED]

[REDACTED]

[REDACTED] I also acknowledge that I obviously know the victim myself.

335. Indeed, I think that is all the description which I can safely give without revealing the lady's identity: not that a great many people do not already know because they do. I nevertheless have every sympathy for the victim. This must not stop me from saying however that it is widely agreed that had the victim been [REDACTED] the sentence would have – rightly or wrongly - been nothing like the 15 years handed down. The matters I refer to below explain why.
336. I further state that this misuse of sentencing principles and the judicial guidelines simply cannot be acceptable or in line with the European Convention on Human Rights. For as I will outline – and without any intent to underplay the undoubted seriousness of the Donnelly case – examples of far worse, manipulative and even multiple victim abuse has seen the Jersey court hand out sentencing lenient in the extreme, As chance would have it one of the most glaring examples was in a case I have mentioned already: that of Andrew Jervis-Dykes.
337. Yet first of all there is even more problems with the Donnelly prosecution itself and one which goes right to the very heart of what I say about the arbitrary nature of prosecutions and sentencing under the Jersey judiciary of Bailiffs and Attorney Generals. Though most do not know it Donnelly was only one alleged abuser of the victim amongst several: in fact one of 5 according to paperwork that I have seen. Perhaps there were even more? Yet only Donnelly was prosecuted by William Bailhache and this despite compelling evidence from witnesses outlined within material I have seen also being available to the Attorney General that at least two others definitely should have also faced trial; quite possibly even more.
338. Disturbingly however it appears much of this evidence was never put before the court at all for some reason; although that related to an individual I mention below did come out during the trial – even though William Bailhache inexplicably – at least if we did not know of 'the Jersey Way' - did not prosecute him.

339. This most telling of evidence to this regard actually heard publicly in the Royal Court was from both the abuse victim herself *and* the eventually convicted James Claude Donnelly himself: evidence in which both effectively corroborated that of the other. In essence this was the allegation that another man named in the court as the well connected to the Establishment, [REDACTED] [REDACTED] had been sexually abusing the underage victim in a parked car at the SAME TIME as Claude Donnelly on one occasion. [REDACTED]
340. All who heard it who I have encountered were shocked that given the testimony of both Donnelly and the victim this other individual had somehow not been prosecuted. Indeed, not only was I approached by a member of the public asking me what could be done about this clear inconsistency; I was also subsequently approached by the wife of Claude Donnelly himself - who obviously bares no responsibility for his actions - with regard to her concerns about many aspects of her husband's court process.
341. Whilst I cannot agree with a number of her other contentions I nevertheless must agree with her own concerns about the lack of consistency within both the sentence handed out to her husband set against others; and the fact that at least one and probably two of the other individuals named within the case files were not at least charged by Attorney General William Bailhache given the quality and nature of the evidence.
342. Within the Inquiry's Terms of Reference the issue of whether prosecution and sentencing in cases was as it should be and without inappropriate influence if I may put it that way. I would suggest that what is evident in the Donnelly case demands the most stringent of investigation; and the public questioning of William Bailhache. Unfortunately even in the light of quite blatantly disquieting non-prosecutions as this Attorney General's like Bailhache and his predecessors can hide behind the 'not being able to discuss individual cases' response. And there is no genuine hope of challenging this through

the claimed 'checks and balances' within the Jersey system regardless of what is stated by its apologists.

343. No pun intended but this effectively being a judicial 'get out of jail free' card; and a scam on a par with the excuse/defence used by Jersey's Lieutenant-Governor that 'the UK cannot intervene in 'individual' cases.
344. Just to make my position clear on the above case however: whilst it may be that *all such* serious, long-term and/or violent abuse cases merit sentences of 15 years it is surely inarguable that the type of bizarre inconsistency I highlight cannot be plausible or acceptable at all: justice and its severity or otherwise should rest upon who a person happens to be; or how well they are connected.
345. To the above regard I actually asked a number of States questions on the subject and even met privately with Bailhache's successor as Attorney General, Tim Le Cocq to discuss this. I must state that I was not at all convinced by the explanations/excuses given by Le Cocq in defence of a man who it must be acknowledged was actually his long-term boss; and actually believe that the anomalies – further examples of 'the Jersey Way' in my view - are such that the case should be re-opened.
346. To give an example the new Attorney General's answer to me that his predecessor William Bailhache must have 'found some disparity' causing him to disregard the corroborating evidence of the victim and Donnelly about the alleged joint sexual abuse of her involving Donnelly and [REDACTED] in a car simply does not stack up. Indeed, while wholly supporting the ethos that everyone is innocent until proven guilty: and adding that not being present when what both the abuse victim and the sole abuser convicted jointly state *did* happen I can form an opinion only on the evidence offered.
347. There was even further disturbing anomalies evident within the paperwork relating to the Donnelly case which I have been given access to. Not least amongst this was a statement from the victim's own brother about another individual he states he personally saw engaged in sexual activity with his

underage sister but who was, once again, not ever prosecuted by William Bailhache for any readily apparent reason. I believe this individual's surname was [REDACTED]

348. As for Mr Donnelly himself I know that his wife appealed directly to the Lieutenant-Governor regarding many of the troubling discrepancies evident in Bailhache's handling of this case I highlight above; including that much evidence of the wider picture involving others apart from Donnelly was not even presented. Equally disturbing being the claim that a signature used on a statement alleged to be Donnelly's was a forgery. Indeed, that the Royal Court had prevented Mrs Donnelly's lawyers from having independent analysis of this carried out!
349. Rather predictably Mrs Donnelly told me that the Lieutenant-Governor did absolutely nothing. Perhaps not surprising in fact because as I have highlighted already: upon Bailhache's January 2015 appointment to become Bailiff and Chief Judge (not to mention unelected 'First Citizen') the same Lieutenant-Governor described Bailhache as having 'all the qualities necessary to succeed'. I make no apologies for repeating this fact: it is quite frankly as damning as it is incredible. Jersey's Lieutenant-Governor is also revealed as being untroubled about the disregard of evidence of child abuse/the bullying of abuse victims by individuals subsequently allowed by Jersey Bailiffs to sit as Jurats.
350. But 'succeed' at exactly what I suggest we can only wonder? My guess, like that of many who have also done the right thing and fought for justice for the victims of abuse at institutions like Haut de la Garenne, is to 'succeed' at maintaining the 'Jersey Way' the UK authorities – be they Monarch, Ministry of Justice or Privy Council fully condone.
351. Mrs Donnelly has told me that she is giving evidence to the Inquiry herself and her having approached me I state for the record that I suggested she do this. Not least because it is quite apparent that there is no one in Jersey willing to look at the issues above from a neutral position: and thus such

clearly unsafe prosecutorial decisions remain unchallengeable in any independent forum. Should any of these matters I briefly set out need clarifying I would state that I hope that the team will seek to do this with her.

352. My **Exhibit TP8** includes examples of the questions I asked in the States in relation to the prosecution of Claude Donnelly and the failure to bring charges against other persons named by Donnelly's victim. I can obviously not provide any transcripts of the private meeting on the subject with Attorney General Le Cocq.
353. In essence it appears that whilst Donnelly most definitely did deserve to be prosecuted his evidently not being 'one of the boys' ensured that whilst he would be prosecuted and made an example of by facing trial undeniably 'better connected' individuals also facing equally damning evidence would not. I repeat: as Attorney General and Bailiff (Chief Judge) respectively throughout this prosecution William and Sir Philip Bailhache should both face serious questioning over what was to play out under their judicial stewardship of this case through the Jersey 'justice' system.
354. And therein lies the key problem I suggest once again: the likes of the Bailhache brothers and Sir Michael Birt etc have thus far been able to avoid any in depth scrutiny and questioning of their records on such matters. Records that it must be said are appallingly inconsistent and in many ways wholly inexplicable.
355. I repeat: attempting to hold such Crown Officer to account as a States Member is all but impossible: the 'get out of jail' card played under such questioning is always the aforementioned one that they can't discuss 'individual' cases. I suggest that if one thinks back to the question put to Shona and me in 2008 as to 'who actually monitors these people?' the core problem becomes clear; as does why the 'Jersey Way' as outlined rolls on and on.

356. Much to the disappointment of many who know the truth about the allegations made about [REDACTED] during the Donnelly trial [REDACTED] suddenly died in [REDACTED] 2015. The feeling voiced by a number of people to my knowledge being that now – just as in the case of UK figures like [REDACTED] [REDACTED] – it would now be all the harder to get the truth of what underlay the selective nature of the Donnelly prosecution but not another accused with compelling, corroborated evidence out into the open at last.

357. For the record and absolute clarity as a footnote to the above I feel that I should state that as chance would have it, at around the time of our losing our court case for defamation my wife came to have a financial dispute with [REDACTED]. In short this arose because, at a time when our financial resources were obviously under huge pressure, we discovered that whilst [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

358. This was eventually resolved but what should be stated being highly relevant to what I have set out above in regard to allegations made against [REDACTED] [REDACTED] in the Donnelly trial is that [REDACTED] emailed my political website to offer that if I would put in writing that I would never mention his name on my blog (I never had) he would drop all claim for his alleged legal costs – several thousand pounds or so he claimed. I obviously declined as we viewed such an offer as what I can only describe as an attempt at a bribe. As politicians of principle and integrity we simply would not ever even consider such an offer no matter how difficult our financial situation had become as a consequence of a demonstrably non ECHR Article Six compliant trial in Sir Michael Birt's Royal Court. For the record I still have [REDACTED] email to this day.

359. Having clarified the above to return to the matter of selective and inconsistent application of the law by those at the apex of Jersey's Judicial system upon reflection I think it useful to further illustrate these concerns and my contentions regarding 'the Jersey Way' and inconsistency of both

prosecutions and sentencing here by direct comparison with the aforementioned Victoria College child abuse scandal once again; and in particular the sentencing of their predatory paedophile Head of Maths, Andrew Jervis-Dykes. For the fact is that I believe this one case says almost everything about the impact and workings of 'the Jersey Way'.

360. The aforesaid James Claude Donnelly is, I believe, the only pensioner serving time at H.M. La Moye Prison; being as I recall 69 at the time of conviction. He was, as previously mentioned, sentenced to 15 years. He will serve at least 10 years. Quite possibly rightly so - or possibly not?
361. In stark contrast however Andrew Jervis-Dykes received just 4 years for abusing multiple school boy victims who he took out on deliberately manipulated off-island boat trips over a number of years and plied with alcohol prior to abusing them. Some of this abuse he would actually video: (video of the sort of course his colleague John Le Breton would refuse to examine/consider as evidence prior to being put forward to become a Jurat).
362. Indeed, I don't think it can be overstressed here how important it to appreciate when considering just how inconsistent Jersey sentences are – never mind said staggering fact that a teacher who refused to examine such abuse evidence having been asked to familiarise himself with it prior of course to instead writing glowingly in support of the pervert was then put forward and accepted as a Jurat – that the young boys being filmed suffered such traumatic abuse as being masturbated and/or having oral sex performed on them once they were unable to defend themselves!
363. Yet in spite of this calculated and long-running abuse – years and years of it - Jervis-Dykes as I recall was apparently even out of prison in less than 3 years! The Jersey Establishment including both senior political and judicial figures also tried, as I have highlighted, to keep this whole Victoria College-based scandal (it being the private school attended by every one of the three most recent Bailiffs and so many of Jersey's other traditional 'elites') under

wraps for many years; and indeed were successful for a significant period: more than a decade in fact.

364. It is also beyond question that the Head Master, Jack Hydes and the two Vice-principles – Piers Baker and aforementioned ‘Jurat’ John Le Breton should also have faced prosecution for their part in the child protection failings which were eventually revealed at the College. Former Senator Stuart Syvret, who of course deserves so much political credit for getting the abuse cover-ups made public, has made the above point many times and he is absolutely correct.
365. It is equally revealing – and should be highlighted here whilst I think of it that when the effluent finally hit the fan on the surface both Hydes and Baker finally ‘resigned’, whilst Le Breton managed to dodge the said bullet by initially taking ‘early retirement’ – apparently so it was alleged to me by an insider on contrived [REDACTED]
366. The fact of the matter in best ‘Jersey Way’ fashion is however that in the aftermath all three men were looked after by the Jersey Establishment. Le Breton was as I have outlined put forward to be a prestigious Jurat. Baker on the other hand was given a well-paid States job at Harbours. Headmaster Hydes himself despite his having had to resign in shame, eventually ended up – my source for this came from within Education and Human Resources – with a huge financial package including all of his pension rights!
367. The contrast between not just the sentencing but the whole handling and portrayal of the two cases of James Claude Donnelly and Andrew Jervis-Dykes could not be more damning. Indeed, the chasm between the later 2015 sentence of Ian Bartlett and Andrew Jervis-Dykes – the evil of the pair surely being well matched - could also not be more illustrative of ‘the Jersey Way’ mentality and approach to justice which I talk about. As the Inquiry will obviously be fully aware there are guidelines for sentencing lengths. In Jersey however under successive Bailiff stewardships one would have to say such things are clearly seen as irrelevant.

368. I have asked so many questions about selective prosecutions and have never received a satisfactory response. In fact, what was not said has been more revealing. I was so concerned about the flaws in the justice system and the lack of accountability of those in power in Jersey that I made a speech to the States on 25th September 2013. I attach a copy of this speech as my **Exhibit TP9**. This speech has been both lauded (including by victims of abuse) for its portrayal of the true 'Jersey Way' staining our island's reputation; and equally as a deeply offensive and upsetting one which – to its critiques – I should apparently not have made. All I would say was that it was a speech that was off the cuff, without any notes or planning; but one which simply had to be made 'for the record'. I certainly make no apology for it. I also stand by every word. Of course, I would be forced out of the States just three months later...
369. It is probably were recording here that as well as victims such as [REDACTED] and even one of Jervis-Dykes' to highlight just two contacting me to laud the truth of the speech; another who did so immediately afterward – much to my surprise I must say - was Senator Lyndon Farnham, the Assistant Home Affairs Minister at the time. It was 'good that Members like me were brave enough to say such things and make the Assembly feel uncomfortable' so he said: fine if only people like him would then use their positions to actually do something about what has gone on and continues to go on to this day. But they do not.
370. There is obviously much more that could be said about this aspect of the insidious 'Jersey Way' influence on who and who does not get prosecuted with regard to child abuse allegations and other types of cases. I believe the tiny handful of examples I have picked out demonstrate the reality of the problem beyond any doubt. The same can demonstrably be said with regard to sentencing as well. Indeed, upon reflection there is another example relating to this which arises out of the selective application of Jersey's comparatively new Data Protection Law.

371. However, if the Inquiry team do not mind I will leave this for a later section where I need to talk about the treatment of former Senator Stuart Syvret. In conjunction with a necessary, starkly contrasting example involving another then States Deputy, Sean Power who has since been voted out of office by the public in the 2014 election both have direct links to the Haut de la Garenne saga and 'the Jersey Way' selective attitude to how issues are dealt with.
372. For now, however, I would like to move on to my experiences as a States Member in regard to the Haut de la Garenne scandal itself; and generally in confronting this within the States. Following on from this in particular my eventual Chairing of the Scrutiny review into the Financial Management of Operation Rectangle and much beyond.

HDLG and related experiences in confronting this within the States Assembly

373. I must concede that I am one of only a handful of Deputies who has raised a lot of controversial questions on the floor of the States Assembly and deliberately so. I make no apologies for this or for the tense atmosphere such actions helped create; similarly for any headlines/news reports both local and international which resulted. These questions simply needed to be asked; the challenges needed to be made. I obviously believe such issues must be challenged and openly – not swept under the carpet or dealt with over a glass of cognac somewhere behind closed doors within the shadowy corridors of power. Indeed, no after Statesittings meetings at the Grand Hotel's Champagne Lounge for me.
374. Although the Establishment and their lackey media nearly always portrayed any such criticism as about political sides – Left against Right/anti-Establishment against Establishment – my view is that this was just a distraction: there is surely only one 'side' to be on through all of this and that is on the 'side' of justice, accountability and the victims. I am thus proud of my record in standing up as I have. The vast majority of States Members throughout my two terms in the Assembly – including those who delude

themselves that their silence was being 'neutral' can in my view only be seen as on the side of the abusers and the cover-up merchants.

375. What is actually shameful is that when one looks back there have actually been so very few of us willing to do so. It is true that after my election in 2008 things did appear to be more promising for a positive change in Jersey's political direction than for many years: the Progressive Left and Green politics were more widely represented than for many years. The Establishment certainly felt this and hated it: finally there was not just one or two but a contingent of States Members seeking to hold them to account.
376. It must also be said right away that without the efforts of such people as Stuart Syvret, Mike Higgins, Daniel Wimberley, Montfort Tadier, Bob Hill, Shona Pitman and myself the child abuse Inquiry for which I am giving this statement certainly never would have come to be. Certainly it was necessary to get one of the Establishment's 'own' to bring the final proposition - Senator Francis Le Gresley - as it never would have gotten through brought by any one of named above. But this should not distract from the fact that it is those named above who deserve the real credit – States Assembly wise - for us being where we are today with an Inquiry. The above fact likely shows only too well how petty and 'them' and 'us' Jersey's much-spun 'consensual' really is. A few other members did ask questions from time to time it must be stated: but it is the above named who kept the pressure on and took the resultant flak.
377. I suppose where we are at last today should be seen as a victory as many members of the public still say to me, given the tooth and claw opposition we had to wade through from the Establishment; and' indeed, the lies, misrepresentations and smears thrown at us for doing so through the likes of the Jersey Evening Post and both TV stations at regular intervals.
378. I must nevertheless confess it often does not feel like a victory yet. Without any holding to account, public shaming etc those who let the abuse happen, covered it up and/or destroyed records and evidence will still be getting away

with it all of these years later. For the victims then the Inquiry is their last hope.

379. The fact is after my 2008 election we were asking a lot of difficult and very well researched questions on the floor because in reality it was the only chance that we had to hold people to account due to the way Jersey politics worked - or more accurately *doesn't work!* People were even being named in some cases under Parliamentary Privilege; though intriguingly enough a proposition was brought to have any names mentioned eradicated from the public Hansard record as if this had never happened. This is of course entirely different to the case at Westminster and certainly goes against the principle of what Parliamentary Privilege was constructed for.
380. In case I should forget later it is very important here to mention the part Citizens' Media 'bloggers' like Rico Sorda and Neil McMurray played: such people undertaking real investigative journalism and digging for the truth which puts Jersey's mainstream media to shame. Their support was often very important in pushing for answers in the States. Indeed – again while I think of it – even a Citizens' Media site like the deliberately titled 'Jersey Way' deserves a mention of credit: the individual behind this putting up States' questions and answers on such controversial topics when the public could not hear them anywhere else unless they had listened live.
381. At each States session, it was possible to ask five written questions and two oral questions. The Ministers would receive one week's notice for written questions and five days' notice for the oral questions. As well as the questions with notice, all Ministers would have to answer questions without notice on a rota basis: two being up for these questions during each States Sitting. Mike, Daniel, Bob and I in particular would use this opportunity to ask hard-hitting questions on both Haut de la Garenne and the politically motivated suspension of Chief of Police Graham Power etc regularly.

382. The point being to keep chipping away for the truth – and let the Establishment, both political and judicial, know we were not going to let the issues be kicked into the long grass due to so many non-answers.
383. The Bailiff, who is of course not an elected member of the States ,and is thus without any mandate whatsoever from the Jersey public nevertheless had the power to decide which questions could and could not be asked by elected States Members such as myself. The Bailiff is, of course, nothing more than a Judge who in reality should have no place whatsoever in a government Assembly.
384. Most ludicrous of all, of course, this power of veto even extended to questions directly relating to his own actions! If ever the Inquiry should be tempted to think there is no problem with the UK allowing Jersey to sidestep a true separation of powers I suggest they need look no further than this!
385. Furthermore, if something was said during the session that the Bailiff did not like a follow-up question could be ruled ‘out of order’. Often this had no relation to the Standing Orders meant to govern such matters and protect the questioner. Proposers of questions that revolved around corruption and any kind of challenge to the Jersey judiciary regularly found themselves with far less time than mundane questions on public drains, fishery protection and the like. Members with their red light on wanting to speak would somehow not be seen. I repeat: this was often done for no justifiable reason other than that Sir Michael Birt or one of the Bailhache brothers did not like it.
386. Frankly the Speaker’s role of controlling questions and debates was always much more professional and certainly less politically prejudiced whenever the States Greffier was deputizing as he occasionally had to do.
387. The Crown Officers could – and did – interpret Standing Orders any way they saw fit. The ongoing truth of this has actually been seen in stunning fashion only shortly before my final signing off of this statement with Deputy Montfort Tadier having been ejected from a States Sitting on William Bailhache’s order

following a perfectly legitimate political point mentioning Jesus. Similarly If someone who, in Westminster for example, would quite rightly be named by one of us for some reason, then Jersey's newly warped-by-the-Establishment version of Parliamentary Privilege mentioned above would be used and the name would be airbrushed out of history by tampering with the Hansard transcripts.

388. Naming someone is never going to be something that anyone would take lightly – the record shows it has certainly not been abused – yet the rules were changed anyway; this only being made possible with the support of the large number of States Members who pretty much did and said absolutely nothing – at least until another election was on the horizon.
389. It is obviously ridiculous that a Bailiff – an unelected Judge as I say - should have this power but that is another aspect of 'the Jersey Way' and how the Establishment both stifle challenge and debate and thus retain the status quo; never mind protect the guilty. I suggest it is nevertheless very relevant to the Inquiry in attempting to understand how many of the things that have happened came to pass.
390. As should be apparent from what I have already said – along with others - I believe that the Bailiffs and Deputy Bailiffs throughout my time in the States have serious questions to answer in relation to their own conduct relating to the many facets of the child abuse scandal and beyond. Yet they, of course, could not be questioned or held to account other than via a vote of no confidence as in the one highlighted brought by Shona in 2008 before I entered politics.
391. Due to the Establishment majority this would have been something a Bailiff would always survive anyway no matter how wrong they were. Truth be told, however, it is also undoubtedly a fact that throughout my time in the States the number of politicians brave enough to do what Shona did is miniscule: probably no more than three or four throughout two Assemblies of fifty-plus.

392. In an attempt to avoid difficult, controversial questions being prohibited by the Bailiff in advance – when they did this they would also always leave it late so that you did not have time to submit another - the tactic we used was to lead in with a fairly innocuous question to get the Ministers talking and then use our second question to ask what we really wanted to know the answer to. More often than not, of course, we would be fairly sure of the real answer already. The process was used to drag out information into the public arena which would otherwise never see the light of day due to lack of an independent or in any way brave mainstream media.
393. The apparent fact that those handful of us fighting for justice and the truth about Haut de la Garenne; and regularly the truth about the politically motivated and in my view illegal suspension of Chief of Police Graham Power would not let an issue go would attract regular criticism but we felt that we had a duty to keep on asking the same questions – even in slightly different forms - until we got a satisfactory answer.
394. Questions on the eventual serial suspension of Graham Power were almost always met with us being fobbed off with how these matters really could not be discussed due to the various actions and inquiries going on. I have no doubt however that the intention right from the start was to suspend Power until his contract was up; and this is in reality what happened.
395. I vividly recall what I and others found very disturbing when the then Home Affairs Minister Senator Ian Le Marquand stated that he wanted to bring the police ‘back under political control’. The police are surely *not* meant to be under ‘political control’ to a degree that allows their work, investigations and wish to prosecute to be curtailed.
396. This point came to mind again when I was one of three Scrutiny members who met privately – it was not an official or public session – the eventual successor to Power following the David Warcup debacle. In the course of our questioning new Chief of Police Bowron’s comment that he could and would police in ‘whatever way’ the Council of Ministers wanted - ‘softly softly or hard

and crunchy' were terms he also used – sent alarm bells ringing. Once again I found myself thinking: surely you should be policing in whatever way *you* see fit as the professional in charge?

397. I should point out here that I did actually ask Bowron about this that same day and my concerns about doing what the Establishment – the Council of Ministers wanted policing wise. The response was that 'Your Council of Ministers, your Establishment *are* the government, aren't they?' In fairness due to the complete botch of Jersey's cherry-picked version of 'ministerial' government this may technically be true.
398. Yet I still maintain adopting such a sentiment in approaching policing – especially in the light of Power and Harper being crucified because they would *not* bow to Establishment pressure in carrying out their work – was disquieting to say the least. I would have to say that in the years since I have seen nothing to convince me my concerns were without foundation. But I will return to the police a little later.
399. Right from the beginning upon my entering politics the Ministers under questioning, and similarly the Attorney General, were notorious for stonewalling or answering every question but the one you had actually put. Of course to be fair in some cases you would not get a coherent or intelligible answer because the Minister in question just did not know what he or she was talking about anyway..
400. This was actually a sizable problem because with the best will in the world, outside of what my colleague Deputy Mike Higgins tagged the 'Kitchen Cabinet' (the inner circle of four or five), many Ministries – and almost all Assistant Ministerial posts - would be handed over to head-nodding politicians who appeared so thick you would wonder how they found their way home without their name and address sewn into the back of their coats. It really was *that* bad. Indeed, since ministerial government it has become a key aspect of 'the Jersey Way'.

401. I nevertheless attach as my **Exhibit TP10** as an example of questions that I have raised in the States during the period 21 September 2009 to 15 July 2013. A key theme which I should add quickly become apparent once in the States is that when you ask questions, it is made quite clear that it is really not your place to question those in power. As I explained earlier this takes a number of different forms quite separate from the tone and nature of the (non) answers given.
402. To enlarge upon this even further it eventually became quite clear that - like my colleagues highlighted - answers to many of my and our questions would *never* be forthcoming. The reason was obvious: the true answers could/would be implicating and thus damning. Indeed, such sessions were regularly like the famous Jeremy Paxman TV interview when he had to repeat the same question around 30 times. Frankly, farcical. One would complain to the Bailiff or Deputy Bailiff but regularly the answer would be: 'the Minister/AG can answer the question as he sees fit'.
403. A good example of this and what a handful of us were up against was in my being forced – this is the only term I can use - starting the summer of 2012 to ask questions about the already mentioned Jurat quite happy to disregard evidence of child abuse, his thus clearly malleable attitude to child abuse, and the deep flaws within what is clearly an unfit for purpose system itself session, after session, after session.. To the point where the aforesaid former Attorney General and Bailiff who has so many questions to answer in all of this himself, now Senator Sir Philip Bailhache, got up and had an ill-informed diversionary rant about this being allowed. The Speaker of course – I think it was Bailhache junior - allowed Philip Bailhache free rein.
404. These events ultimately led to exchanges already highlighted and, if memory serves, one with William Bailhache when I enquired of him – as he had been Attorney General at the time – whether he could shed any light upon several boxes of evidence relating to letters complaining of abuse at Haut de la Garenne which a member of the public had contacted me about a member of his family discovering hidden up at Highlands. I will return to this important

issue later but to put it on record the answer I was given was: 'I'm afraid I don't recall (*that* term yet again) anything about this. Unfortunately almost all of the records appear to have been inadvertently mislaid or destroyed'.

405. I should point out that I deliberately did not mention any of the names of the States employees I know to have found, taken into their possession or signed for the boxes of evidence. Further still, if Bailhache was to be believed – a huge question in itself in my opinion given his record – then I find myself concluding that whether it be the senior civil servants who had to sign for the material (more on this shortly) or those political figures who *they* will have handed it over to possibly never gave it to the police at all. They need to be questioned.
406. Yet to return to what I was saying about States questioning, as a Deputy, I acknowledge that I was outspoken but the fact is such an approach was regularly needed – particularly in regard to the sort of issues we are talking about here. Too many States Members simply were not brave enough to risk rocking the boat and taking flak in the Establishment media for it; or for fear of candidates being put up against them at the next election and thus risking losing their seats.
407. I must be honest and say I could never understand this cowardice: surely I thought – at least initially we all go into politics to try and change things for the better as we see it; to do what is right? I have to say I believe I was seriously mistaken in such a view. This cowardice even affected people who, leaving politics to one side, were basically very nice people indeed: people I otherwise even like and can enjoy the company of. To me this was nevertheless not acceptable when it came to the child abuse scandal and I'll give the Inquiry a perfect example to highlight this.
408. This arose shortly before it became apparent that Shona and I would be forced out of the States by the clearly politically driven decision to have us made bankrupt following the court case I have already touched upon. In fact I

believe it was probably on the day I made the speech about justice which is included amongst my evidence as **TP9** as stated previously.

409. Whilst working alone down in the States facility room – this is where we have IT access – St. Lawrence Constable Deirdre Mezbourien and St. Helier No. ¾ District Deputy Richard Rondel entered the room together. Haut de la Garenne and child protection issues etc had obviously been on the agenda again and these issues always seemed to make the atmosphere tense as I have described. An exchange consequently unfolded where I felt I needed to be quite frank; blunt if you like about politicians who say nothing on such important issues.
410. What is important, however, is what the pair said to me not my opinions; and that it is why with it coming to mind I am happy – all things considered – to repeat it. In essence this was that they both expressed admiration me for my tenacity and my apparent ‘couldn’t care less’ attitude to the senior figures I was upsetting in pursuing my questions etc. But more tellingly and what is actually most significant and made me – I must admit this – contemptuous was the arguments put by the pair including between them – and I quote – ‘It’s just too difficult to be like you’; ‘these questions just put people’s backs up’; and that ‘Just because we don’t say anything on these issues doesn’t mean we agree with them’.
411. I have to acknowledge that this did all make me both sad and quite angry: even more so when Constable Mezbourien added as if it was some kind of excusing factor that ‘Many of us often don’t even know where you find all of your information’. I think it was the highlighting once again of the issue regarding a States employee (since my first interview he has been given the code of Mr K) facing allegations from more than a dozen different abuse victims that triggered this comment.
412. I vividly remember responding by saying ‘Actually when I hear excuses like that a part of me really won’t miss being out of politics at all. Just how the hell can anyone in the States say they “don’t know” about all of these things?’

Remaining silent *isn't* a neutral position in all of this and it can never be.' The Constable has been in the States since 2005 and even for the Deputy - sitting in between myself and Deputy Mike Higgins since his election in 2011 as he did - he really can have no excuse: you would have to have lived in a cave not to be aware of such things. Or deliberately keep your head in the sand out of fear.

413. Indeed, I would say that if nothing else then with all the headlines, the States questions – the unprecedented character assassinations of two senior police officer *and* a States Senator all of this would absolutely compel an unaware politician to seek out the truth Or so it should.
414. I stress again: I actually like these two people. They are nice people. I believe them to be good people. They are also hardly a part of the Establishment 'inner circle'. Yet their unwillingness to risk being 'shot at' (no pun intended) helps those who are to blame for Haut de la Garenne and so much more to remain unaccountable. Their silence allows the Establishment and its media to paint the few who *do* do what they should be portrayed as just an anti-Establishment minority, conspiracy theorists and regularly worse.
415. I repeat it is cowardice at the end of the day; fear of getting a hard time and possibly upsetting any voters who might not want to hear the unpalatable truth. And the fact that even nice people such as these won't stand up somehow makes it all the more depressing. This however is the prevailing climate democracy has to operate in on the island of Jersey. I must concede of course that the potential fall out of asking such controversial questions can vary dependent upon where a politician is based: as a 'country Deputy' repeated questions regarding the deceit underlying Graham Power's suspension undoubtedly cost Bob Hill his seat.
416. As I say I mention this incident with my two colleagues with some reluctance because it was after all a private conversation and under most scenarios I would thus not do so. But feel I should here because it really does sum up how 'the Jersey Way' rolls on and on: not solely due to the corruption at the

top of the Establishment but also because basically nice, good, decent people, as highlighted are essentially too scared to stand up for what is right. In essence taking the easy way out. Self-preservation I suppose. And whilst a part of me *can* understand it given that what we are talking about is so wrong – so appalling another part of me simply cannot.

417. Indeed, the Constable would say a similar sort of thing to my wife Shona at the time of us being finally made en Désastre: i.e. that ‘I so admire you both for being willing to lose everything in standing up for your principles’. Sad and very telling of ‘the Jersey Way’ culture of fear. Not least because I very much doubt people like the Constable could ever understand that in refusing to give up our principles or shy away from doing what is right whatever we may have lost we actually gain a whole lot more.

418. Like people such as Power and Harper, Syvret, the bloggers, Care Leavers’ leadership etc we all know we can look ourselves in the mirror and know we have done the right thing. The vast majority of States Members will enjoy no such luxury. They are cowards. Or even worse.

The myth of the ‘damning’ Metropolitan Police ‘interim report’

419. The saga of the mythically ‘damning’ Met Police ‘interim report’ which I turn to now actually demonstrates all of what I have just said perfectly. It is also in tandem with the suspension of Graham Power itself absolutely central – absolutely key – to what lies behind the decades of the State-concealed physical and sexual abuse of vulnerable children in its care.

420. I recall that around the time of Graham Power’s suspension = this was shortly before I was sworn into the States but would rumble on throughout my years in the Assembly - Deputy Andrew Lewis was making ridiculous statements claiming he had been left with no alternative but to suspend Graham Power because of the Metropolitan Police “interim report.” As it would transpire however – and though I asked countless questions on the subject in my opinion this was only really brought out and proven years later thanks to my

colleague Deputy Mike Higgins and the brave and excellent Citizens' Media bloggers Neil McMurray and Rico Sorda who published it – this “report” was *not* damning at all. Just as damning even if it had been ‘damning’ it was never meant to be used for such purposes as contrived by Lewis; and the police officer who – in my view – betrayed Power in the hope of career advancement, David Warcup anyway. In fact this reality is beyond doubt.

421. In essence Deputy Andrew Lewis – as indicated an incredibly brief and completely out of his depth ‘fill-in’ as Home Affairs Minister at the request of his close friend Frank Walker after Senator Wendy Kennard resigned, and who would be gone from the States for a whole six years a few weeks after – had, and there is no other way this can really be described, deliberately lied to the States.
422. Indeed, it would not only emerge that Lewis would later actually let slip the conflicting claim that he had in fact *never* seen the Met Interim Report (I attach this as evidence **TP11**) at all; the truth that this document was not in any way damning at all was eventually confirmed by the UK police themselves. I repeat: the reality that this lying Home Affairs Minister had *never* seen a ‘damning’ report or any report at all in fact is revealed within both the Wiltshire Report (attached as **TP12**); and also the Napier Report (attached as **TP13**) if memory serves. Unfortunately for Lewis – perhaps believing the truth buried within an ‘in camera’ States debate not accessible to the public or media - his lies to fellow States Members about ‘damning’ content would be leaked from the Hansard recording during the next Assembly. I will return to this in a moment.
423. You would think that this revelation would have caused widespread political and media outrage but in best ‘Jersey Way’ fashion, apart from we usual suspects – we conspiracy theorists - there was barely a ripple. Interestingly almost seven years after the event and with the Inquiry team in town – due entirely to the indefatigable Voiceforchildren blogger Mr Neil McMurray the Establishment media mouthpiece the Jersey Evening Post suddenly ran a watered down version of the outrageous truth. Of course when I say ‘watered

down' what their editor Sibcy did was ensure the story was all but unintelligible to anyone who did not already know the facts. This cannot have happened by chance: the truth about Lewis giving two entirely different and conflicting accounts simply could not have been clearer.

424. It probably says so much about 'the Jersey Way' I have talked about at such length that when this claim about the report being 'damning' to legitimise Graham Power's suspension was made the States had in fact actually been 'in camera' as mentioned meaning that no-one could listen on the radio as the BBC and other 'reporters' and all members of the public had been removed. The Establishment likes its secrecy – especially when there is blatant corruption to conceal! Of course as I say fortunately during the next Assembly the transcripts of the 2008 'in camera' debate would be most mysteriously leaked. I must say I really have no idea who did it.
425. I reiterate for it is most important: the truth in my view is that this incident is in many ways key to so much of what has happened since and is certainly responsible for allowing the Establishment trashing of the child abuse inquiry generally and the reputations of Graham Power and Lenny Harper which followed to happen. Indeed, what Deputy Andrew Lewis did – on the instruction of then Chief Minister Frank Walker if we are to believe the thrust of the conversation former Deputy Paul Le Claire claims he overheard (more on that in a moment) – was effectively the 'enabling' mechanism which allowed this to be undertaken.
426. And I believe it should be looked upon as such by the Inquiry team; certainly when they are considering the true attitude of those at the apex of Jersey both politically and within the 'justice' system to confronting abuse. Perhaps almost as disturbing in all of this is that it was carried out by Andrew Lewis knowing he was effectively destroying a proud Police career of more than 40 years; and thus besmirching Graham Power's name in the eyes of so many who knew no better for ever. In my honest opinion Andrew Lewis should also actually be facing criminal charges and a jail sentence. .

427. Once achieved this suspension constructed on a lie effectively allowed the investigative work being carried out by Power and Harper to be halted in its tracks. And then, of course, to be destroyed by – in my view - a couple of obliging placemen – perhaps I should really call them Establishment goons - in Warcup and Gradwell. Strong words but this is the only opinion I can form on what I have seen.
428. Those at the top of the judicial, political and in the case of former States CEO Bill Ogley, the civil service tree certainly allowed - and in the view of many of us who have bothered to dig for the truth - actually orchestrated the effective sacking – for this ‘serial suspension’ was no ‘neutral act’ – of a man who had every right to be proud of his career record. We have certainly not had anything like such first class policing by the two Chiefs who have followed.
429. And these people (those within Judiciary, politics and civil service) did it in the view of many of us to bury a child abuse investigation which they feared was damaging Jersey’s reputation as a finance centre and which was feared no doubt to be getting too close to calling some very big Establishment names to account at last. I ask: just how low and despicable – I should probably use the term evil - can some people be? But more about this and what a number of people ‘in the know’ believe to be the related apparent arrest of a very senior Establishment figures nearing being made at the time of Power’s inexplicable suspension a little later.
430. It was clear to me within weeks of being elected and I retain the view now that Graham Power was in truth suspended because he – as with his Senior Investigating Officer Lenny Harper – would not bow to following the traditional way of senior police in Jersey i.e. going along with ‘the Jersey Way’ of covering up abuse or anything that would be politically embarrassing as Establishment politicians and judicial figures wanted; consequently of course leaving the perpetrators and their protectors unchallenged.
431. Remember what I said about 2008 – 2014 Home Affairs Minister Senator Le Marquand’s comment about bringing the police back ‘under political control’!

Power and Harper – even with acknowledged mistakes – had in truth tried to do no more or no less than what they should as honest Police officers

432. As we know this ended with them both paying heavy prices via the Establishment and its media's frenzy of assaults upon their reputations which went in to overdrive after this. I mean it was like a cross between the News of the World – or perhaps in the case of the Jersey Evening Post a little more like a hybrid of the Sunday Sport - and the Nazi-era Volkisher Beobachter: almost every week: basically rabid, character assassination. The obvious lies and inaccuracies and the whole rabid, amateurish tone of the reporting was simply jaw-dropping.
433. I believe it fair to say that some senior figures who have something to hide regarding Haut de la Garenne were both terrified and desperate. Indeed, it is beyond argument that the failings of Jersey's aforesaid Attorney Generals and Bailiffs over the past 20 years alone is also simply jaw-dropping; a truth made even more disturbing by the fact that the likes of the UK Justice Ministers and Lieutenant-Governors here have done nothing over the years to confront and rectify this: nothing at all. Instead we get barely believable comments of praise such as John McColl's January 2015 black comedy about William Bailhache' 'qualities'.
434. The Inquiry team will understand that this Met Police 'interim report' aspect of the Haut de la Garenne scandal alone could take up a whole book. This being the case if I may, as another piece of very telling and informative evidence, I attach as **TP14** transcripts of a blog report on the clear lies told by Home Affairs Minister Deputy Andrew Lewis published in November 2014 by Jersey's biggest Citizens' Media blog = Voiceforchildren. Further still a copy of the mysteriously 'leaked' debate transcript published on Rico Sorda's blog as **TP15**. The Care Inquiry does not have a copy of the original Hansard 'in camera' transcript. I believe it to be indisputable that viewed together with Andrew Lewis' contradictory claims that he had 'never' seen the so-called Met Interim Report his dishonesty becomes irrefutable.

435. As I have said many times before along with Mr Rico Sorda the member of the public behind this blog, Mr Neil McMurray deserves huge credit for so much of the truth coming out. The pair certainly put Jersey's alleged 'professional' or 'accredited' media to shame. Indeed, as I will touch upon in a moment the pair can take most of the credit for my finally demanding to be allowed to initiate the Scrutiny review into Operation Rectangle against stiff and it must be said bitter and quite unpleasant obstruction. I will move on to this in a moment.
436. Not without good reason have the two 'bloggers' been described as little trillion dollar tax haven Jersey's very own version of Watergate journalists Woodward and Bernstein. Indeed, the hatred for the pair from the Jersey Establishment certainly resonates with that displayed by the Nixon government for the American duo.
437. One highly significant matter the Inquiry team will notice by examining the Voiceforchildren article is that – at the bottom line – it is evident that even once a Minister/politician has been exposed quite beyond argument as having lied about the true grounds upon which Chief of Police Graham Power was suspended he can still *not* be held to account by any member of the public for his actions.
438. Indeed, the alleged governing body regarding States Members' behaviour in what is a clear breach of the Ministers *and* Members' Code of Conduct – the Privileges & Procedures Committee – refused to do anything about the matter at all: the 'Jersey Way' yet again. In my view every member of this should be ashamed. For as politicians knowing the truth they *could* do something. This truth is undeniable. They just don't have either the will or the Testicular Fortitude.
439. As a final point on this episode before moving on I should enlarge upon the reference to former Deputy Paul Le Claire earlier. It is a fact – he eventually confirmed this to me directly – that Le Claire claimed that he overheard a conversation in the States building between the then Chief Minister Senator Frank Walker and Deputy Andrew Lewis prior to the suspension; during

which the Chief Minister allegedly stated the need and intent to “get rid of Power”. This can only, I suggest, be seen as adding even further weight to Lewis’ demonstrable lies about a ‘damning’ report which we now know did not exist.

440. I also know that Deputy Le Claire was very scared of what might happen to him and the consequent impact on his family if he spoke out. He told me this in person too. Although Le Claire did – after some pressure I believe from people who felt he simply had to come forward with such evidence; and some none too flattering criticism on the internet when the former soldier was daubed by some as ‘Bravo Zero Zero - mention on the floor of the States that he had overheard this conversation. Unfortunately he gave such a watered down account of what he had told me and a number of others that it did not really illustrate anything to the degree which it clearly could have.
441. When the Napier Report came out I was also surprised that Deputy Le Claire had not come forward to give this evidence in full then. I know that he has been asked by various bloggers and other individuals why he failed to speak to Napier given its seriousness but I am unaware of his response. The Deputy lost his seat (he was another Deputy in my own former District) in 2011 and I rarely bump into him. I am not aware of the evidence the Deputy is to give to the Inquiry but I hope this will be set out in full as he has told it to other States Members. To this regard I would also state for the record that Deputy Le Claire is also someone I consider to be basically a good and decent person so I do hope he will finally do what he knows he should.
442. Intriguingly Paul Le Claire also told a number of us about a letter he received from the editor of the Jersey Evening Post; Mr Chris Bright at the time. Indeed I believe he even showed it to a number of people. He described to some of us as seeing this as a threat – and I can understand why – as according to Paul Le Claire it basically suggested that he should be careful what he said because the newspaper had the power to destroy him. I do not know if this letter was directly linked to the Walker conversation he claimed to

have overheard; but it certainly says a great deal if true and, in my view, should be investigated by the Inquiry team.

443. To be fair when one considers how the Establishment have been able to get away with what they have done to Power and Harper, Stuart Syvret and Shona and myself etc – all key figures who have spoken out against ‘the Jersey Way’ - I suppose that whatever my own feelings about people who ‘keep their heads down’ one can also understand to a degree if they worry about their families: but no matter what it has cost Shona and I personally, as I say, I just can’t condone it. The two of us are incredibly proud of the way we have stood up for the principles of justice; and I am aware that the two officers and former Senator feel the same; and quite rightly too. Of course all of this is nothing compared to the fortitude of the victims of abuse who have somehow kept going – often over a period of decades of disbelieving and intimidation,
444. The way Establishment figures like Sir Philip Bailhache, the Chief Minister and local Church ‘leaders’ have been allowed to transform the [REDACTED] abuse victim [REDACTED] who I mentioned earlier for example into the villain and abuser with the man who failed her – the [REDACTED] now becoming the ‘victim’ only deepens this climate of fear. The Jersey Establishment are simply obsessed with portraying themselves and the system and their friends and counterparts as whiter-than-white and if that necessitates innocent people getting hurt then it is clear they care not a jot about this. They simply can’t abide any of their own being criticised, challenged or exposed.
445. Some people – many people – *most* people in Jersey it appears are just too afraid to speak out. Many people it seems get to the stage where they would rather not know or look the other way than risk having their life or their loved ones’ lives ruined. And this is the culture and climate which – and I know I am hammering this point home again and again - allows the abuse at Haut de la Garenne and other places to go on. Understanding this is absolutely pivotal to the COI appreciating how this all happened. Is still happening as I will give an example of in a moment.

446. I have obviously been the target of abuse and attacks as a result of my reputation both for being outspoken on the floor of the States; and due to the subjects I have tackled; the Establishment figures I have challenged. Likewise because I was one of the few politicians who ran a very well read blog. Indeed, I was probably the first to actually produce a regular political video show – the ‘Bald Truth Review’ (BTR) which used both news and humour to try and raise awareness about what was going on in Jersey. Of course I got even more abuse for this.
447. Nevertheless I am not complaining about this at all: operating in Jersey and in such a climate I accept it just goes with the job. I actually wear this as a badge of honour. This is not to say that it is acceptable or right of course: it clearly is not. Any more than the police under new Chief Mike Bowron doing absolutely nothing about threats and abuses which are clearly in breach of the harassment law if nothing else. These attacks do not arise just out of standing up on the Haut de la Garenne scandal and related matters of course. One can become a target by challenging a whole variety of Establishment sacred cows.
448. For example, wider judicial corruption; judicial non-compliance with the European Convention on Human Rights; tax avoidance; my revealing for the first time ever just how little most of Jersey’s so-called 1.1.K ‘High Net Value’ immigrants really pay – some as little as a paltry £3,000; the hijacking of the intended ‘independent’ electoral commission and even questioning why a multi-millionaire former mercenary was allowed to have 1.1.K status after this was initially refused and many more besides. I’ve exposed all these types of things. As I say that it rattles the exponents of the ‘Jersey Way’ and hopefully, however slowly, begins to open a few eyes – that I do wear as a badge of honour and proudly.
449. Having said that given that we are talking about this ‘Jersey Way’ and the culture of fear it manifests resulting not only in so few people being willing to speak out about things which are clearly wrong; but also huge voter apathy

among the public, the example relating to former Deputy Paul Le Claire reminds me that I suppose I should briefly outline one particular personal incident which - whether a sick joke as I like to think or a genuine attempt at intimidation - was nevertheless as unpleasant as it was surprising. I have never talked about it before which is a rare thing for me: yet in briefly outlining it I think the Inquiry will understand why.

450. In 2012 not that long after our court case as I recall I received a package – one of those little padded envelopes in fact - containing what appeared to be a very real if not particularly new-looking bullet. This had a paper luggage tag attached and what I can only describe as a threat; basically along the lines of how I needed to shut up. The proverbial bullet with your name on it I suppose was the intended message. This really wasn't something I would have expected being a politician in such a small place as Jersey no matter who you had upset; or with all I have detailed about the 'Jersey Way'. Well, that is certainly what I thought at the time.
451. I mean, although our Off-shore/tax haven activities mean Jersey is always in the top 10 richest jurisdictions on earth in paper terms at least – usually always in the top 6 in fact - we are actually no bigger than many English towns. Indeed, I read the other day somewhere that our population is not even as big as that of a little town like Ipswich for example which certainly puts this into perspective! Yet this bullet in a little padded envelope was stuffed into the mailbox on the garden gate at our former home in St. John.
452. This property was fairly isolated I should point out, 'out in the sticks' so to speak by Jersey standards which made it all the more sinister that someone had come out to deliver this - obviously after dark. The area is certainly not a place most people would drive out to at night unless you lived there. Indeed, after dark you only ever tended to see the odd person passing down the Old Fort Road to fish near La Crete Fort.
453. I suppose on reflection the package never would have made it through the postal system; hence the apparent 'personal' delivery by someone? Anyway,

there was a note on the tag – just a few lines which to me looked like they had been stencilled rather than written free hand - which to enlarge a little essentially suggested, as I interpreted it, that I should stop talking about the finance industry, 1.1. Ks (High Net Value individuals) and Jersey's justice system/child abuse.

454. It also said that the “next one by gun?” I was understandably a bit shocked I can admit; and as I say I have not previously told anyone about this incident. Quite likely Shona would have just laughed it off as she did so well with other unpleasant things but there you go. We’ve certainly spoken out about other types of threat. The real reason for keeping it to my self was in truth simply due to my mum.
455. This may sound a bit soft for someone with my reputation so I should explain. She was 82 at the time and battling bone cancer. She had already had a few strange phone calls late at night with just breathing/laughing on the other end when she answered. Shona and I were already being harassed on a daily basis of course by a notorious and deeply disturbed internet troll at the time – something which even when later reported the police would do nothing about.
456. I felt this bullet incident would have been bound to get into the media if I had reported it and no doubt been wholly sensationalised. Though I know that my mum (sadly she passed away in 2014) was very proud of the questions I asked and the issues I tackled in politics; given her age and the cancer battle I was concerned that she would have been worried to death about me. Understandably I guess. That it may well have just been a pretty sick joke as much as anything more serious would not have mattered. I simply felt I couldn’t risk that whatever my own natural inclination to speak and confront.
457. Truth be told I am also almost certainly not the only ‘anti-Establishment’ political figure who has had such threats meant to shut them up. I mean, I know it was a different era but the legendary Leftist Jersey politician, the late Deputy Norman Le Brocq – probably the Island’s greatest ever in my view - even suffered physical assaults on more than one occasion so I am told. I

would imagine former Senator Stuart Syvret has also had them for sure. One only has to consider the wholly illegal mass police raid on the house he shared with his partner. This will have been about intimidation as much as anything else I am sure.

458. I certainly determined that the incident would not deter me from asking my searching questions and I think my record after this until I was forced out of the States in January 2014 shows that I was true to my convictions. I would also say that I really did not believe there was any point going to the police anyway. Like a handful of others my degree of criticism of the justice system – including the police leadership which had supplanted Graham Power was highly unlikely to have endeared me to them; although I know from inside information I receive many ordinary members of the force supported much of what I did and highlighted. One example of this was following inside contact about a sexual assault by a high-ranking officer who was subsequently simply allowed to leave his position and return to the UK. The ‘Jersey Way’ yet again in what this attitude from both the Chief of Police Bowron and the Home Affairs Minister says about how seriously sexual abuse is taken: let the perpetrator disappear no questions asked; no messy holding to account to stir up the public.

459. Indeed, as events would pan out later – and, indeed, as is still evident within the contempt displayed by the police regarding complaints Shona and I have had to make since being forced out of politics – including Shona being knocked down on a pedestrian crossing in front of three witnesses as recently as September 2014 but the police refusing to prosecute even though the driver also admitted it was his fault – due to there apparently being ‘not enough evidence’ - I was undoubtedly quite right. Indeed, when shortly before we had had to complain – yet again about [REDACTED]

[REDACTED] a female police Sergeant, one Sergeant De Feu, stated that instruction had ‘come down from the Attorney General’ that the Harassment Law had ‘never been meant’ to deal with such abuse. This is wholly untrue.

460. Since Graham Power in my view the police leadership which has followed have been very much a part of the 'Jersey Way' problem. Perhaps as the former Home Affairs Minister wanted: they have been brought back under 'political control'? Indeed, I even once accompanied former Senator Stuart Syvret to the police station in order that he could attempt to file detailed complaints about a whole catalogue of issues. It is evident that none of this was seriously looked in to. Perhaps the COI can ask him to verify this?
461. The only other thing which I would add regarding the bullet incident and possibly the one thing which really made me wonder if it *was* more serious than I was telling myself was a couple of comments which had been made to me about a year or two before by a couple of our Jersey Establishment Ministers – and two of what Deputy Mike Higgins used to mock as the inner circle 'Kitchen Cabinet' of senior Ministerial figures at that: Senator Freddy Cohen and Senator Philip Ozouf.
462. I can't remember the exact States sitting during which this occurred – you could probably work this out by looking at what was being debated on Hansard – but the fact that Freddy Cohen was one of the politicians means it was definitely prior to the autumn 2011 election as he lost his seat at that time.
463. As well as asking a lot of questions about the preferential tax deals afforded to 1.1.Ks and eventually exposing as I did every year for a while 'graded' breakdowns of how little most of them really paid I also asked questions about a 1.1.K allegedly being involved in arms dealing. Not that I had been given any information that this was being done 'illegally' specifically I should point out: just in regard as to whether this was really the sort of activity Jersey should want to be seen as appropriate for an individual we were giving these High Net Value licences out to?
464. Similarly whether this was actually known about? The individual was after all well known to have previously been a mercenary; and intriguingly it was one

of the Establishment wannabes – actually an Assistant Minister - who had mentioned the alleged arms dealing issue.

465. But to cut to the real point at hand. Having spoken in the Chamber when I came out for a cup of tea standing just outside the Members coffee room in the corridor Senator Philip Ozouf came up to me and said in a lowered voice: 'If I were you I should be very careful regarding the type of people who you are asking questions about,' I simply laughed and he didn't say anything further. However, a few moments later Senator Freddy Cohen also came out of the Chamber and on his way to the stairs he too spoke to me. 'You're very brave', Cohen smirked with one of his cheery grins, 'but not much point being brave if you end up dead is there?'
466. Again I laughed at the time and certainly told a number of people about the incident including Shona. It certainly made no difference to my approach. Was what was said serious or in any way linked to the later incident? I have no way of knowing and like to think probably not deep down. More than likely what the two said simply demonstrates yet again the culture of fear about speaking out so evident in Jersey politics. Possibly how some of these so-called 'top dogs' are actually very scared themselves?
467. I also make no suggestion that my eventual little unwanted gift of the bullet had anything to do with the individual at the heart of my questions at the time. To be fair Senator Freddy Cohen did reveal to me the political figure who was allegedly behind finally getting the former mercenary his 1.1.K status which was an illuminating piece of information to say the least – this apparently being Ben Shenton. But in truth who was behind this unpleasant stunt/threat I simply don't know
468. To this I would add only that though I know I binned the envelop I hung on to the bullet and attached tag - even though I certainly was tempted to simply throw it over the cliff where we lived - meaning to eventually find a way to check out if this was real or not. I'm not a member of a gun club or anything

so it was something I was going to have to think about. I am pretty sure I actually photocopied the tag as well.

469. Unfortunately in our needing to leave our home after our being made en Désastre this has evidently become packed up somewhere amongst all of our possessions. Though I do not believe it to be of any real significance to the Inquiry team's investigations in itself other than it helps further paint the picture of the 'Jersey Way' culture as I have now been asked I have endeavoured to look for the bullet/tag and to provide a photocopy for the Inquiry. I now attach this as **TP16**.

Education and Home Affairs Scrutiny Panel Review of the BDO Alto Report

470. The next matter I feel it important to talk about – and a genuinely important one at that - is the Scrutiny (Select Committee) Sub-Panel investigation I managed to get funded into the 'Issues Surrounding the Financial Management of Operation Rectangle'.
471. This is in fact the title of the review and it arose out of a controversial report commissioned by Home Affairs and undertaken by the firm BDO Alto. This report had subsequently been used again and again by the Establishment media and Establishment politicians generally to float the most damning and fantastical stories and figures supposedly justifying the claims from Graham Power and Lenny Harper's successors – Warcup and Gradwell - that their investigation had been both a shambles and a huge waste of money.
472. Indeed, this report was probably used for as much 'anti' Power and Harper propaganda as the bogusly 'damning' Met Interim report. I think it probably fair to suggest that local media had even won 'awards' based on some of the deeply flawed assumptions and research included in this report.
473. One of the biggest being spun out of this 'research' – a complete fabrication in fact – was the demonstrably untrue lie that the pair had spent – *wasted* was the general message - around £7.5 million pounds. This was guaranteed

to stir up lack of confidence amongst a public who knew no better. Probably precisely what this myth was intended to do? We can see a similar strategy being undertaken now in 2015 with Senator Sir Philip Bailhache attempting to undermine the Care Inquiry itself with groundless scaremongering tales of alleged £50 million costs. The 'Jersey Way' works in many different forms as I say. Though it can be seen that the same handful of powerful people are regularly pulling the strings.

474. Nevertheless, what should first of all be made clear before talking about all of this I suppose is that though as a politician I can take the credit for fighting to make sure the Scrutiny review could be undertaken – no easy task given that, as I shall outline there was huge and quite unpleasantly manifested resistance and threats to this from the Establishment – the fact is that the real kudos for making this important re-evaluation and correction of 'facts' must ultimately be awarded to the two Citizens' Media bloggers mentioned earlier: Neil McMurray and Rico Sorda.
475. I say again - it is not an understatement to suggest that for the victims of child abuse – politically and judicially concealed abuse – in Jersey it is largely thanks to these two men that the Establishment and 'the Jersey Way' wasn't allowed to drown out the political critics once again. I say this because McMurray and Sorda tenaciously pulled together the basic evidence allowing my colleagues and myself to demonstrate a review simply *had* to be taken on.
476. The two bloggers had done a great deal of digging and research and had amassed a lot of information. Senator Stuart Syvret was gone from the States by now – in circumstances I will talk about a little later – and the bloggers approached me I assume (you would have to ask them personally for the precise reasons) because I was one of those few States Members still doggedly trying to get to the truth via the Assembly route. I concede I was certainly the most outspoken and in all honesty the more the Establishment tried to shut me up, attack, insult and intimidate me etc the more I was willing to crank it up.

477. It isn't anything to do with bravery – there just isn't any room for cowardice in politics in my view. If you can't stand up in line with your principles you really should not be there. I thus met with the two bloggers and listened to their concerns about the BDO review and the way the media and a number of politicians in particular were trying to rubbish and smear Power and Harper and their whole investigation with the fervour one might expect from some kind of religious zealots. Looking at the evidence in a detached fashion it was clear the bloggers concerns were very valid.
478. Of course not all of their concerns were eventually found by the Scrutiny team to be justified: but this surely only goes to show how worthwhile the panel's investigation was; how professional we were in undertaking it. It certainly does not undermine their concerns in any way.
479. As I have said it was quite apparent that those at the apex of the Jersey Establishment were rallying the foot-soldiers – cajoling, bullying, whatever necessary to try to shut down any further investigation into the abuse scandal. The then current Chief Minister Senator Terry Le Sueur had gone back on his predecessor' Senator Frank Walker's reluctant promise to have a fully independent inquiry.
480. Other politicians such as Senators Ben Shenton, Jim Perchard (two men who have their own appalling child protection records to answer for in the notorious shambles of Family X case during their stewardship of Health and Social Services) and Deputy Sean Power were even trying to falsely link Lenny Harper's name with the News of the World information for cash scandal. This last matter was particularly heinous as it was demonstrably wholly groundless and even with the massive inquiry in to the scandal in the UK Mr Harper has *never* been accused of such unprofessionalism by anyone with even an iota of either intellect or integrity.
481. Indeed, just why these three States Members attempted such a shameful stunt really demands investigation itself. In my view it can't all be put down to

the three's statements regularly making them appear thicker than a large print cope of War & Peace. Senator Terry Le Main was another Establishment figure who regularly appeared bizarrely desperate to portray Power and Harper in the worst light; rather than focus on what the two officers were trying to shine a light on

482. As the Inquiry may already be aware Perchard had already been highlighted as leaking emails to the infamous UK journalist David Rose who specialises in trying to trash child abuse investigations; and who has also given high profile support to a number of sickening paedophiles themselves including the notorious [REDACTED] to name but one.
483. Operation Rectangle and the huge publicity generated by the child abuse scandal was in my assessment of the evidence simply seen as bad for Jersey by the Establishment, bad for finance and bad for business and also, of course, risked lights being shone where these people really did not want any illumination. It therefore had to be brushed under the carpet and buried: the best way to achieve this being seen as trashing the victims' stories and the two senior police officers' credibility and reputations.
484. Nevertheless, to cut a very long story short once I became aware that the Senior Investigating Officer, Lenny Harper, who had been the subject of very significant criticism in the report, yet had nevertheless not been interviewed to provide any counterbalance to criticism as part of the review, I pushed for the Scrutiny Panel to be allowed to look into the matter in the interest of fairness as hard as I could.
485. This wasn't to be easy as despite my own attitude there appeared a distinct lack of Testicular Fortitude in the air even when it came to some of my colleagues on the ESC/Home Affairs Scrutiny Panel. Whether this was because there was to be an election after the summer recess and the Establishment smear campaign was already taking its toll I don't know. But hard it was.

486. Nevertheless, after my initial meeting with the bloggers, I met with Mike Haden, a trusted, most diligent and highly respected Scrutiny Officer civil servant, and also Deputy Roy Le Herissier, who was Chairman of the Education, Sport & Culture + Home Affairs Scrutiny Panel of which I was the Vice-Chair to raise my concerns and to request a full panel Scrutiny review be supported.
487. As I say sadly Roy really did not want to take this on initially. Truth be told Roy was unlikely to challenge the establishment in this way if he was going to be seen to be leading such a project so I was not at all surprised by his reaction. I say again that in fairness one must remember here that those of us who had challenged the orchestrated trashing of the child abuse investigation; and the suspension of Graham Power had been attacked again and again.
488. There was thus a good possibility that – particularly for those in seats outside of the urban areas – the fallout from the Establishment propaganda that support for Power and Harper’s investigation was misplaced and damaging to Jersey would could carry a high political price come election time. Indeed, for former Metropolitan Police officer, St. Martin Deputy Bob Hill, someone who had done much meticulous work particularly in support of highlighting the appalling treatment of Graham Power it would cost him his seat after half-a-dozen elections.

Establishment attempts to obstruct the Scrutiny investigation

489. The off-shoot was that without my Chairman’s unqualified support the proposal had to be presented to a Scrutiny Chairmen’s Panel who had to give it their blessing before it could be progressed: I had said that I would take on the Chairmanship of a Scrutiny Sub-Panel. The Chairmen’s Panel meeting was thus set up so that I would be arguing the case with Deputy Le Herissier – hopefully – nevertheless supporting me.

490. It is not really for me to comment but I believe the Scrutiny officer could certainly see the validity of what the two bloggers had put forward just as I could. I'm sure Roy Le Herissier could in all honesty as well. The meeting eventually took place in Mourier House in one of the Scrutiny rooms and I must say it was as illuminating as it was embarrassing – all of this thanks to the unprofessional behaviour of the President of the Chairmen's Committee, the aforementioned Senator Ben Shenton. Fortunately Mike Haden was there to take minutes so the pantomime I describe can be verified.
491. Senator Ben Shenton appeared to have a hatred of Lenny Harper in particular which to me seemed to border almost on the pathological: he would even go on about how his wife referred to Lenny Harper as Lenny *Henry* the comedian. Quite what made the Senator's wife such an authority on Harper's ability however he never shared. He must have been able to see the problems I was flagging up; the inconsistencies that needed clarifying but he evidently just did not want to admit them.
492. His attitude seemed to suggest that it was better if the whole abuse investigation could be portrayed as bungled, a waste of taxpayers' money and the blame for it all lain at the feet of the two senior police officers. Maybe within his own strange view of the world this was the best and quickest way for corporate, Finance centre Jersey to get back to business as usual? He was in fairness not only the most populist politician that I have ever encountered; but also an adherent of 'free-market capitalism underscored with – my opinion - very little actual understanding of socio-economics within a caring, modern society.
493. Given that Scrutiny stands or falls by considering evidence I found Shenton's whole attitude infuriating and quite pathetic to be quite honest. Shenton just did not want this review to go ahead and was worked up and belligerent about this. In fact I think the following incident says all I need to say about this.

494. At one point I had to stop the meeting to insist that it was minuted that Shenton – who was almost foaming with anger for some reason objected to our Scrutiny Panel going ahead with the review on the basis that the evidence had apparently been presented to us by someone who was in his words “just a pipe-fitter” (this being an inaccurate reference to one of the bloggers, Mr Sorda).
495. It was a disgraceful not to mention wholly unprofessional attitude and I told Shenton this. To me it smacked of appalling snobbery. In my view it was clearly irrelevant where or from whom this information had come from – what mattered was its quality and I told him so. Of course though neither I nor Deputy Le Herissier could know it then Mr Sorda and Mr McMurray would eventually be proven correct – certainly not in all as I say - but undoubtedly in the vast majority of their contentions: which probably says more about the validity of Ben Shenton’s attitude than anything else.
496. I should acknowledge at this point that there was no love lost between Ben Shenton and I. He had been someone I had voted for back in 2005 having regularly voted for his late father, former Senator Dick Shenton, but had been hugely disappointed by what a deplorable populist I viewed Ben as turning out to be, As I say he had little idea about socio-economics; appeared to loath the ‘working class; and ‘Left-wingers’ who represented them; and evidently thought government could be all but run the same as a business.
497. He also had a truly appalling attendance record at States sittings. Appalling to the point where he became a bit of a joke because he would give pompous speeches about ‘value for money’ and attack ‘Socialists’ and those of us who did ask a lot of questions and bring propositions in an attempt to hold Ministers to account.
498. Fair enough you might say. Only all too often Shenton would then disappear from the States Chamber soon after he had spoken and go off to run his private finance business. All whilst the taxpayers were paying him to be in the

States and that is what I objected to: though not nearly as much as bizarre desire to try and undermine the work of Power and Harper. As it happened because of his regular very early exits from the States someone in the States actually daubed him with the comic name of 'Ben (Gone by) Ten'.

499. Nevertheless, this bizarre and quite evident hatred of Lenny Harper – who he even once mocked in the States as being the comedian 'Lenny Henry' as referred to above is something the COI would have to ask him to explain. Anyway, the farcical offshoot of my challenging the Senator at the above mentioned meeting over the 'pipe-fitter' insult was that Shenton stood up and stormed out of the meeting saying he wasn't going to discuss the matter and wanted nothing to do with it. Senator Sarah Ferguson dutifully took over the Chair and we carried on.
500. With a more professional and less prejudiced atmosphere now prevailing the eventual outcome was that my proposal that a Scrutiny Sub-Panel be set up was accepted and supported. Deputy Le Herissier predictably did not want to Chair this – it's going ahead was clearly going to ruffle some Establishment feathers again as I say – but he did agree, to give him full credit, to sit on this with me chairing it. As I say for this I think he deserves some real kudos because he wasn't seen in the same 'anti-Establishment' light as some of we others. Deputy Le Herissier also saw it through to the end – and this was a review which necessitated some serious hard work.
501. With Deputy Tadier from the main Panel also eventually agreeing to sit on the review – though he very disappointingly quit before the work was concluded - we then opened it up for other States Members from other Scrutiny panels and/or those who were not involved at all to get involved. We wanted four or five Members for obvious reasons: there was going to be a lot of work to undertake; not too much time to complete it; and it was sure to generate a lot of probably quite unpleasant flak.
502. Not surprisingly given the poisonous atmosphere in the States stirred up by the Establishment this was to draw a complete blank with the one exception

of another excellent Scrutiny member from the Environment Panel, the 'Green' Progressive politician, Deputy Daniel Wimberley.

503. In many ways the possibility of having Deputy Wimberley on board was excellent news for he was without doubt one of the most thorough and well-researched politicians ever to be elected to the States Assembly. His approach was in fact utterly meticulous. On the minus side the Establishment hated him almost as much as they hated me. Thus if we had thought that now we had won the support of the Chairmen's Committee (minus Shenton) and had a Sub-Panel in place our work could commence – we already knew we would likely have to work through the holiday period to complete the review – we were to be very much mistaken: 'the Jersey Way' was about to surface yet again.
504. We subsequently found that Home Affairs Minister Senator Ian Le Marquand was trying desperately behind the scenes to have me removed – a strategy that if successful would scupper the whole review. I am aware that he wrote to Ben Shenton and said that I should be removed from my role as Chairman of the Sub-Panel because I was apparently "conflicted". His reasoning for this was because I had adopted an opposite and critical position to his own on the suspension of Chief of Police Graham Power. This was clearly wholly irrelevant and I firmly believe that it was really because he knew that I would be asking difficult questions and was well informed.
505. The difference in my and Le Marquand's approaches to the Power suspension could actually be explained quite simply: I believed in justice and based my assessment of the validity of the suspension on evidence. Le Marquand equally knew the truth but didn't have the Testicular Fortitude to stand up as an Establishment figure and do what was right. Which was a shame because on a personal level I liked the Senator; I simply could not abide his continuing with and defence of the farce begun by the likes of Walker, Ogley and Andrew Lewis.

506. Instead the Home Affairs Minister even went so far as to raise his “concerns” on the floor in the States – the Executive attempting shamelessly to interfere with Scrutiny - and highlighted for the media that he had written to the Chairman’s Committee as well. It was easy to see that the key for him was to try to taint the review before it had even got started: just the same way as with the usual slanted reporting they had undermined the child abuse inquiry itself; and those overseeing it.
507. As I say I knew Le Marquand had no valid grounds for me to be removed and so I stood my ground. Incredibly the Home Affairs Minister subsequently also sought to establish that Deputy Tadier was also ‘conflicted’ pretty much for the same reasons. It is fair to say that atmosphere at the time between much of Scrutiny and the Executive was truly toxic with distrust. In fact this was almost palpable.
508. To move on, once we began the review I recall that some witnesses, such as those behind the BDO Alto review itself, were difficult to the extreme and tried to be obstructive throughout. They too tried to go above my head as Chairman. The aforesaid Mike Haden was assisting me and putting together a list of the people that we needed to interview. Even though I had Mike set up a courtesy meeting with BDO Alto to set some of their concerns at rest they were still obstructive and in my view sought to go behind our backs specifically to avoid being called.
509. I should point out that it is possible to subpoena witnesses for Scrutiny just as it is for a UK Select Committee but we wanted to avoid this if at all possible. We were professional throughout.
510. I should also highlight here that I think BDO ALTO were very worried about being criticised and thus receiving negative publicity as a working business which is all they were at the end of the day. The fact was, however, that whatever flaws that there were to be found – and there were some big ones – attacking them was never our interest or intention. Indeed, we actually went out of our way at my insistence to point out that the regularly ridiculous and

over-the-top Establishment media portrayal of easy to sensationalise aspects of their report was obviously something over which BDO ALTO could have no control. Massive, truly glaring flaws such as the non-interviewing of Lenny Harper was down to their final call however and for this they deserved any criticism they might get: not calling the person central to the matters being looked at; and the person who would be receiving most of the flak to clarify – let alone defend himself – made the whole process a complete farce.

511. Nevertheless the company also certainly made no friends with ridiculous and in my view deeply offensive attempts to extort more than £14.000 from Scrutiny for their effectively going over their report during a two odd hours Scrutiny hearing. Very kindly 'discounted' I should point out from a massive £26.000! Had we agreed to pay this it would have wiped the whole review budget out in one go. I believe to this day that the company was put up to this by the Establishment as another attempt to scupper the review.
512. Of course, knowing that Scrutiny do not pay witnesses (it is obviously different if you are 'buying in' expert advice) under any circumstance I ensured the Scrutiny office politely told BDO ALTO what to do with their bill. Whether it was ever paid from within the Home Affairs budget I do not know but this outrageous and intimidatory attempt to demand a sum that was wholly unjustifiable was never paid by my Scrutiny panel. Indeed, to have done so would have signalled the death knell of the Scrutiny function. Upon reflection maybe this was actually the intention?
513. As I have said it was a truly – in my view glaringly obvious - flaw within the BDO Alto process that they had not interviewed the man who had been at the centre of the Operation Rectangle investigation, Lenny Harper himself – a man who they would hugely criticise despite failing to ensure they had any real knowledge of how and why certain things had to be done. We, of course, did do this. Of course the truth was - which unlike BDO Alto - we quickly established Harper and/or Power were not actually accountable for the financial management at all but rather the Chief Officer of the Home Affairs, Mr Austin-Vautier Department. More on this a little latter.

514. The Financial accounting set-up was in truth a joke and not fair on either side it was so flawed. Yet the fact was the Chief of Police had raised these concerns without anything being done; so it was particularly unfair to hang Harper and he out to dry whilst Home Affairs walked away unblemished which those involved did. I nevertheless do not wish to go through every aspect of a very long and complex review here – and as such attach the completed report: “Issues surrounding the review of Financial Management of Operation Rectangle” as evidence for the Inquiry team as **TP17** – be this as it may there are still a few things I do need to flag up at once.
515. Former Senior Investigating Officer Lenny Harper – a man I would point out whom I had never met (and have still never met) - had retired prior to Graham Power’s suspension and subsequently left the Island for the mainland. We thus set up an audio conference because we considered his evidence to be absolutely critical to the review. I repeat I have no allegiance to Lenny Harper any more than I have to Graham Power or Stuart Syvret who were also eventually witnesses (I did not know Power either) ,but I was aware that in the interests of fairness and transparency, it was crucially important that Harper should be given an opportunity to explain himself.
516. Having heard evidence from various witnesses it became apparent that it was David Warcup who had originally objected to Lenny Harper being interviewed by BDO. I contend that this can only be – and must be – seen as suspicious and indicative of what truly underlay the trashing of the child abuse investigation led by Power and Harper. This is my own opinion and I stand by it.
517. It is also quite apparent that had they been interested in anything more than a substantial sum of payment for their work BDO Alto should surely have told Warcup and Home Affairs where to go if to be limited by such flawed constraints: they really were setting themselves up to be criticised for a report that could demonstrably never be seen as balanced and thus unbiased. I honestly can’t believe that they could not see this.

518. It is also highly interesting and in my view significant that Mick Gradwell – effectively Warcup’s No. 2 – refused to give any evidence to the review. I believe that his evidence would have been pertinent to many of the issues we were considering during the review. Indeed, during the hearings, we became aware that it was Mick Gradwell who had been leaking information to the media during Operation Rectangle – the aforesaid UK journalist David Rose. This was confirmed by the Home Affairs Minister – yet the Jersey Evening Post still continued to try and portray this individual as a hero and to use their ludicrous term a ‘whistle-blower’!
519. I still do not fully understand where his motivation in doing this originated but can only think that it too was part of the establishment plan to trash Lenny Harper and Graham Power. I have subsequently heard it suggested that Mr Gradwell apparently had some ‘history’ with Mr Harper but am unable to shed any light on this. Something else which if true probably should have seen him decline any involvement in such an investigation.
520. As I touched upon briefly earlier it had been reported – and probably became one of the most purveyed pieces of Establishment propaganda – that Lenny Harper and Graham Power had “wasted £7.5 million” on their investigation: truth be told this fabrication was spun with almost zealot-like fervour by Jersey’s mainstream media; particularly the Jersey Evening Post and Channel Television (now ITV). But when we analysed the figures, in their time together they actually spent less than half of that amount. In fact most of that sum was accumulated on Warcup and Gradwell’s watch.
521. This is hugely significant because as should have been starkly apparent to everyone from the Home Affairs department – ultimately responsible let us not forget with regard to accounting – senior politicians and later even to the so-called ‘accredited’, ‘professional’ media who trashed Power and Harper with a vengeance: whilst the pair had a major, large scale crime scene to run Warcup and Gradwell had none of this.

522. Yet the attacks on Power and Harper would continue and the fake £7.5 million myth and other fabrications be continually spun even after my Scrutiny review had exposed them for what they were: misrepresentations and even downright lies.
523. The readily apparent fact of the matter – and this is in my opinion starkly clear from the attitude and attempts at obstruction of President of the Chairmen’s Committee, Senator Ben Shenton and that of Home Affairs Minister Senator Ian Le Marquand - is that senior Establishment figures wanted the work of Power and Harper to be misrepresented to the public; with the obvious consequence that belief in what the pair had tenaciously uncovered would be undermined and the ‘Great and the Good’ who had failed children over so many decades could be protected. I have not repeated the term for a little while so I will use it again here: the ‘Jersey Way’ raises it head yet again.
524. Just how blatant were these lies and the desperation to continue to mislead the public can perhaps best be summed up – if the Inquiry team can track down the footage – when, upon the Scrutiny review’s publication and presentation to the States I went ‘live’ on Channel Television to answer questions on this in my role as review Chairman.
525. I repeat: remember the Scrutiny Panel’s work had blown such favourite fabrications as the £7.5 million slur clean out of the water. Yet unbeknown to me even as I sat in the studio unable to view this Channel were spouting the same demonstrable garbage to their viewers in on screen graphics whilst we spoke.
526. Disgraceful and sickening both. Yet useful in the long term because by such actions can it be seen how insidiously entwined with the Establishment political/judicial drive to mislead the public about Haut de la Garenne Jersey’s media were. The examples of how warped the portrayal of Operation Rectangle was can be seen in numerous examples; and rather than work through every one of them again here as I say I think it best to simply hand

the Inquiry a copy of the Scrutiny Panel review and ask that it be read and viewed against the lies and falsehoods spun by Establishment politicians, media and Power and Harper's successors alike.

527. Nevertheless, if I was to be pushed to highlight just one further example I would likely use that of the furore stirred up regarding the 'who ate what for dinner' nonsense which saw Harper's expenses portrayed by the Jersey media as some kind of lavish, Hollywood style extravaganza. Expenses of course which were in reality hardly outlandish in an expensive place like London; or in my view when set against limits allowed by the Home Affairs Minister and department (who manipulated such an unwarranted stink) to later be run up by members of the Wiltshire Constabulary investigating what had supposedly gone on. Unless of course, my memory completely fails me?
528. Instead – and this surely is something to keep in mind - allowing this matter to be fabricated into something bigger than; and more important than Power and Harper's brave uncovering of decades of child abuse and concealment ignored by their police predecessors. Yes, I am going to say it yet again: 'the Jersey Way'. As former Chief of Police Power himself so perfectly put it into context: How can disputed expenses arising from what officers ate EVER become more important than the concealment of decades of child abuse? It simply cannot – at least to anyone not having a hidden agenda.
529. To this regard I feel it must be stated that Chief of Police Power's huge – and never officially, publicly presented – 62,000 word statement made in response to the Wiltshire investigation and the Jersey mainstream media onslaught stirred up by the Establishment should be essential reading for anyone wanting to actually get beyond the hyperbole.
530. I attach this document as **TP18**. Suffice to add perhaps that the Jersey media and its endless misrepresentation of Harper and Power's investigation is an issue upon which I will need to add even more. Jersey's media I believe – certainly the BBC - have this most revealing document but have never made use of it for the public's benefit. Why?

531. Our Scrutiny report was presented to the States on 9 November 2011 To this day I must state I remain shocked by how unprofessional a number of key elements of the BDO Report process and finding were. Indeed, it should likely be flagged up here that even the initial instructions to conduct the review were flawed and confusing: perhaps deliberately so one must wonder? Please consider: Mr Mike Kellett had been appointed and yet he seems to have had little or no idea what he was actually meant to be doing and whose Terms of Reference he should be working to. Is it simply incompetence or something wholly more suspicious in line with the 'Jersey Way' contentions throughout this statement? I leave the Inquiry to consider...
532. At paragraphs 2.1 to 2.3, the Sub-Panel Report states "Mr. Kellett was originally employed by the States of Jersey Police to undertake an internal review, commissioned by Mr. Warcup, relating to the overall conduct of the HCA investigation by the police. Mr. Kellett, however, was not made aware of this intended task and was given separate instructions which required him to work closely with the BDO Alto review on the use of financial resources. These different instructions were given by Mr. Gradwell and had not been seen or authorised by Mr. Warcup!" Truly incredible – and to think they tried to portray Harper and Power as incompetent?
533. It continues 'Mr. Gradwell's instructions to Mr. Kellett caused confusion about the police consultant's role. Mr. Warcup initially praised Mr. Kellett's work but subsequently decided that it was inappropriate for him to be working on a joint review with BDO on the grounds that it was inappropriate for anyone working for the States of Jersey Police to be investigating matters which were connected to the disciplinary enquiry being conducted by Wiltshire Constabulary'. This surely should have been apparent from the offset.
534. If one was to be blunt – and I am often accused of that – I would say, no longer under the constraint of the Scrutiny process that what was set in motion by Mr Warcup and Mr Gradwell had one thing in common with the finished BDO Alto review itself: both were intrinsically flawed and in many ways utterly shambolic.

535. Actually, I would revise that statement to being *two* things in common: both appeared to have little or any concern that the two senior police officers at the centre of it all – and Harper in particular – should in any way have a fair and detached hearing in order that the truth might be fully established; and established at that beyond any reasonable doubt.
536. Indeed, there are a great many people who have followed the trashing of Power and Harper by the Jersey Establishment who view the review as just another facet of a deliberate hatchet job. I suggest it is easy to see why such views are held.
537. As to my overall own experience as a politician conducting the Scrutiny Sub-Panel investigation as part of the States of Jersey I would have to reiterate that this was one of animosity throughout. The attempts made by Senator Ian Le Marquand to undermine the credibility of both myself and other members of the sub-panel: even to the point of seeking my removal from the panel, were crass but disturbing nonetheless.
538. In my view pure political smoke and mirrors of the lowest order to try and con the public to protect the deliberate trashing of the police investigation. I certainly felt that the Establishment wanted to discredit the Scrutiny Sub-Panel from the start and I believe that upon consideration of the evidence highlighted it would be difficult for anyone to contend otherwise.
539. It has been suggested by many that my refusal to bow to pressure but instead see the Scrutiny review through will – just as some of the other incidents outlined within this statement involving both Shona and myself - eventually have been a factor in the evident legal abuses Shona and I would suffer at the hands of Sir Michael Birt's Royal Court in trying to pursue our defamation case against the Jersey Evening Post and their millionaire client Roger Trower.

540. I accept that this may well be the case – just as events like Shona bringing her vote of no confidence in Sir Philip Bailhache undoubtedly is. I nevertheless always point out that even if true it will never be able to be proven. Similarly what has happened to former Senator Stuart Syvret in response to all of his travails to bring about accountability to ‘the untouchables’ of Jersey’s Establishment: the mechanism for a truly independent root and branch overhaul of Jersey’s does not, as yet exist because of the people in charge and complete indifference – or quite possibly willing collusion of those responsible in the UK itself.
541. Given that the UK does have the power to intervene as we all know, regardless of the excuses not to, should Westminster one day eventually have a Prime Minister principled enough to do things differently – and risk upsetting a lot of powerful people in the process of course – then *perhaps* one day the necessary will finally be undertaken. Indeed, perhaps the new Labour leader Mt Corbyn is that man?
542. Nevertheless, regardless of all this what I must say is that what has been most frustrating of all is that nothing whatsoever has happened here since the Scrutiny Report into the BDO debacle was published. Beyond doubt a truly damning indictment of those Jersey politicians who claim that are not a part of ‘the Jersey Way’.
543. As with *all* Scrutiny reviews which examined areas the Jersey Establishment did not want scrutinised; proposed unwelcome changes or flagged up unflattering shortcomings our review into the financial management of Operation Rectangle as portrayed by BDO Alto was simply ignored. Effectively buried and left to gather dust. This is why Jersey Scrutiny in its present form is a complete waste of a diligent politician’s time: it has no political teeth and serves no other purpose than to tie up ‘opposition’ or ‘backbench’ States Members in time consuming work when their efforts could be far better used elsewhere.

544. This is why following my re-election in 2011 I withdraw from Scrutiny completely and focussed on propositions, representing my constituents, and holding Ministers to account.
545. One of the main findings in the review of course was that we had not been able to fully examine the serious issue with undoubtedly prejudiced mainstream media coverage; but believed that this ought to be considered by a future Scrutiny Panel. The Jersey Evening Post and Channel TV after all have apparently 'won awards' for their reporting on Operation Rectangle. These failings were even – and I think he only publicly agreed with this because we had so dismantled the rubbish previously spun to the point where he worried he would one day face ridicule – eventually supported by the Home Affairs Minister. Unfortunately he was to backtrack on a key promise he made to this regard at the last minute.
546. This had been his agreement – actually voiced as I recall at one of our public Scrutiny meetings – i.e. that the Minister would put out a joint statement with us acknowledging that important aspects of what had been spun to the Jersey public by the media was incorrect and unfair to Mr Power and Mr Harper. As I trust the COI will appreciate such a move would have been hugely powerful.
547. That he finally backtracked on this without any proper explanation to my Scrutiny team was, I believe, eventually down to the fact that these concessions were, in his final analysis and quite possibly there was pressure from his political and judicial Establishment colleagues in the Council of Ministers just too much of a climb down for him to follow through. I nevertheless attach as my **Exhibit TP19** the amended Response dated 15 December 2011 that Ian Le Marquand released.
548. As significant research demonstrates the vast majority of people form their views on the basis of media reporting of these sort of 'out of the ordinary' issues; just as people do regarding most things, other people and events outside of their experience. The Scrutiny Report thus stated at paragraph

248 “it is of paramount importance that the media strive to deal with issues of this magnitude with the highest standards of objectivity. Broadcast media have a special responsibility to use the few words that they have carefully in order to avoid false impressions being left in the minds of the public.”

549. As the example I gave about Channel Television having me on ‘live’ yet simultaneously still pumping out to their viewers the same misinformation demonstrates the ‘accredited’ media remain a real problem in Jersey with regard to how the true facts about Haut de la Garenne have been distorted and suppressed over so many years. They certainly remain a key factor in propping ‘the Jersey Way’ up. As to why this should still be that makes for an interesting question.

550. For example, just what should we read into a couple of revelations/allegations which have arisen from the various investigations – both police and Scrutiny – into Haut de la Garenne; involving as both do a

[REDACTED]

551. The first arose in [REDACTED] in relation to [REDACTED] of Operation Rectangle which I Chaired. At the end of this session the by then former Senator and Health & Social Services Minister Stuart Syvret alleged that [REDACTED] ⁷³⁷

[REDACTED] – actually the [REDACTED]
[REDACTED] I believe, but certainly a [REDACTED]

over a period of decades - was a serial rapist. This was, I should point out, a

[REDACTED]

552. This allegation within such a meeting was obviously as intriguing as it might have been expected to be explosive. [REDACTED] ⁷³⁷ had in the 1970s been the

[REDACTED] elected as a Senator and went on to become a very powerful man in Jersey; not least via [REDACTED] position over many years. In fact I can recall it being alleged by a certain journalist that [REDACTED] ⁷³⁷ ‘had more

[REDACTED] anyone else in Jersey’. True or not the

inference was that this was why so many people were careful what they said about the [REDACTED]

553. As already highlighted I well recall former Deputy Paul Le Claire telling some of us about a letter he said he had from the [REDACTED] in essence telling him that he had better be careful what he said because they [REDACTED] had the power to destroy him. Le Claire's words.

554. Nevertheless, regardless of Le Claire's claims – to which I would add only that I have no reason to doubt them having experienced how [REDACTED] works - it would certainly not be an overstatement of any sort to say that [REDACTED] 737 is considered very much a part of the small group at the very top of the Establishment system in Jersey who appear to be untouchable. On top of his [REDACTED] he has, of course, also been afforded a key and influential role linking with [REDACTED] for example. Certainly [REDACTED] 737 is a key and long entrenched member of the "Old Boys Network" if you like; the very heart of 'the Jersey Way'. Many people it appears from those who have spoken to me certainly seem to be very afraid of him.

555. Yet to get back to what happened at the Scrutiny hearing within a response that is likely just as predictable as it is simultaneously jaw-dropping: not a word of what former Senator Syvret had alleged at the meeting was ever reported: by any of the media present. That these stunning allegations would have been reported had it been someone else named we all agreed was beyond doubt.

556. As I have done elsewhere however in fairness to [REDACTED] 737 I must point out that I obviously cannot say whether there was any truth in these allegations; and that whatever I may think or suspect I adhere to the principle that everyone is innocent until proven guilty. Interestingly – perhaps very tellingly – as fate would later have it in [REDACTED] 737 would sit in the Royal Court throughout the defamation case we brought against [REDACTED] his stare intriguingly fixed continuously; I was not alone in noticing, on the disgraced

senior Jurat, the previously mentioned John Le Breton. A man of course who as former Health Minister Stuart Syvret himself would much later point out could easily be destroyed by [REDACTED] given that the Senator had apparently made known to [REDACTED] the true extent of the Jurat's failings underlying the Sharp investigation.

557. Nevertheless the fact was that in relation to former Senator Syvret's allegations about [REDACTED]⁷³⁷ himself the fact is I had actually already heard similar rumours before and even knew, by chance, of an individual who claimed that he had been interviewed by the police regarding these claims within the course of an alleged rape investigation. I thus felt pretty comfortable in the belief that some kind of wider allegations must have been made at some point even if I didn't know who by.
558. With a bit of a furore subsequently arising from the fact that whilst what former Senator Syvret had said most definitely should have been included on the official transcripts from the Scrutiny hearing regardless – even if the name was redacted - but was instead omitted despite my protests - ultimately I believe on the word of the Attorney General Tim Le Cocq; indeed, even the witness himself, Mr Syvret was denied the full copy of the transcripts which was surely his right to have – I felt this could not simply be left without investigation.
559. After all I wasn't a mainstream Jersey journalist – I was interested in the truth of what might in some way underlie certain aspects of what our Scrutiny review was trying to investigate. If there was any truth in what had been alleged then it would clearly be of relevance to the concerns raised about the mainstream media's approach which we had commented upon. For here I must reiterate that the fact that so much of the horror stories eventually surfacing post 2007 had somehow never been investigated by any of Jersey's mainstream media organisations is something which has bemused and concerned many.

560. Of course I readily acknowledge that I had no idea that what underlay Mr Syvret's statement was quite plausibly implication of information of the most spectacular and revealing kind. Indeed, information which may for the first time shed light upon the inexplicable and in my view clearly politically motivated – questionably illegal - suspension of Chief of Police Graham Power himself. But to go back a step in the light of all of this internal furore following the comments I decided for my own peace of mind to try and make some discreet enquiries of my own in order to try and establish whether here was yet another example of 'the Jersey Way' or instead just rumour.
561. Not surprisingly - like some others with a reputation for pursuing difficult questions and not being put off – I have over the years built up a fairly extensive array of contacts both here, in the UK. and even beyond. I obviously cannot – and would not under any circumstance divulge any of these contacts. However suffice to say that in this particular instance a source still working within the local police informed me of information which was, I have to say, due to the possible implications in relation to so much that had happened, potentially completely stunning.
562. The crux of what was alleged to me by my contact was that [REDACTED] 737 [REDACTED] had indeed been the subject of a number of complaints on the lines of what former Senator Stuart Syvret had claimed in the Scrutiny hearing i.e. serial rape allegations. Not only this but that a full Police investigation was well underway and apparently nearing completion in 2008. Indeed, my source subsequently told me that the Police were actually very, very close to charging [REDACTED] 737 [REDACTED] with a number of serious sexual assaults and rapes. This really was staggering to hear.
563. To this degree it was alleged that whilst there were apparently half-a-dozen women who were alleged victims; though most were too terrified to give evidence due to [REDACTED] 737 [REDACTED] powerful position it was believed that two women probably would now do so regardless. Shocking as these allegations were even more was to follow. It was actually suggested to me that a number of officers believed that it was because of this then on-going Police investigation

being so advanced to the point where an arrest and charge was imminent that was the true reason for the hurried, shambolic – and inexplicable in the eyes of any detached observer – suspension of their boss, Chief of Police Graham Power being driven through as it was.

564. Whilst I do not know his source I have become aware that such allegations have evidently also been voiced to former Senator Syvret himself. I must also nevertheless repeat again at this point that though I have no reason to doubt the integrity of what was alleged to me by the officer I can of course not verify the underlying truth one way or the other.
565. Because of this having given the matter significant thought I would thus strongly suggest that the Inquiry team contact the former Chief of Police himself in order that he can verify or dismiss the claims of such allegations against 737 and the reality or otherwise of an advanced Police investigation. If it is true that there definitely was a Police investigation and probable arrest looming then I would also suggest that this is beyond doubt incredibly relevant to the Inquiry – not least as it relates to the Establishment suspension and subsequent trashing of Haut de la Garenne investigations.
566. It certainly must be said that if true such an arrest would have been catastrophic for Jersey's Establishment. He was – and indeed remains - a major 'mover and shaker' in Jersey; and coming on the back of an abuse cover-up scandal that had seen Jersey descended upon by journalists from all over the world an arrest of such a major Establishment figure on such serious alleged violent sexual crimes would have shaken those at the apex of 'the Jersey Way's drive to retain the political, judicial – and indeed constitutional – status quo to the very core.
567. It should go without saying that had Chief of Police Power wished to move to arrest and charge 737 with such offences the conflict with the Establishment Attorney General William Bailhache would have been seismic. Indeed, though I do not wish to go into the matter at any great length within

this statement – I would hope that former Senator Syvret will. If true then as we have seen within what has been reported by the Senator and his former partner the current Deputy of Grouville Carolyn Labey regarding the Chief of Police's desire to press ahead with an investigation into serious planning corruption allegedly involving a number of senior Establishment figures; and Bailhache's equal determination that pursue these claims he must not the implications would be immense.

568. Yet as I said not a single word has been reported by Jersey's mainstream media on these allegations about ⁷³⁷ and I suggest that this is very relevant when one considers the so-called 'Jersey Way' attitude to both abuse and any criticism of senior political and judicial figures over many decades. Indeed, this may be seen yet again in the second incident I wish to talk about briefly. This being the horrendous allegations of rape and abuse it is claimed were carried out by another former States Senator the late Wilfred Krichefski aka 'The Fat Man'.

569. First however, as a final note on the serial rapist allegations against ⁷³⁷ made by former Senator Stuart Syvret I have been advised that at least one of these alleged rape victims has actually come forward; willing to give evidence to the Committee of Inquiry. If correct then it seems to me an ideal opportunity for the Inquiry team to attempt to get to the bottom of what are most disturbing and potentially hugely revealing allegations in relation to the true reason why the inexplicable suspension of Graham Power was rushed through so rapidly; even if the COI do not intend to consider the role Jersey's media has played over so many years in terms of non-reporting.

570. This would surely demand having ⁷³⁷ himself appear. After all everyone who is subject to allegations of serious wrong-doing in relation to the abuse cover-up – and if true these most definitely are relevant for the reasons I have set out - not only merits in-depth questioning of his or her actions; but also the opportunity to defend him or herself. Unfortunately, as to the second major former media figure facing very serious allegations of abuse - actually

allegations against children – any such personal appearance to give evidence is impossible.

571. For the second example relating to the way the Jersey mainstream media selectively report or spin certain stories relating to cases which have grown out of the Haut de la Garenne investigation, I again suggest to the Inquiry it is very illuminating that though the allegations about horrific child abuse said to be carried out by Wilfred Krichefski the Island's media – and in particular Channel Television (now ITV) - have been most scant in providing the Jersey public with full details of exactly who Wilfred Krichefski was alleged to be or what he is alleged to have done. He too of course must be viewed as innocent until proven guilty: but it must be said that what has been claimed is very compelling.
572. Indeed, when one considers the hatchet job and absolute overkill the media including Channel Television have done on Power and Harper (not to mention other 'anti-Establishment' figures who challenged what was going on throughout the abuse cover-up scandal) the contrasting lack of honest, accurate coverage of the Krichefski allegations could not be more profound. Just as with the allegations surrounding [REDACTED] 737 [REDACTED] one surely has to ask: could this have anything to do with the late Wilfred Krichefski's powerful role once held not just within Jersey politics where like 737 [REDACTED] he too had been a Senator but within Jersey's [REDACTED]
573. Krichefski was, after all, not only a founding member of the local TV station but I believe also a senior director; in fact I believe he was the television company's first ever Managing Director? Perhaps the company can confirm or deny this? Wilfred Krichefski, if memory serves, was also a former President of what was once the old Defence Committee. This role included ultimate responsibility for the Jersey Police! Krichefski has, as the Inquiry team knows, been accused of most horrific child abuse. Yet in comparison to external media Jersey's local MSM have been scanty with reporting these details in the extreme. Channel (ITV) more than any; and to my knowledge not once have I heard or seen the TV station acknowledge the long and

senior level links the company has with an alleged abuser of young boys whose abuse earned him the sinister tag of 'the Fat Man'.

574. Two men then in positions of great power. Two men facing very serious allegations. Yet almost zero – certainly in the case of ⁷³⁷ – reporting or any acknowledgment of the political and roles they played. It is inarguable that the lack of professional investigative journalism displayed over many decades by Jersey's 'accredited' mainstream media undoubtedly played a significant part in allowing the child protection failings of numerous Bailiffs, Attorney Generals, politicians, civil servants and senior Police officers to go unchallenged for so long. After all, how is that in the UK media manage to uncover and report to the public so much regarding abuse that has been swept under the carpet; whilst here in Jersey the contrast could not be more telling? Hearing so much of the testimony of victims; indeed, even the sort of stories which used to circulate when I myself was at school, such journalistic inadequacy is deeply suspicious.
575. Perhaps all of this arises from nothing more than, what would be to most of us, a strangely warped attitude to abuse and perhaps justice/corruption/intimidation generally in line with the 'it's better to sweep it under the carpet than risk damaging the Island's 'good name' and reputation' mind-set I have highlighted previously?
576. Indeed, to turn just briefly to yet another senior Jersey media figure, BBC Jersey 'main man' Mr Jon Gripton (I believe he has recently departed to a post in England while I have been away from the Island?) at one point when my wife and I were being harassed and abused horrendously by the infamous local internet troll I mentioned briefly earlier – even to the point of what can only be described as a 'hate site' account being set up to attack Shona on Twitter – instead of condemning this Jon Gripton instead saw fit to re-tweet some of the abuse to his then 2000 odd followers.
577. Apparently, according to this very senior mainstream Jersey 'journalist' he felt it 'very amusing'. Does this sum up the Jersey mainstream media's core

attitude to abuse generally one has to wonder? Complaints were actually made to the BBC about this by members of the public yet nothing happened – apart from his Twitter account disappearing for a while. Incredibly the BBC even denied it had happened at one point when challenged by the now Deputy Sam Mezec. While such behaviour is wholly insignificant set against the allegations of actual horrendous abuse levelled at the other two media figures I mention, I have to suggest all of this raises disturbing questions and ones which you cannot help but think say a lot about both the trashing of the Haut de la Garenne investigation; and why the Jersey media appear to have such a poor record of exposing child abuse set against their UK counterparts.

578. As to the ⁷³ [REDACTED] allegations I suggest that it is surely apparent that searching questions – under subpoena if necessary – simply must be asked of the then Attorney General William Bailhache and every one of the Establishment individuals involved in then Chief of Police Graham Power's inexplicable and demonstrably 'fast-tracked' suspension. Certainly States CEO of the time Bill Ogley; Chief Minister Senator Frank Walker – a close friend and colleague of ⁷³⁷ [REDACTED] through their longstanding positions with the [REDACTED] over many years – and the demonstrably out of his depth and proven liar then Home Affairs Minister Deputy Andrew Lewis. Did any one of them know about these allegations at the time of their involvement in Power's inexplicably hurried suspension? The Care Inquiry needs to clarify this.
579. I say this as well because I share the contention with many others who have actually put in the work to look behind the propaganda that ultimately the clearly groundless and politically motivated suspension of Graham Power holds the key to everything that has happened since. Indeed, as the Napier Report concluded there was not sufficient evidence to support the suspension of Graham Power.
580. Yet what Power's enemies and opponents within the 'Jersey Way' were allowed to do largely by the Island's media refusing to report things accurately was permit the Establishment to not only bring the child abuse

investigation to a shuddering halt; but by removing the Chief of Police from the picture buy themselves time to hunt around for, and even where necessary invent the grounds that would merit their action in retrospect.

581. To this regard the aforesaid Scrutiny Sub-Panel Report – which I can say its members were humbled to hear actually lauded by some as the ‘most defining Scrutiny report of its time’ and even somewhat surprisingly praised by the Home Affairs Minister himself *eventually* and beyond doubt reluctantly - is obviously a document which throws much additional light on ‘the Jersey Way’ attitude at play during all of this.
582. I thus contend that it is most relevant to the Inquiry team’s work and hope that it is considered fully and in the light of the searching for the truth by which it was undertaken. I would also – not for the first time – place on record my thanks and respect to the colleagues who sat with me on it; to the two bloggers whose diligent work convinced us it was necessary; and to then Senator Sarah Fergusson whose support in the face of Ben Shenton’s objections was so important in ensuring it got started at all.
583. Trying to round this part of my statement up to a conclusion I would say that my experiences with the Scrutiny Report – both getting it off the ground and in the Establishment attitude to its evidence-based conclusions subsequently - hugely influenced my approach in politics in future. Indeed, the reaction to the Scrutiny Report demonstrated this stance and the much quoted ‘Jersey Way’ perfectly.
584. Despite what I perceived to be important findings which suggested (as just a few examples) that Jersey ministerial system had a lack of appropriate control mechanisms in position to prevent the Operation Rectangle financial situation in the first place; the strong criticism of State media behaviour; the completely without foundation attacks focusing on bogus fabrications such as millions of pounds of taxpayers’ money Power and Harper had allegedly wasted; the enjoyment of a lavish, ‘Hollywood’ lifestyle at taxpayer’s expense; unnecessary trips to witnesses in Australia etc the Scrutiny Report

had zero impact where it should have mattered: in the States. And although it was given token media attention briefly, it achieved – in my view – absolutely nothing.

585. Other than that it helped ensure that the truth will be recorded for posterity. Probably the same thing that is all the COI's eventual report will do. Not nearly enough but important all the same.
586. Actually, I should probably qualify this, enlarging upon the above I suppose by adding that its benefit and importance will only come about in years to come when we hopefully have people in power whose opinions and actions will not be prisoners to fear and vested interest and the need to cover their tracks. The Committee of Inquiry of course has the opportunity to much enlarge upon the truth exposed by what the Scrutiny Sub-Panel did. Whether they will I do not know. But if they do I hope the brave tenacity and true investigative journalism of the aforesaid Citizen's Media bloggers, McMurray and Sorda will get the credit they deserve in relation to the Scrutiny review coming about.

Boxes of hidden evidence relating to abuse at Haut de la Garenne

587. Now here we have another real 'Jersey Way' gem. Possibly of so much importance that I very nearly insisted we talk about this in the interview first. Hidden – and in my analysis clearly deliberately hidden – crates of evidence that proves beyond doubt the Establishment really was facing complaints about child abuse in the 1970s and 1980s: no matter how much it has been denied. As the COI will note I inadvertently found myself touching upon this earlier with comments I made about asking William Bailhache what he knew about this – if indeed he knew anything at all. Which to recap was what he claimed.
588. Fairly late in my political career a source told me that they were aware of some documents a *lot* of documents - that had been buried in the basement area of the States Property Holdings office up at the Education, Sport &

Culture premises at Highlands. And what was equally intriguing and also disturbing was that this significant amount of material had been stumbled upon not too long after Chief of Police Graham Power had been stitched up, suspended and the child abuse investigation of Lenny Harper effectively put into mothballs.

589. My source – I will obviously not risk revealing the person’s identity here (the CO!’s lawyers know this already and I do not want the individual subjected to any potential recriminations) - came across what was described to me as between three and five large boxes worth when collected together of documents once he had begun to sift through the material whilst clearing out some store space in 2009.. The documents appeared to all relate to Haut de la Garenne.
590. What makes this so disturbing is that these were evidently not just any old paperwork or records. The documents were correspondence between a wide variety of lawyers, parents and Haut de la Garenne’s ‘overlords’ – if I can put it that way - complaining about the abuse of children there.
591. My source stated he informed his superior, a lady named Carol Le Monnier, the Head of Property Holdings, Brian Smith’s PA about these boxes of documents. He also advised me that having done so Carol Le Monnier examined the material to verify its relevance to the abuse inquiry at Haut de la Garenne. In my source’s words it was clear that upon doing so Carol Le Monnier was ‘visibly upset’ at the content. Much of what was read was apparently ‘harrowing’. Not my words...
592. It appears that Carol Le Monnier to her eternal credit then did the correct thing in contacting superiors at the main Property Holdings office situated in Hill Street. According to my source it was then requested that the boxes of documents be immediately transferred to Hill Street. However, what is so important here and evidence of the credit Le Monnier deserves, is that it is stated that whilst Carol Le Monnier agreed to do this she did so *only* upon agreement that upon delivery the boxes would be signed for. My source

further tells me that Carol Le Monnier was accompanied and driven down to Hill Street to deliver this material by another employee Ann Bishop.

593. Again according to my source the boxes were taken into the keeping of David Flowers and Ray Foster and that upon the handover of the quite extensive number of documents in these boxes they *were* signed for.
594. Learning of this my source understandably assumed that the material would be handed over to the senior Police officers who had inherited the Operation Rectangle upon the retirement of Lenny Harper and the sudden suspension of Graham Power. This is obviously quite understandable.
595. My growing concern however arose upon later reflection that even if these boxes *had* been handed over directly to Police this would have been in the time of Mr Warcup and Mr Gradwell who in my view had done so much to try and undermine the Haut de la Garenne investigation set in motion by Power and Harper. If – and it must be an ‘if’ until we can find out for sure – they had instead been handed over to Flowers’ and Foster’s ultimate *political* superior this could also have meant alternatively that the documents were handed over to the politician ultimately overseeing Property Holdings.
596. I believe that at the described time this department will have fallen under the control of the Treasury & Resources Minister who was Senator Philip Ozouf. I suggest that the Senator – or if I am mistaken, his Assistant – need to be questioned by the COI to see what light can be shed on this – if any. The person with political responsibility for Property Holdings may of course never have gotten to see this extensive amount of crucial material at all; or never even have been told about it. Thus all involved need to be questioned.
597. In wondering if all really had been as it should – certainly it is clear that the original finder of this considerable amount of documents and his superior Carol Le Monnier demonstrably *did* do the right thing - I have subsequently tried to locate where these boxes of documents went but have drawn a blank.

I left two messages asking that Carol Le Monnier could please contact Deputy Pitman with no reply.

598. That I got no reply could very well of course mean that she was never even given the messages: I certainly did not say what my request arose from for obvious reasons. I also asked the man who would have then been Attorney General as I have mentioned. With no answers being forthcoming this is why in the course of my first contact with the Inquiry team I provided them with all that I knew. I have to state that I have been deeply disturbed to learn that upon request for them the States now apparently claim that they cannot account for these boxes of a significant amount of evidence.
599. I think it is very, very important that the Inquiry is able to locate these boxes or at the very least find out what has happened to them; particularly in establishing just *who* had them last. Any claims that the material really wasn't important etc without the Inquiry being able to verify this for itself would surely – in my view – need to be treated with the gravest suspicion. Indeed, if the documents (when even quickly initially sorted we must remember are stated as being in the quantity of some three to five boxes worth) have been destroyed or disappeared I would argue that whoever is responsible really must face some kind of criminal action.
600. I am, of course, aware that important documents and records being inexplicably 'missing' is a recurring theme in the scandal arising from the Haut de la Garenne investigation. This in itself I, like others, find hugely suspicious and direct evidence of wrong-doing. My understanding is that the information in those boxes – and certainly the ones I refer to - could add significant weight to some of the stories that many of the victims have been telling both to me, others who have been approached for help and the Inquiry itself.
601. Several boxes of evidence discovered so recently simply can't have disappeared or been 'misplaced' by chance. If they cannot be accounted for I suggest they clearly have been destroyed deliberately and those found to

have last had possession need to be questioned. And if no plausible explanation can be provided they surely need to be charged with attempting to pervert the course of justice.

602. I simply shudder – knowing as I do of victims who have claimed their abuse was complained about to authorities; but has been dismissed and the individuals even threatened with Police action as ‘liars’ – imagining what it would do to such victims. Knowing that evidence that might back up their claims has not only been hidden once; but then be found by someone who was honest only to then be hidden all over again to protect the guilty. Even worse – actually destroyed.

603. I thus trust the Inquiry will leave no stone unturned in trying to locate them; including if necessary subpoenaing all of those identified and alleged to have had possession of the material after its finding – even more so perhaps any and all who might be claimed by these people to have taken ultimate possession. For example, alternatively to being passed to the politician ultimately responsible for the department within which the boxes of evidence were found: could these boxes of Haut de la Garenne evidence have ultimately been handed to the individual at the very top of Jersey’s Civil Service after they had been signed for by the named individuals? Could they even have been claimed by those at the apex of the Jersey Judiciary? We need answers.

‘Missing’ records/documents - a familiar story

604. Whilst on this subject I am aware of other constituents who have requested details of people who were on what might have operated as a ‘Board of Governors’ or oversight committee at Haut de la Garenne – indeed, my former colleague Deputy Mike Higgins has done this - but this information also apparently cannot be found.

605. I ask the Inquiry to consider and investigate: can this really be in any way plausible? In addition, I know that Shona has tried to assist one of her constituents who is an abuse victim in locating photographs of Haut de la Garenne formerly housed at the public library. Yet when the member of staff – who confidently confirmed that they still ‘had lots of photos’ of the children’s home – looked there was now only one solitary photograph. The member of staff could not explain it.
606. The Library is under the ultimate control of the States of Jersey as I understand it so I ask the Inquiry to consider investigating just how and/or why these seemingly large quantities of material could be vanished away and for what purpose. Did the Police remove them in the course of the original investigations – or were they removed later once Power had been inexplicably suspended; Warcup and Gradwell had been brought in and the orchestrated trashing of the abuse investigation had begun? Again, this could be quite innocent or something more sinister: one would certainly expect a member of the Library’s staff to know if some kind of legitimate order had been made to remove such material.
607. Whilst the two may, of course, be wholly unrelated I raise these concerns due to one of the victims whom I have attempted to assist not only been informed that statements he made to the Police as far back as the 1980s have been ‘misaid’; but has even been threatened with prosecution if he did not drop his claims of abuse at Haut de la Garenne. The claim being that this victim was ‘never there’.
608. Thankfully others at the home can actually recall him there. Just how disturbing is this I ask? The victim happens to be an individual claiming to have suffered abuse including multiple burns with cigarettes: something which having listened to the man accused of doing this give evidence I was both disturbed and pleased to note had been described by a specialist doctor as being consistent in his opinion as a possible cause of multiple scars remaining on the victim’s back.

609. As a final observation on this particular issue I would illustrate the complete implausibility of these missing or mysteriously mislaid records with the following comparison. I outlined at the beginning of this statement in being asked to set out some background that in 1996 I took over what became the Island's biggest youth service facility. The fact is that even now – almost two full decades later – records exist as to who my staff were; who sat on my Management Committee etc.
610. Indeed, even were these records to be somehow wholly destroyed it would still be easily possible to track down and establish who these individuals were simply via the memory of interviewing individuals. I thus ask the Inquiry to consider and subsequently push for answers as to how when it comes to official governing bodies/boards responsible for the welfare of vulnerable children actually taken into the 'care' of much bigger institutions – taken into care by order, we should not forget as opposed to attending a youth provision by their own choice – all of these records of the 'great and the good' who sat on the boards overseeing them apparently cannot be found?
611. Such claims are as ludicrous as they are disturbing: they just could not happen without deliberate intervention/interference.
612. Not every Bailiff, Attorney General, Education or Health Committee President, Civil Servant or Senior Police Officer over all of these years can be dead or have gone 'missing'. Likewise local lawyers who represented families or even children themselves. They must surely be tracked down and all and any living individual subpoenaed to give evidence.
613. It surely also goes without saying but following on from the 'three to five' large boxes worth of hidden documents I have revealed not all records of such things can have plausibly been 'mislaid' either: unless we are talking about an almost World War Two Nazi-like orchestrated destruction to hide the truth and protect the guilty. This does, of course, seem to be the 'Jersey Way' – hide or destroy the evidence, claim you 'don't know' how things could

have happened; say 'what is important is moving forward' and take the flak for such 'unfortunate' mysteries.

614. Knowing, no doubt, that this will all be far more short-lived and less damaging than letting the truth come out. My concern – which I feel I need to document here for the record – is to ask: just what avenues are open – if any – to the COI when this inevitably happens? For without any external and independent intervention being triggered if the COI agrees with these interpretations of a deliberate and orchestrated covering of tracks those who have allowed all of this abuse and subterfuge to happen over so many decades will simply remain in power. For the victims this will be nothing more than yet another huge kick in the teeth. I thus urge the COI to do everything it can to ensure its final report/conclusions are listened to and trigger external intervention as highlighted.
615. To move on from this. Given that I have been asked to recount all and anything which I believe may be of relevance to the Inquiry and its Terms of Reference in their attempting to establish just what has happened regarding the child abuse scandal - and because I see this as being suppressed since I came into politics - there are a handful of other issues which I also think I should briefly flag up before ending this statement. They are matters which are clearly sinister and yet for which half-plausible explanations have never been provided.

The truth about the attempts to breach the HDLG Police cordon

616. I believe that it should be quite apparent that misrepresentation of facts and even downright lies have been employed by the Jersey Establishment in attempting to distract from much of the truth about Haut de la Garenne. One such incident which I believe has never been sufficiently explained – or indeed adequately pursued due to the lies spun is the mysterious attempt by two individuals to cross the new Police cordon upon the children's home first being sealed off. Intriguingly on the part of at least one of the individuals – there were actually two – as she demanded access to 'retrieve documents'!

617. I lodged questions of the Home Affairs Minister, Senator Ian Le Marquand on this subject in March of 2013. The first was a written question on 5th March I attach as **TP20**. I also raised the matter orally; quite possibly within a 'questions without notice' session but am afraid I cannot recall the date. The answers as displayed in the attached written format are nevertheless most revealing. This is because the Minister attempts to wholly mislead the States as to the true identity of those involved – doing this even though I know he knew the true answer. So why the subterfuge?
618. The Inquiry will note that the name put forward by the Minister was that of his Ministerial colleague Deputy Kevin Lewis; the smokescreen utilised for the suggestion being because of Lewis' previous link to the site when on the Bergerac BBC TV production team. The fact is however that the Home Affairs Minister knew full well that the politician involved was, indeed, a Ministerial colleague: but no less than the Health & Social Services Minister, Deputy Ann Pryke.
619. I suggest to the Inquiry that this demands robust investigation as former SIO Lenny Harper has stated that Pryke's excuse for demanding access was to retrieve unspecified documents. Secondly because Pryke's late husband, Roger I believe, had actually been a Jersey Police officer and, as I recall, had even been named in relation to linked abuse inquiries as far back as the Jervis-Dykes/Victoria College scandal. Again, I apologise for not having full recollection of this last aspect. Unfortunately there has simply been so much that a few of us tried to look into out of determination to secure justice; both for the abuse victims and the senior Police officers being trashed to protect the guilty and jersey's 'reputation'. I obviously make no allegation of wrongdoing by the Deputy's late husband I should point out; though I am aware that his involvement in inquiries has been criticised elsewhere.
620. I would however once again suggest that a way to verify and clarify all of what I say and its importance (if any) might be by interviewing Lenny Harper and Graham Power themselves. Indeed I think this to be essential. And then

the pair of individuals who evidently *did* try to breach the police cordon for reasons as yet unexplained and which in my view must be considered suspicious.

621. The second individual who attempted to cross the Police cordon was none other than a man who is still a Social Services employee to this day: Mr Danny Wherry. [REDACTED]

622. What, I ask the Inquiry to consider, [REDACTED] ever need to suddenly cross a Police security cordon for – even if he went with a Health Minister? Of course this according to what Scrutiny was told by Mr Harper he did not do. Although it has been started by other sources. Wherry apparently attempting to gain access the day after Pryke, as I understand it. [REDACTED]

[REDACTED] – this attempt to breach the Police cordon needs answer we have as yet been denied.

623. I believe that once again the clear subterfuge evident in these misleading and frankly knowingly dishonest answers from senior political figures – remember this one came from the Home Affairs Minister himself, Senator Ian Le Marquand who would ‘re-suspend’ Graham Power more than once - reveals yet another example of ‘the Jersey Way’. For it is clear the Minister knew the truth even as I did before I asked the question. So I ask again why did the Minister mislead the Assembly? I actually asked him about this afterward. He made no comment other than claiming that he ‘wasn’t’ aware. Completely ridiculous.

624. Indeed, perhaps that Transport & Technical Services Minister Deputy Kevin Lewis knew the finger was falsely being pointed at him yet said nothing also demands answers? Was he being pressured to support this red herring by

remaining silent? If not one would reasonably expect the Minister to be on his feet immediately proclaiming 'Nothing to do with me, Guv!'

'Cellars' underneath Haut de la Garenne ~~did~~ exist

625. Following on from the above yet more attempts from the Jersey Establishment to mislead other States Members and, perhaps even more importantly, the public may be seen in regard to the issue of cellars beneath Haut de la Garenne; cellars, of course significant to a number of allegations of child abuse. I ask the Inquiry to keep in mind that under Warcup and Gradwell bogus claims were made that no cellars even existed – just 'cavities'.
626. Given that I believe I am right that former Deputy Bob Hill is (or perhaps has) also given evidence in regard to this – Bob is undoubtedly due the major credit for demonstrating the misinformation on this to be the false propaganda it was – rather than repeat facts I will simply attach as evidence **TP21** of a reference link to a most revealing blog and video featuring former Deputy Hill featured on the Voiceforchildren Citizen's Media blog; the owner of which filmed the video..
627. I would also finally add on the 'cellars' subject that the aforementioned former TTS Minister Deputy Kevin Lewis should also be questioned on the issue: his knowledge of the HDLG site is extensive due to his former 'Bergerac' involvement. For some reason he has not spoken up about a great deal that would surely be useful in de-bunking so many of the Warcup/Gradwell era lies spun to the public by the Establishment media and in the States itself. One of these as I remember is in regard to the truth about the existence and use of the much-mentioned Haut de la Garenne communal bath.

The skip driver asked to take away bones

628. Amongst many disturbing incidents arising out of the Haut de la Garenne scandal was one arising when I was contacted by a member of the public named Mr Roger Rabet. This gentleman told me he had in the past been employed as a skip driver. He was not quite sure of the date but it was whilst the Haut de la Garenne home was still operating. He nevertheless told me in some detail about how he had once been sent to Haut de la Garenne to collect and then dump a skip meant to be filled with rubble.
629. Upon looking at what he was being asked to take away however he stated he was shocked to see that there were bones amongst this rubble. He was quite adamant that to him some of these looked human. As I understand it initially it appears that Mr Rabet had refused to take away the skip so great was his concern. However, having been ordered to do so he demanded that the collection receipt at least be marked with the word 'bones' in order that this could be traced should there be any comeback.
630. With this being refused a compromise was agreed which apparently saw the docket marked not with the word 'bones' but with a circled 'B'. I believe the material including the bones were subsequently dumped at an infill site. The exact location of this I do not know. I advised Mr Rabet to give this evidence to the Police which it seems he had done. I am unaware if Mr Rabet has yet given this evidence to the Inquiry or not.
631. However, I believe its veracity can be verified within Lenny Harper's original Police investigation as upon trying to check this story out I was told that the skip collection docket marked with the circled 'B' for bones had been tracked down. I still to this day regard this episode as not having been fully explained: not least because I believe that the material collected and dumped so many years ago could not be traced. I believe however that Mr Rabet would be a most worthwhile witness as someone who was concerned upon being confronted by an inexplicable and disturbing situation; and who did the right thing. If interviewed there is surely the possibility he may be able to fill in a few more of the gaps.

Unexplained 'lime pits' and forced abortions

632. The Inquiry will be aware that one of the most alarming allegations arising from Haut de la Garenne must be stories of teenage girls having to agree to forced abortions. I have met and talked with such individuals. Nevertheless, given that I believe that this victim has given evidence to the Inquiry I will not repeat this story – as I have said the stories of the victims I have met with and/or supported are for them to set out unless they find it impossible and ask me to do so. I will instead add only this as it is a matter which has disturbed me for a number of years.
633. Testimony was given to the Police investigation alleging that builders were called to Haut de la Garenne to dig and later fill in what was described as 'lime pits'. As it appears to me that there is no readily logical explanation as to why a children's home – *any* children's home – would need to have a lime pit dug; or why these should then need to be quickly filled in I question whether the two incidents I describe may be linked.
634. To the best of my knowledge and in acknowledging that a number of colleagues and I have asked so many questions over the years – both within the States and more discreetly – this 'lime pit' issue has never been satisfactorily explained. I thus believe the Inquiry team should try and establish once and for all the truth regarding this and the allegations of forced, under-age abortions: whether the two are linked and whether enough was done to investigate this once Lenny Harper had run out of time having to retire; and Graham Power had been suspended to shut down their inquiry.

The elephant in the room: JAR 06

635. I have deliberately said little about so much of the evidence uncovered by SIO Mr Lenny Harper's brave and in-depth investigation into Haut de la Garenne. But whilst reams could be written about such ludicrous attempts to dismiss such evidence as the large number of children's teeth apparently falling through the same crack in the floorboards; evidently deeply disturbing

fragments of bone etc; one aspect I must briefly comment upon is that of the much discussed 'skull fragment' which in many ways became the favoured weapon of mocking attack by Harper and Power's enemies and detractors all the way from the Home Affairs Minister to the Establishment goons of Jersey's 'accredited' media.

636. All I wish to flag up for the Committee of Inquiry is one simple question – yet a question which to my mind really is the symbolic elephant in the room in considering the whole manner in which the Establishment has sought to trash and ridicule the whole Haut de la Garenne investigation to protect what they see as Jersey's 'reputation': if this skull fragment (and we should not forget Mr Harper never claimed this meant HDLG was a homicide case) was found to have collagen in it what could have scientifically happened to this when under the stewardship of Mr Warcup and Mr Gradwell the fragment had miraculously changed size, shape and weight? Indeed, the never asked yet logical question to ask was: why did Mr Gradwell even send it off for testing a second time when it had already been eliminated as too old to be relevant to the investigations? What was the motive?
637. The logical conclusion as to why the object had allegedly changed shape, weight, size and texture, just as many people have suggested to me is that the reason is likely to be because the objects analysed simply were no longer one and the same: a conclusion which would raise some truly disturbing questions. I hope the Inquiry will ask them. Mr Gradwell, so keen to discredit Mr Harper, really should finally be held to account himself. And an explanation for how collagen could be found in a coconut be revealed?

Leah McGrath-Goodman: the Stasi-style monitoring of a US journalist

638. Though I suspect some might argue that the following details relating to the American journalist and best-selling author Ms Leah McGrath-Goodman falls outside of the Inquiry's Terms of Reference I would argue to the contrary: the treatment of the journalist – a true investigative journalist simply determined to do what her Jersey counterparts did/would not – speaks volumes about

the 'Jersey Way' which many of us see as central to all of what the COI is investigating happening. Her treatment demonstrates the government attitude to child abuse and the revelation of uncomfortable facts.

639. Indeed, frankly resembling testimony of events occurring under regimes such as that of the Stasi secret police in former Eastern Germany, the treatment to which Ms Goodman was subjected are valid simply because they demonstrate in stark detail the manner in which 'the Jersey Way' is so entrenched within Establishment Jersey; and by which those who threaten to unearth buried secrets are intimidated and harassed; even ruined.
640. Once again I hope that Leah McGrath-Goodman will be called or decide to give evidence. Her experience in being 'flagged up' at the Jersey Establishment's request at an international airport in London; and her subsequent wholly illegal time and manner of incarceration are certainly best described directly by her.
641. However, as the local politician who played a significant part in the eventually successful attempt (most of the credit must go to then Liberal Democrat MP John Hemming) to get a wholly unwarranted two year Visa ban preventing her from re-entering the UK and thus Jersey – the true purpose of the 'UK decision' - overturned I feel that I must provide evidence on at least one aspect of her treatment at the hands of the political clique who have long hijacked our democracy.
642. This evidence relates to what were clearly the beginnings of the 'sledgehammer to crack a nut' response – a response starkly demonstrating the paranoia affecting an Establishment terrified of everything and *anything* resembling any kind of threat - to Ms Goodman's continuing and increasingly known commitment to helping uncover the truth about the Jersey child abuse cover-up; long after other international journalists had given up and moved on to the next story of course. At the heart of this lies the Jersey Immigration authorities based at Maritime House – an organisation which I must highlight I have no animosity toward; nor had I had any previous dealings.

643. Indeed, the leadership of the Immigration office appear to have become disgruntled with me purely because they were – as they were bound to be – eventually drawn into political and public concern over the very dubious and of course controversial action to ban Ms McGrath-Goodman from entering the UK on her way to Jersey. I should add while I think of it that I was of course behind an international ‘on-line’ internet petition calling for Leah’s visa ban to be overturned; doing this as a part of a campaign that as mentioned also saw UK MP John Hemming raising the matter in the House of Commons.
644. Along with attracting thousands of signatures however what I feel was of more importance was the evident ‘hassle’ consequently experienced by the UK Border Control authorities – and no doubt passing up the political chain - from members of the global community calling and emailing them. I know this to be true because I received complaints – both by phone and email - about this and demands that I alter the contact details of the petition.
645. It was claimed aspects of this were no longer correct and was causing much internal annoyance/consternation. I admit that I not only refused to do this – simply ignoring it; but also felt that if it was helping make the whole banning of Leah McGrath-Goodman more of a ‘pain in the butt’ to the UK authorities so to speak then this was a positive step toward getting the injustice resolved. I attach a copy of the lead page from the on-line petition as **TP22**.
646. The fact was then that at pretty much the same time feathers had clearly been ruffled down at Jersey’s Immigration department as well. Indeed, they were clearly disgruntled about the publicity my questions and related public statements of support for Ms McGrath-Goodman were generating. What is really important here – and what I believe is very relevant to the Inquiry in seeking to understand both the ‘Jersey Way’ attitude and political climate; and whether the appropriate political approach to an highly respected international journalist was pursued; or whether the Establishment simply

tried to prevent further global reporting of the scandal arising from what had been exposed at Haut de la Garenne. My money is on the latter.

647. As I hope I have made very clear I believe it to be abundantly obvious that what happened to Ms McGrath-Goodman was simply yet another example of the 'Jersey Way' kicking in from those at the apex of the Jersey Establishment to try and intimidate and silence a stubbornly nose-y international journalist who was refusing to follow the pattern of her local contemporaries by accepting and reporting whatever old propaganda was being spun. Ms McGrath-Goodman to her credit was instead asking pointed, intelligent questions. And she clearly wasn't going to go away without plausible answers.
648. To cut a long story short it came about that my taking up of Leah McGrath-Goodman's visa ban eventually led me to a meeting with the Immigration hierarchy at Maritime House after a few exchanges on the subject. Two things only arising within this meeting do I wish to place on record for what I believe to be their relevance to the Inquiry and what I have just said.
649. The first was the initial – and frankly bizarre 'Jersey Way' contention (they had obviously not noted my approach to politics or the Establishment) that I 'must' accept their statement that they had not been involved in any way in the US journalist's 'flagging up' and redress my statements.
650. This was stressed to me initially I felt quite aggressively. Indeed, the term I use is not my own – the statement that 'I must accept' what they were telling me was exactly what was said. This obviously lasted about two minutes. Civil servants may well be considered as regularly calling the shots and imposing their views on politicians by many in this island but I was certainly not going to accept it.
651. To be quite fair here I nevertheless state for the record that I also fully respect the Immigration officers' right to hold their own position/opinion on what happened. Just as I likewise protect the right to maintain mine. I would

add only to this regard that as I stated I had formed my opinion based on the evidence. As things would transpire whilst the initial 'frosty' atmosphere of the meeting gradually thawed what happened within the meeting would only reinforce my original view.

652. Thus what is of real importance here arose from this difference of opinion and my statement that I only redressed or retracted comments according to seeing evidence to the contrary. As I recall I asked to see any records they had on Ms McGrath-Goodman to this degree. This was important because the officers – there were two in the room most of the time – claimed that Ms McGrath-Goodman had been reported on i.e. 'flagged up' as breaching the terms of her visa to be in Jersey by the long-standing friend whom she was staying with. This seemed to me utterly implausible and I said as much.
653. For the record I should point out that though I have met Ms McGrath-Goodman many times now I do not know the identity of her friend with whom she was apparently staying. I do know that Ms McGrath-Goodman considers the possibility of this having happened wholly ridiculous.
654. It was also claimed that Ms McGrath-Goodman's partner had drawn attention to her in – apparently – approaching local employment agencies for temporary work whilst he was here. I must point out that if such an individual even existed or was in the Island I was unaware of this. I nevertheless also found this explanation implausible and again, as I recall, said so. The outcome was that I again asked to see any records that they had and - quite surprisingly this led to me being offered just that. Or so it at first seemed.
655. The fact is the records I was shown made one thing only abundantly clear: the journalist was being *monitored*. For whilst I recall there were references to both incidents outlined above there was nothing in them whatsoever to explain how the incidents recording/reporting actually came about.
656. I recall making this point and being told – quite probably wholly understandably from a security point of view, but not at all if they wished to

convince me of what was claimed – that the details of the individuals – including the officers - involved was within a different and classified report. I asked to see this but was not surprisingly refused.

657. The point I wish to stress then is that a visitor to the island, and certainly someone who had both been to our shores many times before and was clearly not doing anything criminal or even deliberately underhand (even if one accepts the line that Ms McGrath-Goodman had ‘the wrong visa’ – a bone of contention in itself given the farcical mismatch allowed to develop between mainland and Crown Dependency) was being monitored on the order of Island authorities. It was also acknowledged as I recall that Ms McGrath-Goodman had had no problem with the London-based UK authorities prior to becoming ‘a person of interest’ to the Jersey authorities.
658. Just who would have triggered – initiated – a law-abiding international journalist to be monitored was a question I asked but got no answer to. This in my view needs some answers not least due to the reasons I outline below.
659. Given that during both the Haut de la Garenne furore and subsequently I have spoken to a number of international journalists – and from a variety of countries at that - visiting the Island to research and report I can state that I have not once encountered a single one who ever experienced the same problems as Leah McGrath-Goodman.
660. The one difference in all of this appears to be that she is the one journalist who has come back again and again – and quite publicly so eventually – to investigate all of the events surrounding the Jersey child abuse inquiry.
661. Similarly, by her own admission Ms McGrath-Goodman’s ‘visa problems’ only appear to have arisen when she mentioned this to Immigration officials. I have little doubt the journalists’ ‘flagging up’ was set in motion solely on the instruction of the Jersey Establishment; who at the time had little idea that their actions would become so internationally public.

662. The guarded wording of this meeting left me in no doubt as to where and why the American journalist suddenly came to be of interest to the UK itself. I am of course not suggesting for a minute that all of this originated from the Immigration Office itself. Viewed in tandem with the implausible story about Ms McGrath-Goodman's friend; the refusal to confirm who those actually monitoring Ms McGrath-Goodman's movements and actions were – Immigration officials or rather plain-clothed police – left me in no doubt instruction was coming from the very top of the Jersey Establishment.
663. Whether Home Affairs or the unofficial Jersey 'rulers' of our disgraced and unelected Judiciary is open to question. My money is on the latter.
664. Finally on this subject I repeat the contention that this was all clearly meant to obstruct and intimidate – a warning shot across the bows if you like. Fortunately Leah McGrath-Goodman is evidently made of sterner stuff – the 'stuff' in fact of which Jersey's own mainstream media are so obviously lacking.
665. Why I think this whole saga important and worthy of the Inquiry's consideration is that these wholly over-the-top actions may be seen to echo other matters such as the mass Police raid on the former home of Senator Stuart Syvret and his then partner: they reveal how willing some people in power are to go beyond the legitimate to try and intimidate and silence.
666. For the record I am thus most pleased to have been able to play a small role in seeing Leah McGrath-Goodman's embarrassing travel ban lifted.

Evidence that nothing within the Establishment attitude to abuse has changed

667. One of the regular excuses one hears from within the Jersey Establishment as a vindication to leave the failings and abuses of the past behind; and those responsible unaccountable is that such things 'could not happen today'. Indeed, the States speeches of some of these apologists are littered with such crass platitudes as 'lessons have been learned'; 'we need to move

on'. I will now outline very briefly a case which I was still helping a member of the public to fight at the time of my forced removal from the States; and which demonstrates beyond a shadow of a doubt that nothing at all has been learnt by the defenders of the 'Jersey Way'.

668. I would add at this point that having encouraged the individual in question to come forward himself - so revealing is his case - that I believe he may already have provided a written statement of evidence; likewise the former political colleague, Deputy Mike Higgins, to whom I passed the case on. In adopting the same approach that I have had with other 'victims' - i.e. simply supporting and encouraging them to come forward themselves rather than repeat it all myself - I will outline only the crux of the incident necessary to demonstrating my contention that really nothing is any different from pre-2008.
669. Set out briefly this member of the public I was helping - like hundreds of others he was not actually from within my St. Helier constituency - approached me precisely because he was so concerned by how the authorities - police, courts and Health/Social Service professionals - were dismissing what was immediately obvious as a very serious child protection incident. Indeed, he told me he approached me wholly because I was the most prominent States Member then constantly challenging the Establishment and not backing down until I got answers.
670. The incident at the crux of this contact involved a very young toddler. Indeed, what had taken place - and I will very briefly describe this in a moment - was actually being claimed by all involved as *not* a child protection concern at all. I have to state I found such a contention being made by States professionals' and condoned by their ultimate boss - the Minister for Health & Social Services, Deputy Ann Pryke - horrifying. I would hope the COI will eventually conclude the same; and see the relevance to what they are investigating.
671. The crux of what this incident involved then was the said toddler - the son of the gentleman who contacted me - essentially being used as what I can only

describe as a living prop, a living sex aid if you like; certainly in my view as a stimulant to an oral sex act being undertaken between the mother of the child and an adult male. Without going into too much detail I will simply add that in evidence the toddler is being held in very close proximity to 'the action'. How can all of this be stated with such certainty the Inquiry may rightly ask? The answer – and a most shocking one when one considers the attitude of both police and Health/child care officers to this – is that the whole incident was caught on video!

672. I would make clear that this is not a case of a very young couple living in the one room accommodation of a bed-sit for example having no choice but to snatch some intimacy within difficult living conditions; doing so as discreetly as they can. This was starkly apparent choice within the mother's home lounge: the toddler demonstrably could have been put safely in another room but clearly was not: from my interpretation of the images and discussion with the concerned father because the male involved did not want this done.
673. Although the incident I describe is only a tiny part of a tape that is actually by all accounts around SIX hours long it is nevertheless simply jaw-dropping in my view that both the Police *and* senior Health officers could and would argue that this was not a concern. Remember this did not take place back in the 1940s – it happened in the second decade of the 21st Century! Similarly, contention from the Health 'professionals' to the toddler's father suggesting that what had taken place 'wasn't a problem' because the toddler 'won't have understood what was going on' are simply staggering.
674. The strain my former out-of-district 'constituent' has been placed under as a result of all of this – I really wish to leave any further details he may wish (or not) to set out up to him – has obviously been huge. The legal side of securing custody through a court and children's services which would not listen or in truth do their job as they should has cost the father in the region of £100,000. All I do wish to add nevertheless is that having given him political support with written and telephone approaches to the authorities I eventually

demanded and organised a meeting with the Health Minister herself – then Trinity Deputy Ann Pryke (now Housing Minister).

675. This was also to be attended by the two senior Health officers involved: Mr Sean Pointon and Richard Joualt. Two men who I would have to say at the bottom line – in my opinion - are Health/Social Service ‘professionals’ but who clearly do not think toddlers being used as sexual props – perhaps stimulants is a better term – merits classification as a child protection matter!
676. This meeting would eventually last approximately FOUR hours and yet was to leave me with a sense of disbelief.
677. That we have individuals holding Ministerial office despite being as demonstrably useless as a chocolate fireguard is nothing new to me: it is simply the way Establishment Jersey works i.e. happily handing out positions to even the most incapable of ‘head-nodders’ to ensure nobody rocks the boat and States votes can be won without risk to the ‘Kitchen Cabinet’ who call the shots.
678. Nevertheless that a Minister – *any* Minister overseeing such an important and sensitive department as Health (the biggest spending/costing department in Jersey I should also point out) would just sit through this meeting saying next to nothing – not even once questioning an assessment which was clearly as wrong as it was disturbing - whilst her two subordinates waffled; in fact played this incident down and made excuses is something I find to be as shocking as it is incredible.
679. To try and put this in a nutshell perhaps what is of key importance here, at least with regard to the matters being investigated by the COI, is that throughout this marathon meeting neither of the two ‘professionals’ or the Minister would take any responsibility nor admit that their judgement/actions had been flawed.

680. It is evident from correspondence between the father and the police that a similar attitude prevails: something I suggest also very illuminating as to how so many child protection failures keep occurring just as they have evidently done for decades – prior to the professionalism of Power and Harper. Post this pair it is sad to say ‘normal service’ has evidently been resumed?
681. Suffice to conclude that when one considers again this incident was not based on mere hearsay but that the concerned constituent had provided the authorities – Police and Health – with both video and still photographic evidence I believe all of those who somehow reached this incredible ‘not a child protection concern’ decision should be suspended and what happened independently investigated.
682. Truth be told in my opinion both the Health ‘professionals’ should be sacked and Deputy Ann Pryke prevented from holding any similar Ministerial role ever again. Of course – since the 2014 elections she has instead since been handed the role of Housing Minister! I genuinely believe this: the conclusions never mind the lack of willingness to acknowledge errors of judgement are simply staggering. An investigation also needs to be undertaken into who precisely within the police was responsible for reaching such a perverse and worrying conclusion from their side.
683. As to what I said about absolutely nothing having changed whatsoever in regard to the Jersey Establishment attitude and safeguarding toward child abuse – what more demonstrable evidence could one ask? The Minister, her officers and the Police officer who viewed and dismissed the video evidence should certainly be called in to the Inquiry to face questions on the matter. If they are all so confident in their assessment then as I said during the meeting: they should make the facts public and then see just how many of the public agree with them.
684. All of the above can be verified by the gentleman who contacted me: indeed, I believe he has already made a statement on what transpired.

The judicial corruption harnessed against former Senator Stuart Syvret

685. Being aware of some of the background I dearly hope a compromise can be reached in order that former Health & Social Services Minister Senator Stuart Syvret may appear before the Inquiry to give evidence himself. Not only about the uncovering of abuse and the betrayal of the Haut de la Garenne investigation itself; but also about his own treatment by those behind the corrupt black farce that is the Jersey 'judicial' system since highlighting all of this.
686. In the meantime I nevertheless feel that as it appears likely I will be one of only a tiny number of political figures who will be giving evidence – even though many more could and indeed should – I feel somewhat obliged to talk about a small number of elements of this however briefly. Purely because it is relevant to the Inquiry - because all of this yet again shows how the much-mentioned machinations of the 'Jersey Way' – which, as is obviously apparent from the number of times I have mentioned it wholly central to what I contend underlies all that has been allowed to happen - is turned upon those who dare risk challenging the status quo by revealing its dark underbelly..
687. Politically manipulated votes of no confidence to remove Syvret from office; demonstrable abuse of position by an impossibly conflicted Bailiff; illegal police raids; secret courts – the Stuart Syvret saga has all of this and more and it all sprang from his actions upon realising matters were not as they should have been with elements of the Health & Social Services department of which he was first President and then Minister.
688. I stress - what I will briefly outline really is just the tip of the iceberg. The refusal of some of us to let the abuse cover-up be swept under the carpet has seen the reprisals cranked up to overdrive and Syvret has suffered hugely. Equally relevant I would contend this treatment reveals in glorious Technicolor a 'law' or 'justice' apparatus that is anything but *lawful*.

689. Yet those who control it – the Bailhaches, Birts and their underlings like former Attorney General and – surprise, surprise - new 2015 Deputy Bailiff, Tim Le Cocq - get away with it due to the indifference and even collusion of straw men Lieutenant-Governors; likewise Westminster, Monarch and Privy Council. But I repeat the brief points below are just a few of many.
690. I should state for the record that though our political philosophies are fairly similar in many areas I have not always agreed with the former Senator's view or the way he has approached issues on occasion. We have also had our differences as one would expect. Similarly I do not speak here on his behalf; he has not asked me to do so; I have not asked *him* about my mentioning some of his experiences, and ultimately feel it really is for him to tell his story – it is that important and he obviously has so much of importance to tell. Whether he will do so late in the day I do not know.
691. When it comes to challenging political and judicial corruption and the way this Island – my home and Syvret's home after all – has been hijacked and the 'law' manipulated and turned into a weapon of oppression for political ends I nevertheless obviously stand shoulder to shoulder with him every time: upsetting a few corrupt and/or self-important Establishment bullies by a little bluntness is surely far less of an evil than so much that has been allowed to go unchallenged.
692. What I mention briefly here are really then just selected 'snapshots' and in my view they arise as a natural consequence of decades of political and legal abuses and misuses *not* being dealt with by the UK who have ultimate constitutional responsibility as they should have.
693. What perhaps makes it all even worse is that even by the simple ending of the Bailiff's anachronistic - indeed anarchic - 'dual role' allowing these unelected, without public mandate judges to blend politics and 'justice' at will and abuse both to any end they so choose so much that has gone wrong in Jersey could not have happened; or at least could have been rectified once

exposed. The Crown Officers have been described locally as the 'Snake's head' of the 'Jersey Way' and I would have to agree with this contention whole-heartedly.

694. Having said all of this it is actually difficult to know where to start. What can be said with absolute confidence is that everything which has been done via the courts against Syvret is with the ultimate aim of trying to silence him; whether this be by making him bankrupt the same as the Establishment did to us; or by so ruining his reputation with the collusion of a lackey media that he becomes unelectable in the future and thus loses the prospect of such a political platform to fight for the many victims he has supported. Many would say that in regard to this latter point the 'Jersey Way' may have already succeeded.
695. In essence the Establishment have painted Syvret as mad, bad and dangerous to Jersey's reputation and thus prosperity – which is all pretty ironic when one considers the pathological liars who have been allowed to become Jersey's unelected 'First Citizens' over the past decades. Individuals, of course, who have actively orchestrated his abuse – and so many others - at the hands of Jersey's 'justice' system! Not to mention by the aforementioned interference in the political arena where if only Jersey had a proper 'separation of powers' they would have no leverage.
696. As someone else seen as politically outspoken - and a whole lot worse from the Old Boys' Network's point of view – also being very capable of articulating my views it is actually very easy for me to understand where Stuart Syvret's current problems have their root.
697. He was for many years – certainly through his first decade of office – almost a lone opposition to the Establishment in the States on many issues. Indeed, that 'the left' – the political Progressives blessed with a far greater number of people of talent than the Establishment per ratio of elected Members - failed to successfully put aside comparatively minor differences to work together is

a failing which demands reflection in itself.; though something obviously beyond the scope of the COI.

698. What is beyond argument is that the vast majority of States Members who would claim that they are 'independents' and not a part of the Establishment have failed victims by their timidity, silence and in many cases blatant cowardice. The famous Pastor Niemöller quote comes to mind here: in fact it could have been written about the attitude of 95% of the political colleagues I have known over my time in the States when it comes to challenging issues like Haut de la Garenne. Upon reflection it could have been written for 95% of States Members since the Occupation!
699. Nevertheless, even before his problems relating to his actions faced with evidence of child abuse cover-ups Senator Stuart Syvret had already been – illegally in the eyes of many - barred from the States for six months on the order of unelected judge and apologist for paedophiles, Bailiff Sir Philip Bailhache in 1996. This was for refusing to withdraw comments relating to the so-called LLP scandal; the 'Limited Liability Partnership' legislation being a morally bankrupt and frankly bogus piece of law fast-tracked through the States by Establishment figures to benefit the Finance industry and their legal/accounting offshoots.
700. Ironically – due to Jersey's lack of a separation of powers highlighted earlier - the only person Syvret could turn to locally to try and challenge this was the very person – Bailhache – who actually barred him in the first place. Opposing the same LLP scandal in truth cost another political critic of the Establishment, the then Deputy Gary Matthews his seat at the following election. Stuart Syvret's real problems however began when he started speaking publicly about the child abuse and State child protection failures the Inquiry team is investigating now.
701. This was all at roughly the same time as Graham Power and Lenny Harper were in the early stages of the Haut de la Garenne investigation as the Inquiry will know. Indeed, at the beginning it is apparent neither knew of the

others work; though in time the Police would, as I understand it, call Syvret in to make sure the two efforts didn't undermine each other unintentionally.

702. To keep this segment of my statement manageable I think first of all two comparatively early incidents need to be briefly flagged up as in my view they cast telling light on the political climate of fear and oppression in this Island.
703. The first I will briefly mention was the suppression of Syvret's Christmas 2007 States speech as 'Father of the House' where - rightly or wrongly - Syvret had chosen to depart from the usual lightweight frivolities and best wishes to the Bailiff and his Lady wife etc to make a hard-hitting speech about Jersey children suffering abuse.
704. That Syvret's microphone was turned off and the speech thus silenced was - once again - on the order of Bailiff Sir Philip Bailhache. A man, of course, who as I have stressed has so many questions to answer regarding some of Jersey's worst child protection failures. And now a politician as previously mentioned desperately attempting to get the abuse Inquiry shut down via scaremongering stories of £50.000.000 costs/will do nothing to help the victims etc.
705. The second and far more insidious example is with regard to how Syvret came to be removed as the Health Minister earlier that same year. Once again this episode really needs an entire statement – hopefully from Stuart Syvret himself. It is certainly directly entwined with the suspension of Chief of Police Graham Power which would follow at the end of 2008 – and for much the same reasons.
706. What I wish to briefly flag up for the Inquiry however is some background to the manner by which Syvret's removal as Health & Social Services Minister was brought about: essentially the construction of the infamous letter at the heart of this.

707. I would hope that the Inquiry team are already in possession of some kind of statement from former Chief of Police Graham Power for it is surely telling indeed that he himself talks of how he felt the States CEO Bill Ogley and others were attempting to involve him in a 'conspiracy' to have the then Health Minister removed in the lead up to the construction of this letter? If this is not the case I would suggest such a statement be requested as a matter of urgency for it surely goes to the very heart of the 'Jersey Way'.
708. Indeed, I contend that it is imperative that the Inquiry moves Heaven and earth to try and ensure that both Graham Power and Lenny Harper give public evidence – if assurances can be provided that neither man will be harassed by Jersey's bogus judiciary or current Police leadership. Power's insights regarding the background to the removal of Syvret as H & SS Minister would be most revealing given in public and thus without the Jersey mainstream media being able to 're-write' them to paint a different picture for public consumption..
709. In terms of Stuart Syvret's removal from his position as Health Minister, I am aware that Graham Power was called to a Corporate Management Board Meeting in July 2007. In his Affidavit Graham Power states the following in relation to that meeting,
710. "The feeling in the room was tense and there was general talk about the questions asked by the Health Minister and the need for some sort of action in response. I had the feeling that "something was going on" to which I was not a party. After the meeting the Chief Executive, Bill Ogley, asked me to stay behind. Also remaining were the head of States H.R., Ian Crich, the Chief Officer of Health, Mike Pollard and the then Chief Officer of Education, (Tom McKeon who has since retired.)"
711. It continues: "The Chief Executive said that it was anticipated that the Council of Ministers would tomorrow be asked by the then Chief Minister, Senator Frank Walker, to pass a vote of "no confidence" in the Health Minister and that this could result in his removal from office. I was then told of measures

that had apparently been put in place to facilitate this. I was told that the islands Child Protection Committee (C.P.C.) was due to meet at the same time as we were meeting and that arrangements had been made for it to pass a vote of “no confidence” in the Minister. It was then suggested that as the heads of the relevant public services we should do something similar and that this would give support to the proposal that the Chief Minister would bring forward the next day.”

712. What has become quite apparent and speaks volumes for the Establishment attitude to child protection in the island is that far from being an independent and original work apparently signed by the ‘author’ one Iris Le Feuvre in her role on the CPC it is evident, I know from the former Health Minister himself that having pursued the question of authorship it was confirmed to him by Mr Richard Lane who I believe to have then been a Medical Director at Health and Social Services, that with regard to the infamous Jersey Child Protection Committee letter itself, that there was collusion here with one of the then Minister’s senior officers – Marnie Baudains at the very least. The letter in question evidently being faxed by Marnie Baudains immediately following the CPC meeting.
713. Again I can only stress that I hope that former Senator Syvret will talk about the background to this himself. Set alongside Power’s assessment of a conspiracy being engineered by figures such as States CEO Bill Ogley the validity of the letter becomes all the more dubious.
714. Iris Le Feuvre of course is someone I have already had cause to mention in this statement being a central player in the Victoria College Board of Governors child abuse cover up which, as I described, eventually saw the evidenced paedophile supporting/child abuse evidence disregarding Vice-Principle of the College John Le Breton PROPOSED BY HER (with one other) to sit on the Royal Court benches as a Jurat to judge on ‘fact’ in court cases.
715. Royal Court cases which would of course include... child abuse!.

716. Leaving Stuart Syvret aside a moment I would ask that the Committee of Inquiry just consider this last fact again for a moment a man proven as happy to disregard evidence of child abuse (in fact actually bully abuse victims not to make complaints about their abuser according to testimony made to the Care Inquiry since my first interview!) being proposed by a one-time Education Committee President – and accepted by a Judiciary including Bailiffs and Attorney Generals to become a Jurat or lay judge.
717. I have of course referred to Le Breton's appointment and the background to this several times and make no apology for this. For I ask the Inquiry: does any more really need to be said about how inadequate, morally bankrupt and in need of total overhaul Jersey's Establishment and Judicial system are? Iris Le Feuvre's actions both within the Le Breton scenario and the contrived removal of Stuart Syvret only amplify this truth. Should the Care Inquiry doubt the accuracy of my contention then I ask they consider this further fact.
718. Iris Le Feuvre was, of course, also the author of another now infamous letter – this one of reference – full of gushing praise sent to the Maguires of Blanche Pierre children's home abuse shame. I should add that it has been put to me by some that Le Feuvre simply just signed this letter, it being written for her. But whichever is true, I don't see it makes much difference.
719. I thus put it to the Inquiry that this should in itself cast the validity of the said letter and its opinion of Syvret in calling for his dismissal/a vote of no confidence in a very different light and its motivation likewise. As illustrated, below Le Feuvre, even in old age is by all accounts a fanatical supporter of the Establishment and an apologist for 'the Jersey Way' as her numerous statements down the years demonstrate. Yet in my view the merit of this is damned by her very own words and past actions.
720. What I feel I have to say is most disturbing here is that if we look beyond this letter scam Le Feuvre shows herself quite evidently more concerned about protecting those behind so many child protection failings than the vulnerable

children themselves Syvret as the then Health & Social Services Minister was attempting to help.

721. Likewise the truth evident throughout so many of these child protection and related failings that a handful of these same 'big' Establishment names appear over and over – Sir Philip Bailhache, William Bailhache, Sir Michael Birt. So many of these people's actions simply do not stand up to scrutiny. Iris Le Feuvre, though never a Crown Officer, in my opinion needs to be viewed in the very same light..
722. As stated Iris Le Feuvre is a former Education President; but on record as stating that the people she really feels 'sorry for' are not the Haut de la Garenne victims but the Bailhache brothers, Sir Philip and William, who have apparently 'been through so much'. As I have said I may be wrong but I believe these comments were made to the Jersey Evening Post. Simply incredible. And I contend this says so much about how the abuse cover-ups and general failings which the Inquiry team are exploring came to be.
723. Moving on I must also briefly flag up the undoubtedly illegal Police raid on the home Syvret shared with his then partner, Deputy Carolyn Labey. For this also needs highlighting as yet another incident which clearly has its roots in the Haut de la Garenne scandal and other claims of wrongdoing and corruption made by the Senator on his blog and in the States.
724. These include allegations of physical abuse made against the former Director of Education, Sport & Culture Mr Mario Lundy; the cover up and protection of an individual, [REDACTED] who stands accused of serious abuse by more than a dozen different survivors of Haut de la Garenne [REDACTED] - [REDACTED] alleged large scale planning corruption; and even of the alleged cover-up of a number of suspicious deaths – Syvret believes killings - at the General Hospital.

725. Should it not be forgotten a 10 strong Police team descended upon the house owned by Ms Labey to remove – I suppose *steal* would be a more apt description - computers and rifle through files – for some reason even feeling the need to go through Deputy Labey's teenage daughter's underwear drawer, or so she told me directly!
726. The fact is that the correct procedure should have been to request that Syvret attend the Police station to answer any questions regarding the content of his blog before any such action be considered – and a proper warrant secured.
727. Yet what happened was that this was allowed to go ahead without objection from not only the Attorney General William Bailhache; but also the Data Protection Commissioner Emma Martin or the then Grouville Constable. Not surprisingly there has never been a word of apology about this Stasi-like raid either. The Constable certainly knew about the raid because he admitted as much to me.
728. Of course I should make clear that Deputy Labey had herself been trying to investigate evidenced allegations of serious planning corruption at the time and Syvret had highlighted this on his blog as well. Corruption allegations, of course, which it is apparent from statements made by the former Chief of Police Graham Power that the then Attorney General William Bailhache had not wanted pursued. This has been made clear by Mr Power within his sizable and in-depth statement.
729. To this regard I simply refer the Inquiry team to the now infamous 'So be it' statement allegedly made by Bailhache to the Chief of Police. I suggest it does not need one to be a rocket scientist to see the relevance of this conflict to Power's soon to come otherwise inexplicable suspension. When one also considers the reality of a police investigation going on into the allegations against Establishment grandee ⁷³⁷ mentioned earlier; had Syvret's partner discovered yet another Establishment scandal regarding planning?

730. I thus also firmly believe that Deputy Labey should be called in order that she may give a firsthand account of all of this.
731. I know for a fact that the Deputy claimed to have a statement from an individual claiming to have witnessed that a huge amount of cash had been handed over to the then Housing Minister, Senator Terry Le Main by a developer. I obviously cannot prove/disprove this either way as I was not there of course. Yet while, as always I make no contention that any person is guilty without a fair trial process, satisfactory explanations for the attitude of Attorney General William Bailhache in not wanting this whole series of startling allegations investigated have never been provided. Likewise the well documented claims that Sir Philip Bailhache demanded Labey must withdraw the allegations and apologise. Was the raid on the Labey/Syvret household looking for evidence to do with the Senator's claims regarding child abuse cover-ups; or was it to do with the claimed planning corruption? We just don't know.
732. What I suggest is of key importance is that there is also a clear pattern here very relevant to the child abuse inquiry because it sees – time and time again – very serious allegations *not* investigated on the order of our Crown Officers. All of this needs to finally be confronted. There are many examples of this which I – as just one former States Member – could give but do not simply because they are otherwise not directly related to child abuse.
733. I know I am talking predominantly about Stuart Syvret here but as it is so intertwined the evidence that Graham Power was simply upsetting too many of the wrong people by his dogged determination to do the job he was being paid for is to my mind overwhelming.
734. Just consider even in the brief run through of various incidents I have spoken about: Haut de la Garenne itself; refusing to go along with the orchestrated sacking of Syvret as Health Minister; the subsequently airbrushed from history ⁷³⁷ serial rape allegations he was having investigated (but

according to my information dropped immediately after Power's suspension); and now refusing to ditch further investigations into planning corruption.

735. It surely stands out like a sore thumb that if anyone – no matter how high profile – keeps rocking the boat and putting the Establishment at risk all means at their disposal within the 'Jersey Way' will be utilised to try and destroy them. Syvret, like Power and Lenny Harper; like Shona and myself are living proof.
736. And as should by now be so apparent the favoured 'weapon' for trying to apply such politically-motivated coups de grâce is the Jersey 'justice' system honed over a number of years by a succession of Bailiffs and Crown Officers such as the Bailhache brothers and Sir Michael Birt to highlight but three into a well-oiled tool of political oppression.
737. Crown Officers who believe that they are untouchable and in reality quite frankly *are* – because the UK has not fulfilled its constitutional responsibilities. Indeed, I should add at this point that with the aforesaid endless run of Straw men Lieutenant-Governors and the complete indifference and even collusion of Justice Ministry and Privy Council in London as a tool of corrupt oppression the Jersey Royal Court is pretty near perfect.
738. Why? Because absolutely NO ONE is monitoring these people or their abuses of the law. And without any such external 'reins' able to be applied Jersey's impossibly interwoven and politically conflicted Bailiffs, and even Attorney Generals really are de facto Feudal overlords wholly free and unfettered to behave as their lust for power dictates.
739. How can I make such a statement about this zero external control so confidently? Even leaving aside all of the many examples of their wholly unchallenged abuses of office and judicial failings I believe that an example from 2008 says it all.

740. For back in 2008, not too long before I first stood for election, the Liberal-Democrat Peer Lord Wallace had come to the Island – as I recall predominantly to speak to the then Treasury & Resources Minister, and soon-to-be Chief Minister, Senator Terry Le Sueur. Shona, who was in her first term of office then, nevertheless managed to secure a private meeting with the Lord for her and myself: my then being Chairman of the JDA political party to discuss many of the things which were going wrong in Jersey. This took place at the Pomme D’Or Hotel.
741. It must be stated for the record that Lord Wallace was both articulate and appeared genuinely interested in Jersey. However, to cut a long story short after discussing some of the concerns touched upon in this statement; as well as matters such as the desperate need for Jersey to have a full and proper separation of powers Lord Wallace turned to us, evidently as concerned as he was surprised and said:
742. ‘It seems to me that no one at all is monitoring these Crown Officers. So can you tell me whose job it actually is to do so?’
743. Shona and I just looked at each other at this point and found we had to smile wryly. ‘*That is* what we were hoping that you could explain to us!’ we replied. The truth I repeat is that regardless of the impression one might receive going by the constitution Jersey’s Crown Officers are a law unto themselves ‘accountable’ only in theory and on paper and this is where so much of the judicial abuse; cover-ups and corruption begin to manifest.
744. Indeed, just what it would take to get some much-needed intervention and a ‘cleaning up’ of the system is hard to imagine. Just look at Philip Bailhache’s staggering child protection failings as Attorney General in the case of the paedophile Honorary Policeman Roger Holland: alone and it is evident he should have been sacked; but was of course instead allowed to receive his ‘Letters Patent’ from the Queen to be promoted to Bailiff!

745. Consider his Liberation Day speech; his failure to prevent a teacher with a documented history of disregarding evidence of child abuse to become a Jurat; his behaviour actually revealed within the Care Inquiry of actually instructing a Head of Education *not* to go to the police about the abuse of a child! The fact can then not be denied: just as I have hammered home throughout this statement the English monarchy of which my island is a 'Crown Peculiar and of which appoints such people just don't give a damn – they never have. Just as is the case with successive British governments.
746. All of this should be worrying to any who care about justice and democracy because when you look back through history beyond the spun myth of these unelected, wholly unaccountable 'First Citizens' you will find a motley crew indeed and we are not just talking dishonest judges and paedophile protectors but also privateers – that's Crown-sponsored pirates to you and me; and even blatant dictators. Not to forget a Nazi collaborator betraying Jersey's Jewish community during the Occupation (whilst tellingly defending his chums in the Freemasons!)
747. This last one being a most illuminative example because this individual was subsequently not just knighted by the UK but even given a Peerage as well. Familiarise oneself with the true facts and it's a history of 'service' that beyond the 'crowbarred' deference is a regularly sordid tale indeed. And yet we continue to let these unelected Judges – 'First Citizens' – bestraddle both our Judiciary *and* Legislature. Is it any wonder we have problems?
748. I acknowledge that I have digressed here in attempting to show the true historical background I know. Yet there is one final issue regarding Stuart Syvret I want to flag up briefly – and I repeat I really do think it essential that some agreement can be reached so that he can enlarge upon this if at all possible in person. This is to flag up as a crucial area of investigation for the Inquiry the abuses set in motion under Sir Michael Birt's stewardship of the Royal Court:
749. Jersey's – and in fact the United Kingdom's – first 'top secret' political trial.

750. A secret court trial that not only saw Syvret denied equality of arms to defend himself. This including even a denial of his right to even call witnesses to expose both some of the lies which were being peddled by at least one of his accusers. Similarly the evidence he had to support the justification in terms of public interest of publishing the allegation. All of this legal abuse being wilfully supported by both the Data Protection Commissioner Emma Martin and the Attorney General.
751. Not to forget Birt of course who knowingly allowed this all to happen under his own Royal Court stewardship.
752. Again to cut an incredibly long and gerrymandered story to something like manageable proportions within an already very lengthy statement in terms of demonstrating how the 'Jersey Way' abuse of the court process operates; and has operated throughout the Haut de la Garenne scandal I will pick out just two particular aspects to highlight.
753. The first is to expose that far from any kind of naturally – perhaps organically is a better term – occurring process the fact that [REDACTED] different individuals who clearly should have gone down the route of a trial for defamation (trust me – I know rather more than I wish I did about such matters!) instead came to rely on the most bizarre manipulations of Jersey's new Data Protection Law to take Stuart Syvret to court over allegations about them on his blog which they wanted taken down was entirely manipulated by the Jersey Establishment to achieve the desired end.
754. The second inter-related fact is to flag up how in regard to one of the individuals supported by the Jersey Attorney General – by now Tim Le Cocq – and Data Protection Commissioner Emma Martin – even once his story and credibility had been totally destroyed by hard evidence from several other victims [REDACTED]
[REDACTED]

[REDACTED] confirming that all Syvret had contended about the person – [REDACTED] - was true the Royal Court which Sir Michael Birt ultimately presides over - regardless of which of the cocktail circuit judicial gofers Jersey's Bailiffs wheel out to front the process up - refused to throw out a demonstrably unjust – let alone unsafe ruling.

755. Indeed, not only this disgraceful state of affairs but that subsequently the Attorney General also ensured that police did *not* act upon evidence contained within numerous other complaints against [REDACTED] [REDACTED] these coming from - to my personal knowledge - at least EIGHT different victims. Again I can state this with some confidence: two of the complainants were my wife and I; Shona being hounded relentlessly by this twisted sociopath.
756. I'll explain the full sinister nature of all of this and the light it sheds on how harassment of any who have rocked the Establishment boat is not only tolerated but actively encouraged by those at the apex of those in power judicially, politically and in relation to the post Power and Harper police in talking briefly about my own experience of 'Jersey justice' at the end of my statement.
757. All I really need to outline in regard to the first matter is this. The way in which the [REDACTED] individuals who took Stuart Syvret to court for this illegal secret court process can be seen in a letter actually sent by the Data Protection Commissioner to a [REDACTED] individual – another Police officer - inviting him to come into the office to see what could be jointly done to get Syvret to court.
758. This [REDACTED] individual however actually declined to take up the offer. This is a fact. And a copy of the said letter which confirms how such political use was made of a law intended for no such purpose is actually in the hands of one of my former political colleagues, the excellent and hugely diligent Deputy Mike Higgins.

759. It is hardly surprising, I suggest, to learn that this co-ordinated assault on Syvret was anything but naturally occurring in its origins: the issues underlying the cases of all [REDACTED] were so different; as were the walks of life they came from and from which their issues arose.

760. To illustrate: [REDACTED]
[REDACTED]
[REDACTED] haut de la Garenne – I have of course mentioned this individual already.. Another man was [REDACTED]
[REDACTED] I have also referred to.

761. Then we had [REDACTED]
[REDACTED]
[REDACTED] Lenny Harper [REDACTED]
[REDACTED] Haut de la
Garenne victims.
[REDACTED]
[REDACTED]

762. To use the term again it does not take being a rocket scientist to assess the chances of these [REDACTED] coming together naturally or by chance to initiate such a court process are as remote as an England World Cup win.

763. What makes all of this even more disturbing of course is that the [REDACTED] – including the [REDACTED] – were consequently afforded hundreds of thousands of pounds of taxpayers' money; indeed according to one of those involved allegedly seven figure sum overall to enable them to bring the case to court and continue it for years..

764. Stuart Syvret in contrast would be forced to attend a secret court trial where he would not be allowed to defend himself with either the aforesaid equality

of financial arms; evidence or witnesses to support his allegations. Indeed, as a result of questioning which I had no choice but to repeat States sitting after States sitting due to the attempts of the Chief Minister, Senator Ian Gorst to deny the public the right to know the truth it eventually emerged that [REDACTED] had been afforded the better part of half-a-million pounds of taxpayers' money: allegedly just to cover legal advice.

765. Right to the time I was forced out of the States Gorst refused to provide details of the full total of public money utilised to try and effectively silence Syvret on a number of subjects they wished buried once and for all. As indicated above I was at one point advised by a local lawyer - whose identity I will understandably not reveal – that the true total was estimated within legal circles to run to *several* million pounds. And it still isn't over of course!

766. As to the non-throwing out of the case against Syvret even once it was quite clear that what had been written about one of the [REDACTED] plaintiffs' being financially supported with taxpayers' money was completely true I would suggest to the Inquiry that this goes right to the very core of the corruption at the heart of the 'Jersey Way' and demands real investigation by the Inquiry – including answers being demanded of the Attorney General and Data Protection Commissioner themselves.

767. In contrast of course the individual in question, [REDACTED]

[REDACTED]

itself – this being over a period of years continues to be allowed to continue his campaign of harassment by both police and Law Office despite multiple complainants.

768. To spell this out the reason Sir Michael Birt's Royal Court – now William Bailhache's Royal Court – need the ruling against Syvret – a man who has fought so hard on behalf of abuse victims - to stand is in order that they may pursue the ultimate goal of destroying his reputation; further still bankrupting

him to try and silence him politically just as they first did via further judicial irregularities - I should really say outright corruption – to my wife and I a year before. Having to declare the action and ruling against Syvret regarding [REDACTED] [REDACTED] unsafe - and thus null and void as clearly the Court should - would leave this strategy in tatters. Not to mention undoubtedly leaving the State open to damages claims from Mr Syvret himself.

769. As I hope that I have hammered home: why this is so important; so relevant to the COI is this case demonstrates so strikingly how Jersey's 'justice' system meant to help and protect victims is instead being used against those high-profile individuals who have championed abuse victims. Frankly it is utterly shameful. In fact a 'justice' system could hardly be manipulated and betrayed more appallingly.
770. Indeed, It should not be overlooked by the Inquiry when considering the 'Jersey Way' mentality which informs those who so abuse the island's 'justice' system that as a consequence of this secret court abuse and the machinations supporting it Syvret has also been jailed: not once but twice! And all of this – as with the rest of what I have set out throughout this statement - whilst the English Monarch of this 'Crown Dependency'; Her Privy Council, Lieutenant-Governor and the UK government's Justice Minister do nothing.
771. Whilst reiterating that there really is so much more that Stuart Syvret should be able to tell the Inquiry about his abuse at the hands of the Jersey judiciary and by the Establishment generally in his efforts to support the victims of Haut de la Garenne and other institutions I will leave what I have to say at that. I repeat that I genuinely hope agreement can be reached for the former Senator to give evidence in person.
772. Thus nearing the conclusion of what I wish to say within this statement (I am sure there may well be even more incidents which I may recall prior to giving public evidence) this also brings me to the few details I feel I should also set

out about Shona's and my own relevant experiences since becoming embroiled in what is passed off as justice within Jersey's Royal Court..

The 'Jersey Way' and my own experiences of 'justice' in being forced out of political office

773. As I said right at the beginning of these interviews I mention the experiences of Shona and I in relation to Jersey's 'justice' system only as they are relevant to the Inquiry's Terms of Reference.
774. That the following are so is because, in my view, they spell out just about every disturbing fact about the true philosophy – the 'Jersey Way' - inherent within a 'justice' system allowed to be run without fear of external oversight or intervention. Above all it must be said highlighting via first-hand experience the selective and utterly malleable commitment to justice held by those at its apex who control it: this being absolutely central, as I have sought to illustrate, to what has allowed the decades of child abuse finally challenged by Graham Power and Lenny Harper to both flourish and continue for so long.
775. In October of 2014 – having been interviewed twice by lawyers from the COI and prior to finalising this statement – my wife was knocked down on a pedestrian crossing whilst out walking our dog. Thrown over the car bonnet by the impact as a consequence of the driver failing to stop when the traffic lights turned red this incident was witnessed by no fewer than three people. All confirmed that it was the driver's fault. Indeed, the driver also admitted responsibility: his excuse being that the angle of the sun meant that he couldn't tell if the traffic lights were red or green.
776. Yet after three months of procrastination the Police informed us that they would not be prosecuting as apparently 'there wasn't enough evidence' and some incidents 'were just accidents'. Incredible enough one would think. Yet even after six months the Police had still refused to hand over the driver's

insurance details and even denied Shona access to her own Police statement.

777. As a consequence of this appalling impasse my wife eventually decided she would go public and record a short interview for the leading Jersey Citizens' Media blog Voiceforchildren – the very same blog which has done so much to try and bring about justice for the victims of Haut de la Garenne; and who have suffered all the more due to corrupt and unfit-for-purpose Jersey Judicial system. Indeed, it would take this involvement of Jersey's Citizens' Media – the only professional media in our island to finally embarrass the police under the 'leadership' of Mike Bowron to hand over material that should have been forthcoming immediately.
778. Nevertheless, at the time of leaving the island for a number of months (as the COI is aware I will be returning to give public evidence) the driver had still not been prosecuted; even though the Voiceforchildren highlighting of what was going on did force the police to reluctantly 're-open' the case or so we were told. Of course by then it transpired that new statements needed to be taken from the two witnesses who were holiday-makers. The details of the third witness had apparently been 'mislaidd'.
779. Rather strange given that he personally told me that he actually worked for the Jersey police! No doubt upon our return we will discover that the case has been closed once again for some reason. I nevertheless attach as my **TP23** a print out of the accompanying text from the Voiceforchildren story and a link reference to the interview.
780. Just like the Syvret scenario I described above and what has happened to the Police Officers Graham Power and Lenny Harper this is relevant to what the COI is investigating because it shows the reality of the continuing 'Jersey Way' experience for those who dare to challenge those who allowed Haut de la Garenne; the Victoria College scandal; Blanche Pierre House: the Roger Holland affair and so many other outrages to happen.

781. What I set out above and below also casts equally telling light on the unfortunate return to the normal 'Jersey Way' policing after the removal of Chief of Police Graham Power. In our case – like a number of others who had fought for a belated justice for the abuse victims – this manifesting not only in the clear abuse of Article Six of the European Convention on Human Rights within our defamation case before the Royal Court; but also in the retribution of a deliberate disregarding of evidenced complaints of threats and harassment.
782. The Care Inquiry will recall my setting out of the years of [REDACTED]
[REDACTED]
[REDACTED] whom I mentioned in relation to former Senator Stuart Syvret. Bowron's police force – according to the Sergeant De Feu I quote earlier acting on the instruction of the Attorney General – refusing to do anything about the targeting of my wife by an individual clearly in need of enforced psychiatric intervention.
783. As to our experience of the Jersey court system itself under Sir Michael Birt whilst I could write a book just on these events all I wish to enlarge upon is the following.
784. At the beginning of my statement I gave details of my election in the autumn of 2008 and the publication of a defamatory 'cartoon' depicting Shona and I wrapped within an election rosette made of banknotes, smirking at each and apparently laughing '4 x the salary, darling!': as described giving the public including those who had voted for us the clear – but demonstrably false - impression our income had risen fourfold by my entering politics; equally that we were motivated by money rather than the altruistic, social justice platform upon which we had stood.
785. I need say no more about this itself or the lengthy, drawn out process which followed – more than three years – before we were able to go to court. Suffice to add that we had confirmation from TWO specialist defamation

counsels in London that the 'cartoon' and its caption were just that. All that is really relevant to the work of the COI, background information aside, is to understand what would happen in the court process of the Bailiff's Royal Court.

786. Jersey being run as it is as a rather bizarre hybrid of neo-feudal mini State and 'off-shore- tax haven we were to be unable to have the defamation case heard by a jury of ordinary people as in the United Kingdom. Instead we learnt we had to have this heard by just *two* Jurats – aforesaid lay judges - who would decide on 'fact' and 'evidence'. The clear problem with this in a defamation case per se was highlighted by many including the highly respected Guardian Legal Network blog, INFFORM – defamation obviously depending upon what ordinary people conclude not two members of an Establishment court.
787. Jersey's Jurats are always of a certain age, white and of middle class or above status. Indeed, upon initiating research I later discovered there has never been a Jurat of ethnic minority origin – certainly within the past 25 years. Hardly re-assuring if you happen to be two outspoken 'anti-Establishment' Left-wing political figures – yet we obviously were left no choice in the matter. Nevertheless with these two Jurats (both having zero legal training) deciding on 'fact' they were overseen by one of the small number of UK Commissioners (in reality appointed by the Bailiff) on Jersey's books.
788. Though several other issues would arise - such as our being denied the right to call witnesses to attest what they thought our portrayal to mean as ordinary members of the public; this in direct conflict to what we learned was outlined within the latest edition of the much-quoted Gatley (the Guardian Legal Network picked up on this too) what I really wish to flag up for the Committee of Inquiry as being highly relevant to the abuse investigation and paragraph 13 in particular is what was to emerge *after* the trial about the background and history of the senior of the two Jurats. I have of course mentioned him; his disturbing record in regard to being confronted with child

abuse, and the equally disturbing reality of the senior Judicial figures who allowed him to hold office already. His involvement in our own case however is crucial to fully understanding the oft-mentioned 'Jersey Way'.

789. For having spent three days in court this pair of Jurats took little more than half an hour to decide the case against us. A decision which would directly lead to us being made bankrupt – even though this made no financial sense to newspaper of their client who had concocted the cartoon: had we stayed in the States they would obviously be able to get significant monies back. Nevertheless, shortly after the court's decision which it must be said shocked a great many people who knew the truth about our financial income background and the damaging and highly misleading falsehood of the '4 x the salary, darling!' message described above members of the public contacted both ourselves and our lawyers with disquieting news about the background and connections of this Jurat – yes, the ubiquitous John Lyndon Le Breton.

790. I make clear once again: prior to this time neither of us had any idea of Le Breton's background such as I have referred to within this statement. The COI will obviously note – very long as this statement is – that back when attaching the letter from Sir Michael Birt as my **TP5** I made mention of John Le Breton and Birt's attitude to his clearly exposed unsuitability to preside over consideration of evidence and 'fact; in a court; and it is this to which I need to return now in concluding this statement.

791. Now not only did it emerge, thanks to the aforesaid members of the public concerned at what had transpired, that this Jurat had indeed been an individual who had refused to consider evidence of child abuse against his friend and Victoria College colleague, the paedophile Andrew Jervis-Dykes; Le Breton had evidently also seen nothing wrong in the lead up to our case in entertaining another friend, one Jurat Sally Le Brocq, whose grandfather had been the accredited true founder of the Jersey Evening Post (first defendant in our case); and a woman who had long been a multi-million pound

shareholder and was *still* on the Board of Directors of the newspaper's owning company the Guiton Group.

792. I have of course already referred to the Stephen Sharp Report which I subsequently managed to get hold of – despite being officially denied a copy upon its request by the then Education Minister, Deputy Patrick Ryan – and attached this as my evidence **TP4**. Nevertheless, the clear unsuitability of a man revealed to have a demonstrably selective, indeed, malleable commitment to the importance and consideration of evidence – *all* evidence being appointed, not to mention allegations of both failing to report child abuse *and* the bullying of pupils not to report abuse being allowed to serve as a Jurat since 1998 is, I feel, crucial for the Care Inquiry to fully understand investigating why so much has gone wrong regarding child protection matters in Jersey.
793. Thus I seek to make it quite clear for the record – prior to limited mention of what the former police officer Mr Cornelissen recently confirmed about Le Breton in regard to his investigating the Victoria College child abuse cover-up - none of this has *ever* been reported by Jersey's media who so trashed the child abuse investigation and those who sought to secure justice for the victims.
794. Thanks solely to the public not only did we learn – unfortunately after Sir Michael Birt had allowed this disgrace to happen - that this Jurat Le Breton had refused to view and consider video evidence of his colleague and friend Jervis-Dykes abusing boys he had plied with alcohol; as described often filming them being masturbated and having oral sex performed on them – this lay judge who had been allowed to sit in judgement of the evidence in our own case and so many others had even *written* in the paedophile's defence instead as I will briefly refer to below! Read what Le Breton was happy to write faced with child abuse and just why Jersey's judicial system has so failed vulnerable children for so many decades becomes crystal clear.

795. In doing so – and I make no apology for repeating this once again - I ask the Care Inquiry to keep in mind that it is now clear that Jersey's last three Bailiffs – three men also having served as Attorney Generals – Sir Philip Bailhache, Sir Michael Birt and William Bailhache all knew about John Le Breton's child protection failures and his willingness to disregard evidence of the most heinous kind: let alone allowed him to be appointed a Jurat; and to continue to this very year (2015) when William Bailhache would recall him from 'retirement' to sit on... a child abuse case!
796. All three also knew – demonstrably so as I prove by my attached copy of an email from the politician who first tried to drag the child abuse cover-up into the open, former health Minister Stuart Syvret as my **TP6**.
797. This being the case I feel it essential to round off by setting out just a few of the never-published, truly sickening plaudits spouted by this Jurat. I suggest they – and the fact Sir Michael Birt and the Bailhache brothers evidently think them quite acceptable go to the very heart of understanding how Haut de la Garenne and so many other child abuse horrors in Jersey came to both happen and no action be taken.
798. Jurat John Le Breton stated that the child abuser Andrew Jervis-Dykes had served the College with 'outstanding competence and conscientiousness!' The care Inquiry team may want to read this twice? A manipulative child abuser of children in his care being described by a Jurat as 'conscientious'!
799. Jurat John Le Breton claimed that without any Police prosecution the abuse - quite evident in the videos he had refused to look at of course - could be thus viewed as 'unsubstantiated allegations'.
800. Jurat Le Breton claimed the paedophile Jervis-Dykes should be allowed to resign with some 'dignity'. Well' he had only abused children he had been entrusted to look after and care for after all...

801. Jurat John Le Breton claimed that if the paedophile Jervis-Dykes was allowed to stay on and work out his resignation notice period – something he pushed the authorities to allow – teaching as Head of Maths no-one would be 'at risk'.
802. All of this having been asked to look at evidence; thus *knowing* evidence existed – but refusing to do so!
803. I think – as do so many who actually know the truth - that all of the above is absolutely damning in showing the true attitude of those who oversee the delivery of 'justice' in Jersey: not just to the protection of vulnerable children but to any who might dare 'rock the boat' and do so from outside of the fold. Yet I think that the letter Shona and I received from Sir Michael Birt to which I referred regarding Le Breton says even more. As does the response Sir Michael Birt also made to our complaint about how this ever could have happened; this coming at the end of a meeting my wife and I had demanded with him at the Bailiff's Chambers:
804. 'I have to say that I do not recall there ever having been *any* complaint about either Jurat Le Breton's judgement or his integrity prior to your case.'
805. I repeat this at the end of this statement because being the demonstrable lie that it clearly is I believe it shows just how arrogant, out of control – how contemptuous of ordinary people and the right of all to be able to rely on justice in line with the European Convention on Human Rights – above all how wholly unfit to hold office those at the apex of Jersey's judiciary are. Let me repeat: Sir Michael Birt, Sir Philip Bailhache and William Bailhache – our three most recent Bailiffs and Chief Judges all knew about John Le Breton's child protection failings and dishonesty.
806. Further still, I highlight this here again because of the reality that if even those with a comparatively high-profile can suffer such abuse within a system meant to ensure justice, the most vulnerable and voiceless of children, such as those finding themselves in institutions like Haut de la Garenne, have no

chance whatsoever. Indeed, grown to deeply damaged adults as so many understandably are they have less than no chance.

807. Sir Michael Birt apparently could 'not recall' any complaint/concerns being received about the man he – and both his predecessor and successor – would allow to sit 'judging' evidence for a period now stretching to some 17 years. As he does to this very year despite having 'retired' after our case. If the COI want to know why abuse happens in Jersey – and has happened for so very long I repeat I believe its members need look no further than this. And I hope they also note within their eventual conclusions that this sorry state of affairs will NEVER change unless they step up to the plate because as history shows no one amongst the UK officials charged with ensuring 'good governance' and 'law and order' in the Island ever acts to say enough is enough.
808. In highlighting the above personal experiences at the end of this very lengthy statement I also ask: is it just me or do we seem to here this 'I do not recall' excuse every time the Chief Judges and unelected 'First Citizens' are caught out and exposed?
809. Sir Philip Bailhache exposed reading confidential documents – including police documents - relating to the victim [REDACTED] in full public view on a plane. Sir Philip Bailhache when exposed telling a former Head of Education *not* to go to the police about the abuse of a child. William Bailhache exposed pursuing selective, politically motivated prosecutions. Sir Michael Birt upon the exposure of his and other Bailiff's having known full well about Jurat John Le Breton's history of disregarding evidence of child abuse. If I may borrow a much-used expression from legal dramas: I rest my case...
810. To thus conclude on this aspect of evidence it is likely sufficient to simply add that though Shona and I knew none of Jurat John Le Breton's aforesaid history of dishonesty and what must be seen as a clear contempt for justice and children abused until after our defamation case and the window for appeal had concluded we were nevertheless denied assistance to have this

clear Mistrial overturned by just about every individual with responsibility for 'law and order' and 'good governance' in the island:

811. Both the Queen's Lieutenant-Governor who – beyond question - has ultimate constitutional responsibility on the island for said law and order/good governance; the Chief Minister; the UK Justice Minister and even the Queen's Privy Council – who actually incredibly claimed that they 'did not have jurisdiction'. The reach of 'the Jersey Way' it appears is very long indeed.
812. To make matters quite clear we had of course been denied the right to appeal not only having learnt of Le Breton's behaviour/record after the month's appeal 'window' had passed; but in the reality that because of the appalling failings outlined above it was clear any appeal through the now exposed, impossibly conflicted Jersey authorities would be futile. The fact that led us to go via the 'political route' requesting assistance from those meant to monitor the untouchables of Jersey 'justice'.
813. Though there is subsequently much more I could set out on this saga most relevant to the COI and its efforts to understand just how Jersey 'justice' really works this may be seen in the final fact I outline below.
814. Having attempted to appeal anyway (as the Lieutenant-Governor advised us!) what was quite clearly a non-ECHR Article Six compliant trial, having had no assistance from the UK bodies indicated above, the Appeal Court – judges meant to be demonstrably independent of course but due to Jersey's unfit for purpose system actually selected/appointed by the Bailiff (forget the Crown Appointment red herring here. Advocate Philip Sinel's submission to the Carswell Inquiry talks about this) - surprise, surprise actually repeated Birt's very same lie amidst a host of inaccuracies:
815. Apparently, or so the Appeal Court stated, there had not been any other complaints about the integrity of Jurat le Breton previously! Now I really do wonder who ever could have given them that idea...

816. None of what underlay our court case – be it the actual lies spun about our income by Trower and the JEP all the way to what happened subsequently was ever reported as it should have merited by the local Jersey media – hardly surprisingly in the case of the newspaper I accept.
817. Why this is relevant to understanding the ‘Jersey Way’ at the heart of what happened in regard to decades of abuse; and upon its final exposure – is this is obviously just as has happened in the trashing and spinning of propaganda regarding Haut de la Garenne and Graham Power and Lenny Harper – even when the truth has been revealed be this via Scrutiny or doggedly determined Citizens Media bloggers. Just has been the case with former Senator Stuart Syvret’s treatment and the notorious ‘secret court’ which ultimately saw him imprisoned.
818. Indeed, it is interesting to note that even the former Home Affairs Minister Senator Le Marquand once stated to me that Le Breton clearly never should have been allowed to sit on my legal case given his background – my being one of the most outspoken critics of concealed abuse. He would never say it publicly of course I am sure?
819. Likewise the long-serving St. Helier Deputy, Jackie Hilton who also once told me how, as a former Centenier she had been ‘shocked’ that Le Breton ‘had ever been allowed to become a Jurat at all. But that just seems to have been how it was in those days.’ Indeed, that I strongly doubt either politician would *ever* repeat their demonstrably correct statements in public – or probably deny they ever said them - I have to add, is in truth just another example of the ‘Jersey Way’: people knowing things are wrong yet still keeping quiet.
820. Nevertheless the first objective the Establishment may have achieved. Fortunately the latter – silencing us - they will never do. Something evidenced yet again by my making this statement in the hope that those who are most important of all – the victims of child abuse of whom Shona and I were amongst the few in the States to stand up and fight – finally get justice.

821. Tellingly the truth of Haut de la Garenne *has* been aired nationally and internationally when professional journalists learn of what goes on: Hopefully this will continue upon the conclusion of the work of the Care Inquiry. Indeed even elements of our own story have been covered within institutions as diverse as Newsweek; the INFORM blog for responsible media; the UK's the People's Voice on line TV channel and even surprisingly the Big Issue in the North magazine; along, of course with numerous blogs despite the media cover-up here.
822. Indeed, Jurat John Le Breton's disturbingly malleable commitment to justice and the 'Jersey Way' that allows all of this to happen has even been highlighted within the House of Commons itself thanks to the same former Liberal-Democrat MP John Hemming who had taken up Leah McGrath-Goodman's case with me.
823. Nevertheless, as many people have – in my opinion – rightly said it can thus surely be seen that with no action and the fact that the 'Jersey Way' still rolls on unchallenged can only demonstrate that support for what it protects goes all the way to the very top of those who should under the constitution be ensuring those powerful individuals who abuse their position in Jersey are held accountable – no matter who they are, and no matter how embarrassing such a holding to account would be.
824. The real victims of 'the Jersey Way' – the victims of child abuse - can only hope those entrusted with overseeing the Care Inquiry will be the people who finally make the long overdue holding to account happen.
825. Whilst so much more could be outlined, with such a long statement as this has become I feel that this is probably a very good place to end; simply repeating once again the question I reported arising from my and Shona's meeting in 2008 with the Liberal-Democrat Peer, Lord Wallace: 'So can you tell me whose job it is exactly to monitor these people?'

826. In conclusion I just confirm that I am willing to give oral evidence to this Inquiry and, indeed, feel that this is in all honesty essential. This being due to the afore-stated belief that the great majority of Jersey' elected representatives – past and present – who should have so much to say will instead simply 'keep their heads down' out of self-preservation: as has generally been the 'Jersey Way' modus operandi for decades. I thus hope that my answers to the questions asked will be of assistance in as many instances as possible.

827. On behalf of the victims who have contacted me especially – and of whom I have encouraged to come forward to recount their evidence in their own words – I thank the Inquiry team for giving me this opportunity to make a statement. I look forward to answering any arising questions on my evidence in public in due course.

Statement of Truth

I believe the facts stated in this witness statement are true.

Signed

Trevor Pitman

Dated: 2 November 2015.....