

Submission – Professor Hugo Mascie-Taylor – 1st October 2025

This is a complex issue.

in principle it is accepted that the greater the transparency then the better, both in terms of driving up safety and quality and in terms of being fair with patients.

This is largely a cultural issue and therefore any process which encourages a more open culture is a good thing.

Whether or not a legally framed duty of candour process helps change the culture is probably unclear but, in my view it is certainly worth using this as a tool in Jersey. Frankly the extent to which it improves the current situation depends to a large extent on the political leadership and the willingness of many in the authority to be open. I suspect that this will remain a challenge for some time but nevertheless I congratulate those attempting to improve the situation, and hope that they will succeed

As you point out one of the comments made to me when I was in Jersey was that “there are no consequences”.

Whether or not this continues to be the case in the future again depends on whether or not the collective leadership is prepared to deal with issues in a robust way or whether they are not. This will not be affected by duty of candour but by the many other factors which operate on the island. If a pattern of dealing with issues in a fair and robust way is observed by staff within the hospital and by the population at large then this criticism will lessen over time. If it is perceived that this is not the case and that those in powerful positions are protected from consequences then it will not.

I hope that this note is supportive and helpful. Jersey has so much to gain by creating positive cultural change and, as ever I wish you well.