

## **2.6 Senator S. Syvret of the Minister for Home Affairs regarding the transportation of children in custodial care to court:**

Will the Minister inform the Assembly whether children in custodial care are transported from Les Chenes/Greenfields to court in the same vehicle as adult prisoners from H.M.P. La Moye and if so does she consider this practice to be acceptable?

### **Senator W. Kinnard (The Minister for Home Affairs):**

The States of Jersey Police provide transportation for persons in custody who are due to attend the Island's courts. This will include adults and children. Every effort is made to avoid transporting adults and children together and in the majority of cases transportation will take place for adults first and then for children if necessary. However, from time to time, it is unavoidable and both adults and children are carried in the same vehicle. The States of Jersey police have only one vehicle specifically designed for the carriage of remand or convicted persons of any age and this is designed in such a way that each person transported is placed in an individual cubicle within the vehicle. If it is necessary to transport both adults and children together, whenever possible, the children are placed into the vehicle first individually before any adults are loaded. At no time are children or adults able to mix freely within the vehicle. Members have already heard from the Minister for Health that he will be seeking legal advice on the transport arrangements for children and young people to the courts.

### **2.6.1 Senator S. Syvret**

Given that the Minister has admitted that this abusive practice takes place, could she say whether risk assessments have been conducted in respect of these transport arrangements? Does she accept that no respectable child welfare authority would suggest that it is ever appropriate to transport child prisoners in the same vehicle as adult prisoners?

### **Senator W. Kinnard:**

As I have mentioned, the Minister for Health will be seeking some legal advice on the issue. But I think we must put this matter in context, Sir. It is clearly unacceptable in a situation as pertains in the United Kingdom where if children were transported with adults they would be transported in a vehicle for several hours, possibly over several hundreds of miles as the dedicated secure youth facility may be some distance from the court where the young person has to appear. In Jersey the maximum period of time we are talking about is approximately some 20 minutes in terms of the journey time. As I have indicated, Sir, the vehicle is partitioned. But, having said that, advice is being sought and obviously I will be in consultation with the Minister for Health once he has received that.

### **2.6.2 Senator S. Syvret:**

Does the Minister accept that there are young adults - children - who have been transported in this manner and who have found the experience emotionally and psychologically harmful to them? I have spoken to such people and I am happy to put them in touch with the Minister if she does not accept my word.

### **Senator W. Kinnard:**

I would be more than content to hear from individuals if that is the case. As I have indicated, Sir, it is a situation also of resourcing in a small island and the fact that if one is going to have a situation of limited resources, Sir. I, myself personally would prefer to see those resources spent on things like education, facilities and programmes than spent on a dedicated perhaps police van of the type used transport people to and from court. But, as I have said, Sir, if legal advice is to indicate otherwise then I will have further discussions with the Minister for Health.

### **2.6.3 Deputy J.B. Fox of St. Helier:**

The Minister might not be able to answer this immediately, but if she could come back to the House. In light of the question that has been raised has any consideration been given as to the timings of transport with the courts to see whether the child could be deferred to a later time than the general transportation of prisoners from the prison?

**Senator W. Kinnard:**

As I mentioned in my answer, every effort is made to try to ensure that children are not transported at the same time as adults. But on occasions I have to admit that it has happened.

**2.6.4 Senator S. Syvret:**

For this reason and a variety of others, I long ago came to the conclusion that the States of Jersey has, in effect, committed many criminal offences against children including during my time as Minister for Health and Social Services ...

**The Bailiff:**

Senator, no speeches, please.

**Senator S. Syvret:**

I am going to seek an interview with the police in which I will put all of these offences I believe my department committed to them with a view to them being investigated for prosecution ...

**The Bailiff:**

Senator, is this a supplementary question?

**Senator S. Syvret:**

It is a supplementary question, Sir.

**The Bailiff:**

Well, ask it, please.

**Senator S. Syvret:**

Will the Minister for Home Affairs and the Minister for Education, Sport and Culture join with me in doing this?

**Senator W. Kinnard:**

I have no hesitation of reporting to the police or to any other relevant authority such as the Williamson inquiry any matters that are of deep concern to me and clearly if there are any matters that are of a criminal nature I have no hesitation whatsoever in reporting those to the States of Jersey Police for further investigation.

**The Bailiff:**

We come next to a question by Deputy Power of the Minister for Economic Development or Assistant Minister.