



Children, Education and Home Affairs Scrutiny

Panel

Quarterly Hearing

Witness: The Minister for Home Affairs

Friday, 16th July 2021

Panel:

Deputy R.J. Ward of St. Helier (Chair)

Senator T.A. Vallois

Witnesses:

Deputy G. Guida of St. Lawrence, The Minister for Home Affairs

Mr. J. Blazeby, Director General, Justice and Home Affairs

Mr. L. Goddard, Acting Director, Immigration and Nationality

Mr. N. Fox, Head of Justice Policy

[9:31]

Deputy R.J. Ward of St. Helier (Chair):

Good morning, everyone, and welcome to the quarterly hearing with the Minister for Home Affairs. Just some quick introductions. Deputy Rob Ward, and I chair the panel.

Senator T.A. Vallois:

Senator Tracey Vallois, a member of the panel.

The Minister for Home Affairs:

I am Gregory Guida, the Minister for Home Affairs.

Director General, Justice and Home Affairs:

Good morning. Julian Blazeby, director general, Justice and Home Affairs.

Acting Director, Immigration and Nationality:

Good morning. It is Luke Goddard. I am an officer supporting the Minister for immigration purposes.

Deputy R.J. Ward:

First, congratulations, Minister, on your appointment. Obviously you worked with the late Minister closely so you have a background there on the workstreams and so on. The first question is: how do you intend to manage your time and capacity appropriately between your Ministerial role and the Assistant Ministerial roles that you have and a member of P.P.C. (Privileges and Procedures Committee)?

The Minister for Home Affairs:

That is a very good question. The roles are quite different. I think I need to start with that. They are very different so the Minister of Home Affairs supervises services that are extremely independent. They run themselves and it is mostly a supervision and also working on legislation. It is a little bit different, for example, from the other one I know, which is Environment, which is extremely hands on. Where you get involved with almost everything that the department does, that Planning does, that Environmental Health does. So you really get involved. The reason I have decided to stay with Environment is because there are several large projects, which I have followed from the start, and it is important that I remain as a back-up for those. One of them of course is the Island Plan, so I have been working in parlour with the Minister on the Island Plan since the very beginning. If there was any problem or if the Minister found himself overwhelmed by the last stages of the Island Plan I would be able to help him because I am very aware of what has been going on. Also, Brexit, even though it is not something we talk about very much, it is still very much an issue and it is one I have embraced from the very beginning and I am quite cognisant on. I think it is quite important to keep me in reserve for that role. It is not so much about day-to-day work but it is about being ready to act if I am needed. We will have more problems with fishing in Jersey waters in the coming months and it is important that I am available as a back-up still as Assistant Minister for the Environment to intervene if necessary.

Deputy R.J. Ward:

But you do not see yourself being - I just use the first word that comes into my mind - overwhelmed by the amount of work from the 2, as you have just pointed out, very significant roles?

The Minister for Home Affairs:

It became better when I became Minister because before that all the appointments were arranged around Len's availability, so there was a Home Affairs appointment and if I was available I would go

and if I was not available I would not go. But of course now, people look at my existing agenda and put everything that is Home Affairs inside that agenda, and it still has quite a bit of space in it but it fits better because people work around my availability rather than the contrary.

Deputy R.J. Ward:

Do you see the ministerial role as more of a hands-off role now than it was previously?

The Minister for Home Affairs:

Sorry, that has not changed. Again, it is a different ministry than the others because you are talking about services that are extremely independent. The best example is the police. It would be something nice to publish the fact that the Minister for Home Affairs has an extremely hands-off role with the police. It goes through the Police Authority. It goes through the Assembly. The Minister for Home Affairs does not have much to do with it. It is supervision from far away and getting informed and knowing what is happening but not more than that. It is much less hands-on than it used to be for me in Environment.

Deputy R.J. Ward:

There recently have been some more powers given to the Minister for Home Affairs, or they are looking at those, regards immigration and so on. That may increase your workload. What concerns and challenges have you identified in the remit for Home Affairs, in particular since you have taken over?

The Minister for Home Affairs:

There are 2 aspects. The first one is the legislation. We were hoping, and we had a very good agenda for legislation, and it is a shame that COVID delayed that and now we are quite in a rush to get everything finished by the end of the term or, for most of them, the end of the year. I would say this is our priority and this is something I make sure advances as fast as it should. I have lost my train of thought.

Deputy R.J. Ward:

Just the specific challenges and perhaps I could link that into the next question, which is your immediate priorities regards the work programme and I suppose the phrase is “tangible deliverables” that you can implement in a short term, because it is a relatively short term we have left.

The Minister for Home Affairs:

You have me thinking about the other side thankfully, maybe afterwards something as well. The brain is not working right. The political side of the Home Affairs Ministry does not sit only with the Minister for Home Affairs. Whatever happens it has to go to the Assembly and because a lot of it is

cultural I feel that it is something that the Assembly should be the first informed on or Scrutiny. For example, we have this problem of youth crime, which is a societal problem. It is not just a police problem. In fact the police are only a very small part of the solution. I think this is much bigger than just the Minister for Home Affairs and it is something, when we start building up solutions, that I would like to bring to the Assembly as soon as possible. I mentioned during the uncontested election that I had one item that I would like to bring to the Assembly, and it is a similar item. It is about prison sentences for young people and we have found a discrepancy between 2 laws that were voted in the Assembly, so assented, which do not match. Instead of trying to fix it in Home Affairs I am quite keen to bring it to the Assembly because it is a cultural problem and I want the whole Assembly to make a decision on this.

Deputy R.J. Ward:

What is the main achievement that you hope to have in the last year of this Government term, in your role as Minister?

The Minister for Home Affairs:

Legislation. I forgot one item, which is quite important. Of course we are in an era of trying to save money everywhere in all departments, and front line services are of course very dangerous place to try to shave money off. I also, on top of what we are trying to achieve, expect to be supervising very closely the effect of changes in budget to make sure that the front line services are not affected, that the service is not affected. I would say that those are the 3 main roads. One, if it works, you will not see anything. The other one will go to the Assembly. The middle one is legislation, so I think that my major ambition is to make sure that all the legislation before me, which is very important and is quite overdue, happens before the end of the term.

Deputy R.J. Ward:

What we had before from the previous Minister many a time was how he was an advocate, as he would say, for protecting front line services and protecting budgets. So that is a very hands-on thing, particularly with the police, is it not? Is that not a slight contradiction with what you have said before with regards of letting go and letting things run? Where is that balance?

The Minister for Home Affairs:

It is not hands-on but I do get figures, so I do get budgets, I can read budgets. I do listen to people and see where the cuts are taken in that or whether they are really hurting. I think that is my role there, is to supervise to make sure that those things do not damage the front line services. But the only place I can act for the police is that global budget. If I find that they are missing something I can suggest a larger one. It is a little bit easier for the other services where I can ask for business cases to be made to enhance them where they need to.

Deputy R.J. Ward:

In terms of legislation, particularly the legislation that we know was intending to come through, the fireworks legislation; crime, prejudice, disorder legislation; or the domestic abuse legislation, where are we with those 3 pieces of work in particular?

The Minister for Home Affairs:

Ongoing, I would say. Fireworks was put on hold because basically we did not find anybody who wanted to carry it and it was considered not as urgent as the other 2. Prejudice and domestic violence never stopped. They were followed and they are still on track but they are quite large pieces. It is just the amount of time that I need to do them. If the panel is interested, I would like to have some talks earlier on. The traditional way would be to wait until we have a nice draft legislation and then present it to you and again, if you are interested, I would like to bring the panel a little bit earlier on to talk about principles before they are set on paper. Again, the idea that those laws are a cultural thing and the more States Members are involved the better they will be.

Deputy R.J. Ward:

We have seen some of the prejudice and public order, we have had some sort of briefings, and the domestic abuse legislation in terms of those principles. When can we expect those areas to be lodged? Senator Vallois, you have a question that you might want to ask after that.

The Minister for Home Affairs:

We can ask Nathan to come in and give you exact details about this. But we hope to have them passed before the end of the year, so lodging time for that. But please, Nathan, if you can elaborate. That is the general principle, we want this at the Assembly before the end of the year.

Deputy R.J. Ward:

So they should be lodged relatively soon.

Head of Justice Policy:

Morning, Minister. Morning, Chair. I have only just managed to get my audio connected so I am afraid I do not know what the question was.

Deputy R.J. Ward:

It was regards the expected legislation times for fireworks, crime and prejudice, and domestic abuse legislation.

Head of Justice Policy:

The crimes of prejudice law is currently being worked on to our agenda in line with the response of the public consultations and discussions with the panel. I think as for the draft, at the moment there are a number of questions around the ages of that which are being resolved. But that is on target for lodging by the end of the year.

[9:45]

In fact, I suspect it will be a long time before that but it is a bit of a variable timeline but we do know that is going to be lodged by the end of this year with the intention of having it debated within this Assembly.

Deputy R.J. Ward:

Is that lodged by the end of this year?

Head of Justice Policy:

Absolutely.

Deputy R.J. Ward:

Because, Minister, you suggested it would be passed by the end of this year. There is a real big difference between those 2.

The Minister for Home Affairs:

Six weeks.

Head of Justice Policy:

Hopefully it will be lodged very soon and I think the way that we have been talking or the discussions with the draft, it should be lodged at some point in the next month at the latest. But in terms of absolute commitments, I mean we have on our timeline as the end of the year but if there is a strong desire from parties to bring our timeline forward we would be happy to do so because I think it is quite realistic.

Deputy R.J. Ward:

It is just an awareness that there is a cut-off point in 2022 before the election and so we could be left with pieces of legislation hanging if we are not careful, that have been so important and prioritised in Home Affairs. That is why we asked about the timelines for them. What about the domestic abuse legislation?

Head of Justice Policy:

That is in first draft at the moment. It is being reviewed. I am not dealing with that one directly. I believe instructions have been sent back to the drafter at the end of last week. The provisions for the core elements of coerce and controlling and other arrangements are probably there. There are questions around how it would be best, for instance, to run a domestic abuse register, what you might want to do with police powers, the equivalent of those in the U.K. (United Kingdom), making legislation from elsewhere fit with our systems where you have the Magistrate's Court does not sit on the weekend, as an example, so you have longer timelines for any considerations the magistrate might have. You then need to go to the magistrate for anything. You need to keep changing all the timelines and change the arrangements. There is quite a lot of work to do on that but the intention is, as we have said, to get that debated by the end of the year, which would mean lodging it not that long after the end of the summer recess realistically if we are going to have time for Scrutiny consideration. The Minister has asked me to give you a fuller briefing on that at some point in the near future, and I think the arrangements for that should be made early next week.

Deputy R.J. Ward:

I will come on to Senator Vallois in a moment, she has got some questions, but I obviously mention that background thing, which is called the Government Plan, which is going to take all of our time so just to be aware of that. Senator Vallois, do you have some questions in this area? I think you do.

Senator T.A. Vallois:

Yes, if I may. Minister, you referred to there being some form of traditional way of scrutinising legislation. I can guarantee you there is not, having scrutinised a great deal of legislation myself over time, but if there is a willingness to work with us as Scrutiny, in terms of advanced notification, it would be extremely useful to have law drafting instructions when they go to law drafting so that we can have an idea of the principles behind that. Therefore then assist and support constructively in any way that we can. Would you envisage doing that with your legislation that is coming forward?

The Minister for Home Affairs:

Absolutely. I do not have a problem with that.

Senator T.A. Vallois:

That is great. In terms of other legislation, I have heard historically about firearms legislation being needed. Is that on the books at the moment or is that being moved further down the pecking order?

The Minister for Home Affairs:

Sorry, my screen says "queued", can you still hear me?

Senator T.A. Vallois:

Yes, I can hear you.

The Minister for Home Affairs:

Okay, sorry. No, we are not looking at firearms legislation. We are looking at firearms guidance. So the legislation is quite sound as it stands but the problem was that a lot depended on the Constables and they tended to have different interpretation of the legislation. So the Constables themselves, with our help, are issuing a quite detailed guidance on how to manage firearms licences. It is a massive document and it will be much more precise and prescriptive in the way that they issue licences. That is the document we are working on and it is 99 per cent finished. It is almost there.

Senator T.A. Vallois:

That guidance will be the responsibility of yourself, Minister, or will it be the responsibility of the Constables?

The Minister for Home Affairs:

We will probably issue it as an order but it will be the responsibility of the Constables.

Senator T.A. Vallois:

When you look at issuing that as an order will you, in advance, let the Scrutiny Panel know instead of us searching around for it on Ministerial Decisions?

The Minister for Home Affairs:

Certainly. If you are interested we can even show the guidance.

Senator T.A. Vallois:

Okay, that would be really useful. That is all on legislation, Chair, if you want to move on to the next area.

Deputy R.J. Ward:

Thank you, that is great. I reiterate that point about ministerial orders, it really does help us because 90 per cent of the time there is no issue but when there is it can be very complex. It is really helpful if they are shared with us. I want to move on and talk about the drug and alcohol strategy. Can you update on the work of the progress of this workstream and the outcomes of the joint working consultations with Health and Social Services regarding the strategy?

The Minister for Home Affairs:

I will defer to Julian Blazeby for that but basically we have advanced on that. It is going to be led by Health and we have hired somebody to take care of the job. It is now on track. But if Julian wants to elaborate.

Director General, Justice and Home Affairs:

Yes, as the Minister said, we have had good discussions over the last couple of months and I think we probably touched on it at the last Scrutiny hearing with Public Health and Health and Community Services. We have got real clarity in terms of the lead in this area of work. Although our department took the initiative in the early days, recognising that there is a real need to get a long-term drug and alcohol strategy in place because the Island was absent of one, albeit there was obviously some very good work going on across Government and across other sectors. We have now got real clarity. It is a Public Health initiative and I think we would all agree it is a Public Health-led piece of work. That is good. The main stakeholders are clearly Health and Community Services and Home Affairs Department. Again, that is a positive clarity on that. We have allocated some funding to hire an individual to take all this piece of work but I spoke to Public Health colleagues last week and I think you would appreciate, with the current pressures of COVID and the fast-changing environment in terms of legislation and policy - certainly policy - that they have not been able to progress this piece of work as quickly as we would like. It is very much in their thinking but, like a lot of things, because of COVID unfortunately it has not progressed as quickly as we would like. It is there, it needs to be done, everybody recognises the importance but I am hoping it will get greater traction in the coming weeks.

Deputy R.J. Ward:

I think we are very pleased to hear that is a health-based approach because we have had these discussions before that was not certain. The timeline is quite important because we have a strategy at the moment, which is ongoing, but to some extent in limbo until we get the new strategy coming forward. What is the timeline for allocation of that work and is it a priority within the department?

Director General, Justice and Home Affairs:

Certainly as a Home Affairs Department it is one of our priorities, as the Minister has made very clear, and it has been on our agenda and indeed the previous Minister's priority as well. Public Health recognise the importance, I had confirmation of that again this week, and of course we have the funding. That is one hurdle out the way. We are hoping by the end of the year. It is difficult to put a clear timeline on it because of the current challenges; most of the policy resources are directed towards COVID still at the moment. But the conversations I had with the Public Health lead was that by the end of this year we should have a draft policy or there or thereabouts. But it is difficult to confirm that completely because who knows where the next couple of months will go.

Deputy R.J. Ward:

I have just closed it and I cannot, for the life of me, find it again; there was a report from the U.K., a very recent one, about drugs and alcohol strategy and very pertinent - I will find it and I will send it. You are probably aware of it - which this took health approach. The issue is are we right in assuming that the approach will be one of harm reduction through ensuring that the focus is on health and support in the community as opposed to perhaps just punitive measures, that is the focus of this strategy? Are we right in making that assumption?

Director General, Justice and Home Affairs:

That is a really important point. We have looked at the relatively new Scottish drug and alcohol strategy that was launched last year for the next 5 years. Guernsey have launched a fairly similar one over the last 12 months. Absolutely, this has to be about harm reduction, health, about young people, families, and enforcement. Your reference to punitive is really a small part of that. Of course, there will always be an element of enforcement around any drug and alcohol strategy, however absolutely it is very much about harm reduction. A lot of our language and thinking, and whether it is testing at festivals, whether it is doing different initiatives, that is all about reducing harm, about supporting young people, about supporting families, about diversion, about restoring restorative practices and less about enforcing.

Deputy R.J. Ward:

We have seen the reintroduction of the drug squad and some quite high-profile raids, is the only word I can think of. Is this going to be the stricter policing incorporated in some way and how does that balance with the health strategy? Before you answer that; Senator Vallois, I have seen your question so I will come to you for your question. I hope I have not just asked it. Do you want to address that one first?

The Minister for Home Affairs:

I think we need to separate 2 aspects of the drugs trade; the use and the trade. Morally I have no problem with the use, I think it is exactly what we have described. Our problem is harm reduction. I do have a problem with the trade. I do have a problem with people who make money out of the misery of others so I do not think we will let down on the enforcement on that side.

Deputy R.J. Ward:

Senator Vallois, I know you have a question there but I just need to say one thing about what was just said. When you say you have no problem with the use, is decriminalisation on the agenda?

The Minister for Home Affairs:

It is not in our agenda but, interestingly, none of the Ministers and officers involved had a moral issue with it. So it is more about reducing the harm. If decriminalisation would reduce the harm, yes, we would certainly look at it. However, I must say again, people making money on the misery of others must be punished and stopped, more importantly.

Senator T.A. Vallois:

Just on the point about this being really what is a joint strategy, there was mention of young people and families. We know the youth work, work very closely with young people who might be involved with drugs or alcohol or things like that. What involvement do C.Y.P.E.S. (Children, Young People, Education and Skills) have and will there be a consideration for some political oversight group to intensify the expectations for this strategy to be completed in a OneGov approach?

Director General, Justice and Home Affairs:

To be absolutely right, the OneGov approach has to be the way forward and is the way forward. I would rely on this topic of conversation around drug and alcohol strategy with the youth justice strategy because I do not think they can be seen completely independent. There is a piece of work ongoing, as I think you know, Senator, around the youth justice strategy, which again initially the Home Affairs Department is very much leading that. But that is very much a policy and C.Y.P.E.S. piece of work and Home Affairs are a key stakeholder in that. A key part of that is, for me and colleagues would agree in C.Y.P.E.S., is around what is the diversion strategy on the Island. We do not really have great diversionary opportunities on the Island if we are going to think about diverting young people away from the court system, away from criminalising young people and treating them as young people and not necessarily as offenders. All the academic research and work does talk about exactly that approach. If you look at the drug and alcohol strategy, that is why I mentioned about children and families because it is important if you look at other drug and alcohol strategies in other jurisdictions, they have a specific strand for children and young people and families. That is about supporting families if they have youngsters who are involved in drug and alcohol or substance misuse and it is particularly about harm reduction and around diversion. I do think you can see the synergy between the drug and alcohol strategy and a youth justice strategy, particularly we are talking about young people, which was your point. C.Y.P.E.S. have an absolutely key role to play in that.

Senator T.A. Vallois:

I hope you understand, I just wanted to check because you mentioned Health and Community Services and yourselves but there was no mention of C.Y.P.E.S. but yet reference to children and young people. The intention this term was to try to move away from silo mentality and I am trying to understand and make sure that there is that group think around how we take this forward with everybody in mind, not just the specific sector of our community.

Director General, Justice and Home Affairs:

I am really glad you raised it because I am absolutely ... I know the Minister has talked about his responsibility, the fact that he has other responsibilities and that brings in automatically ...

Deputy R.J. Ward:

You have frozen there, Julian.

The Minister for Home Affairs:

While he is away I can mention something. When you come up with new legislation sometimes you tag things along and take advantage of this being voted in to add a couple of new things in.

[10:00]

As part of the new legislation we have a little thing that will allow some drug possession charges, especially with young people, to be dealt with at Parish Inquiry.

Senator T.A. Vallois:

You mentioned before, Minister, that there are 2 different areas of legislation about prison sentences for young people. I made a note of that. Could you just explain what that is and what you mean by that and what we would see at the end of that change?

The Minister for Home Affairs:

We have a sexual offences law, which is very prescriptive about prison sentences for young offenders. We recognise different age groups and what they can do to each other and what the crime might be in, what the sentence might be. Then we have a youth justice law, which says that the maximum sentence for most crimes for somebody under 18 is just one year, and they are incompatible. So they are both voted in but they do not match. We are trying to untangle them now and it was asked: "How do you want to sort this?" My answer again was this is a cultural issue, the whole Assembly ... it is not just me making a decision and bringing it to the Assembly. I will present something that leaves the decision to the Assembly. I will have a personal position. But I will leave the decision to the Assembly openly.

Senator T.A. Vallois:

I understand that and I just wanted to understand what you meant by that. It is useful to know the 2 particular laws you are referring to. But would there be an opportunity, for example we have consequential amendments with regards to the Criminal Procedures Law, I know that there are

consequential amendments around the youth justice law at the moment. Would that be an area or is there much more work to do on this particular area?

The Minister for Home Affairs:

Are you talking about the ones I will be presenting on Tuesday?

Senator T.A. Vallois:

Yes.

The Minister for Home Affairs:

They are very thick, they are purely technical. They are just changing very old laws and adapting them. You will probably know more about it than I do because it was voted in, I think, late term 2018. So we had this new criminal procedure law, which basically took a lot of the court rules away from the court and back into the Assembly. They have been redefined over the years because it was a lot of work to make all the regulations that would fit those new laws. I am just implementing them. There is probably 10 per cent, or maybe less, completely new stuff in these, and everything else is just moving things around so that they fit with the new 2018 law. There is nothing special in there.

Senator T.A. Vallois:

That is fine, I just thought I would ask the question. I will pass back to the chair continuing with the strategy.

Deputy R.J. Ward:

Just making one comment on that: do look out for the superb comments paper on that piece of work that will come from our panel. I think one of the really key things about any strategy is having a real concept of the outcomes that you wish to achieve from it. How would you characterise the outcomes that you would want to achieve from a new drugs and alcohol strategy for Jersey? Some key points, to give people watching a context.

The Minister for Home Affairs:

I think it is exactly the same as when I announced about youth crime. Solving youth crime happens 25 years before the crime. So in this case it is exactly the same and fortunately we can help, we can direct a little bit but it is in youth services, it is in C.Y.P.E.S., that the solution lies. It will be very difficult to fix all the problems that we have today. We will have to try to fix the problem for tomorrow.

Deputy R.J. Ward:

Can I just ask though, before you come in, Julian, just my train of thought is working? What are the potential short-term tangible changes there, because there is an issue in our society right now? So what are the short-term tangible changes? I think the longer-term ones are the concept that we are talking about, and we get that.

The Minister for Home Affairs:

The police have led 2 operations, Porter and Optical, to tackle youth crime, which is a serious problem for Jersey, although it is only a very small number of people. Basically, we know that the solution is extremely hands-on. We need 3 youth workers per young person to make sure they are entertained, they have something to do, they are at school, just helping them. It is an extremely manpower intensive thing. But we know that it works. It is just a matter of saying: "I am sorry, that is what it is going to cost to sort and doing it." Hopefully working better with the 4 year-olds today so that it does not happen to them when they are 17.

Deputy R.J. Ward:

That is specifically in terms of the possible use of drugs and alcohol, which is what we are talking about?

The Minister for Home Affairs:

No, I was talking about youth crime in general. It was just the amount of attention you paid to them personally and then help. We are not talking about having a policeman behind you with a truncheon but about help from services.

Deputy R.J. Ward:

In terms of the short-term issues we have with drug and alcohol use on the Island, and some might say the criminalisation of people that it can have long-term effects. If we move into more of a health strategy and less criminalisation, which is what we seem to be looking at here, what short-term changes can people expect to see or is it just a question, from your point of view, that they just have to wait until we have got something sorted?

The Minister for Home Affairs:

As I said, we have already worked on one, which I think is a very simple and excellent remedy. It is to send young people, who have been caught for the first few times with possession, to Parish Hall. It is not public, it is not court, and the most you get a slap on the hand or a very tiny fine. That is a very good way of changing things. That was a legislative change, it was quite a heavy change to do but it is going to have a lot of benefit. Any idea that we have like that I am quite happy to support.

Deputy R.J. Ward:

That is just about everything I have got on that topic. Julian, I cut you off there. I do not know if you had something you want to add quickly.

Director General, Justice and Home Affairs:

It was briefly, you talk about - apologies my system crashed as I was mid-flow and then disappeared - short term has to be, as the Minister said, looking at what are the options and ability to get greater co-ordination around services. There is some fantastic work going on across the private sector and third sector but greater co-ordination through a strategy would definitely help in terms of making sure we are putting the right resources and focusing on the right challenges. There is the ability around the re-offending agenda and rehabilitation to make sure Probation and Prison are targeting their work to ensure lifestyles improve. Of course the longer term is around healthier outcomes, less disruption for families, schemes that can help people live with substance misuse and support everybody in the system to get healthier, achievable outcomes. There is a mixture of short and long term but without a strategy it is difficult to get that greater co-ordination across the system.

Deputy R.J. Ward:

Senator Vallois, you are going to ask the questions on the wonderful topic of the Government Plan, I believe, so I will let you go with those.

Senator T.A. Vallois:

Minister, in your view, would you be able to elaborate on the projects within the Government Plan that you believe should be prioritised for Justice and Home Affairs and the determining factors for placing emphasis on these projects?

The Minister for Home Affairs:

We have a handful of capital projects, which are quite important and I will talk about later. Everything else that we are bringing to the Government Plan, our growth bids, are necessary to our normal functioning so I can talk about this quite quickly. The Jersey Field Squadron was never budgeted properly. It is something that has a natural growth and we must bear the cost of it, whatever that growth is. It is mostly salaries and pensions and things like that. So it was never healthy to consider it a closed budget. It would have to grow every year. It has grown every year with a fixed budget so there was a natural structural expand in it and we are trying to sort it this year by making it a little bit larger but also allowing it to grow with time. That is one. That again was structural. The Jersey Police Authority, that is quite an interesting one. You know that we are looking for a new member for that, which must be taken from the Assembly. I am open to suggestions. They had quite a small budget which allowed them to function but not terribly well. Basically they wanted a little bit more administrative staff so their work could be supported. They also wanted, quite forward looking for all of them, for a lot more training so that they could understand the police work better and also look

at other forces and try to bring ideas from other forces. We raised their budget quite significantly, and that is one of the items, one of our business plans in the Government Plan. Customs and Immigration had the G.S.T. (goods and services tax) *de minimis* extra work added. So there is a small amount there for that. The TETRA services agreement, so all the emergency services use a radio system that is completely independent. It works like a telephone system, like a first-generation telephone system, but it is completely independent from the rest of the network, which gives it resilience. If that fails you can go back to telephones, and if telephones completely fail you can still use TETRA. But it is a proprietary system, which is being phased out and we are maintaining in the last years of its life. That also needed quite a bit of money put in but it is not an avoidable expense. Finally, there is a large expenditure because of the way we are changing the vehicle property for the services. So ambulance and fire of course rely on a large number of quite expensive vehicles, which they used to own, and we are centralising that so that in fire structure we will own all the vehicles for the government and leave them to the different services. So there is a transfer of capital and transfer of expenditure happening there. Those are the growth bids. Would you like to talk about savings or budget?

Deputy R.J. Ward:

Can I just ask this really quickly? Is that the much-coveted giant ladder that is going to be in the Government Plan this year because we have heard a lot about it.

The Minister for Home Affairs:

No, I am very sad that the ladder, just because the supplier could not provide it because of COVID, they have lengthened their waiting list. It needs 18 months to be built because it is custom-built to the needs of the services. I am extremely sad because it was planned to arrive in Jersey this term and I was really looking forward to climbing it, and unfortunately that will not happen. So the good bit is that it allowed us to save £800,000 on this year's budget. But the bad bit is that it will come a year later than expected.

Deputy R.J. Ward:

It has been an ongoing thing I think for the last 3 years.

Senator T.A. Vallois:

Just before we move on to you describing the savings and I suppose the more contentious area of your budget. Most of the growth is business as usual. Are there any new growth areas? Are there any new projects that are coming on board for 2022 that will require more funding?

The Minister for Home Affairs:

Everything has been integrated in the budget and I described to you the bids that we are providing. There is one item that is quite interesting because it is part of the Care Model. One of the things that has been advanced in the new Care Model is the notion of treating at home. For example, if you call an ambulance for a small ailment - to exaggerate - you need a plaster, it would be a shame for the ambulance just to take that person, bring them to the hospital, somebody in the hospital in Accident and Emergency is putting a plaster on them and then bringing them back home. So we are looking at the possibility of having slightly different staffing of some ambulances so they can treat some ailments at home. When they come back from the emergency it is done, they do not need to take people to the hospital. Of course that is a much more advanced grade of paramedics than your normal ambulance and you need to budget for that. We had one bid for starting one, for having one such team, and it was accepted to do it as a trial next year.

[10:15]

We have enough money to do it for a year and we will experiment with it, and we hope that by that point the Care Model will have caught up and that they will realise that the savings in-house are worth putting the money in ambulance. If Julian wants to elaborate on that.

Director General, Justice and Home Affairs:

No, you covered that well in terms an answer to the question from the Senator about additional growth for next year. One is we have got £100,000 next year to carry out some work around the most appropriate model, as the Minister described, to get potentially a specialist paramedic service out to people who call for the ambulance and treat at the scene and finish at the scene, so they do not have to be moved into hospital. That is one. The other area is some growth in the Customs and Immigration service as a direct result of Brexit and the transition, so there is funding in the Government Plan next year for a legal and policy principle post. As I think you would appreciate, the customs regime and the challenges in terms of change of legislation and the differences of movement of goods and customs is quite challenging and technical. So there is funding hopefully agreed, and that will be discussed obviously later in the year with the Assembly around that. Also to manage the increase challenge around goods and service tax. So there is similarly funding for J.C.I.S. (Jersey Customs and Immigration Service) throughout the life of the Government Plan as well for that.

Senator T.A. Vallois:

No, that is extremely useful. I think we will know what to look out for when the Government Plan is lodged. Just in terms of the savings, Minister, you mentioned them. I was not going to ask about them, but you might as well give us an idea of what those savings look like.

The Minister for Home Affairs:

They are very small and they have already been incorporated in all the services. Most of them are being dealt with this year with vacancies, but of course we are looking at prioritising them next year. We have had one problem with the ambulance service, which was quite interesting. It was, as you know, transferred to us from Health - it is interesting, the problems that happened within Government about budget - and when the ambulance service was transferred to us they had the built-in savings of £150,000 in their budget that we were supposed to apply that year. Then they came to us with that £150,000 assumed, which was nowhere, so it became a structural deficit. Of course we are not going to take it away from them, but we are going to try to solve it and put the money back in, so that is one of the things that we are trying to sort. Fortunately, up until now, we are on budget for all the departments put together, so a little bit of a deficit with ambulance because of that structural issue, but a little bit of profit from customs and immigration, which means that we balanced the book at the end of the year.

Senator T.A. Vallois:

Just curious, I am aware of the issues of transferring areas from one department to another and assuming certain savings that have not properly been accounted for. In those terms, have Justice and Home Affairs gone through a zero-based budgeting methodology at all?

The Minister for Home Affairs:

Yes, absolutely. All the budget this year has been agreed on that way. Again, all that I have seen so far shows that we are completely on track with the savings that were expected of us. The interesting thing is that again now I see that money is being dealt with properly and I go to all the services, they are not suffering from that. All I have seen so far is positions being changed in the services to try to be more efficient or avoid waste, so at this point I feel quite safe that the actual service is not impaired.

Senator T.A. Vallois:

But just your point on the savings, using your vacancies for savings, does that not create a hole for next year if the overall plan of the Government is to have a recurring saving? Surely if you need those vacancies next year it might create a hole somewhere else in your budget.

The Minister for Home Affairs:

Absolutely, so the principle is quite simple. It is to move posts around to try to get rid of waste and try to fill the necessities of the vacancies. Because we have been reorganising all the services for the last 3 years, it is still something that is ongoing, so it is not very difficult to do, but we must make sure that we are not losing important services while we do it. That is what I am keeping an eye on.

Senator T.A. Vallois:

That was going to be my other question. With doing that, what instability or uncertainty does that create in terms of impact on what are, let us be honest, some extremely important services that Justice and Home Affairs provides?

The Minister for Home Affairs:

Absolutely. I will let Julian talk about the detail, but again, I consider that at least a third of my role for this is going to make sure that this does not happen, to really look at the services, see how they are dealing with those cuts or changes in budget and making sure that it does not affect the actual delivery.

Director General, Justice and Home Affairs:

Shall I just come in there to add a bit of detail? As the Minister said, we did carry out a zero-based budget exercise earlier on this year as the result of the efficiency savings target we had to achieve and there are a number of elements. So that has helped, for the first time, services to really try to understand their budget. We are keen to do it again because I think there is more detail we could get into and get into every budget line to see if we can seek opportunities to identify waste and save money. I think there still are some opportunities to do that, so we will be seeking to do that again this year. You mentioned vacancy management. As you will be familiar with, Senator, that is a sensible way to look at creating a vacancy management. There are always vacancies in the services year on year. It is about achieving a sensible and realistic vacancy management-rated factor that can be built into the reoccurring budget that does not expose services or mean they are vulnerable to not being able to deliver services, so that again is being worked on. There have been opportunities to save overtime. Again, it is about thinking differently, about managing risk in a different way and understanding the budget. So there is quite a bit of work ongoing to help services and indeed within the services to have a greater understanding of the budget. We have achieved our savings for this year and of course we have got new savings to go out next year, so we are really looking at the budget line by line. There are opportunities across Government in terms of particularly contracts, where there are multiple contracts for the same suppliers. There are efficiencies to be made there, so there is quite a bit of work to be done to make sure we are as efficient and effective as possible without - as the Minister has made very clear and indeed so did the previous Minister - creating any detriment to operational service delivery.

Senator T.A. Vallois:

That is fine. My last question that I think is probably appropriate is in terms of the Scrutiny Panel being able to have access to quarterly financial reports so that we can have a flavour and idea, Minister, of where the department is in terms of their spending for the year. It would probably help us enormously with the plans coming forward in the Government Plan.

The Minister for Home Affairs:

I personally do not have a problem with that.

Senator T.A. Vallois:

Okay, that is great. Thank you. I will pass on to the chair.

Deputy R.J. Ward:

I am sure we will come back to the Government Plan in due course, because it is something that we will be spending quite a bit of time on. I want to ask you some questions regards the S.A.R.C. (Sexual Assault Referral Centre). Can you update regarding the siting of the centre?

The Minister for Home Affairs:

We have decided on a site, so we are concentrating our efforts on developing that site. It is the Heathfield Children's Home. We have studied, I think, 9 different sites when we started looking at an alternative and there were 2 possibilities. One was in town and one was outside. We thought that the extra commute would be offset by the privacy of having it outside of town, so that is, I think, a fairly important decision. Another decision is that instead of just relocating the existing facilities, we have decided to develop it into something much larger. The plan now is to have a victim support centre and a child house, the Icelandic system of a barnahus. It is a much more ambitious project and it is a multiagency project as well that we are developing.

Deputy R.J. Ward:

Yes. My next question was that it looks like it will be a multiservice support centre. I visited one in Camden, which was a remarkable centre that I would advise you to go and talk to in your consultation, where they have brought in things and are having a huge success in the way that they provide services for people. You have mentioned some of the services there. Will they be co-located in the S.A.R.C. permanently or will it be drop-in type things?

The Minister for Home Affairs:

If you do not mind, I would like Julian to answer that specific question, but yes, the S.A.R.C. will support several services, existing government services and charities, to be a victim support centre. We have taken inspiration from those in the U.K. I think Julian can answer, but I think specifically the one you visited.

Director General, Justice and Home Affairs:

As the Minister said, it will be based on - following all the research and consultation - looking at the best models. As you probably know, Chair, it will cover medical, advocacy, therapeutic services as well as obviously police and social care. Included within that is a centralised victims' hub, so all victims of crime will be able to access support and services from this one location, which will be the first time we will have put Jersey victims first into a sort of hub-type approach. Of course there may be signposting from within that centre to other services. It will not necessarily all be there, but certainly the main core will be present and be able to, in effect, be a one-stop shop, which will prevent overall, particularly children and young people, from a child house point of view, having to repeat their traumatic experience to multiple agencies in different locations at different times. This will all be able to come together, which is obviously very positive. I suspect that is similar to what you saw in Camden.

Deputy R.J. Ward:

Yes, and I think we will probably revisit that. It will be interesting for the panel to see that, the plans, when it comes to fruition. To move on a little in questioning to talk about the settlement scheme, because we do have a lot to cover. Did you have a question, Senator, or am I okay carrying on?

Senator T.A. Vallois:

Yes, just briefly, because if I heard correctly, Minister, you said it was Heathfield that is being considered for the S.A.R.C. Can I just ask whether that requires refurbishment and roughly when it is expected to be up and running?

The Minister for Home Affairs:

If I can answer the first one very quickly, we are going to have a completely new build, so this will be purpose-made for its role. As of the agenda, the timeline, I expect we can probably have it in 2023, but I would like confirmation from Julian.

Director General, Justice and Home Affairs:

Yes, that timeline is probably not far off. It obviously has got through the normal process, consultation planning, and indeed the money is built into the Government Plan next year and into 2023, I think. So all being well, hopefully we should be live and ready to go in 2023.

Senator T.A. Vallois:

Okay, thank you. Sorry, I will pass back to the chair now.

Deputy R.J. Ward:

No, that is fine. I did not see the question there. Just to talk about the settlement scheme, the deadline for applications has arrived and passed. Can you update regarding the progress of the settlement scheme and where you think you are with it at this current time?

The Minister for Home Affairs:

Yes, I have figures in front of me. So at this stage, as of 30th June, we had received 17,550 applications and 12,524 of them had been granted and the rest basically are being evaluated.

Deputy R.J. Ward:

What coverage do you think you have had of the population? I read somewhere it is something like 73 per cent of the ...

The Minister for Home Affairs:

Yes. We made an assumption early on that the population of E.U. (European Union) nationals resident in Jersey was about 20,000, but we have to understand that this is an assumption. We do not really have that figure. If we look at the last census, the population of E.U. nationals resident in Jersey was about 13,000 people, so we have made a very strong assumption that 7,000 of them had arrived in the last 10 years. It is quite probable that it is less than that and that we are very near the total of that population.

Deputy R.J. Ward:

Can I ask what action is being taken to get those - I do not know what the phrase is - hard to reach group? Perhaps that is the phrase or those who have not recognised perhaps the importance of this registration scheme. What is going on to get to those few?

[10:30]

The Minister for Home Affairs:

We keep trying very hard to try to reach them. We work with the consuls. There has recently been a meeting with several of the consuls to try to reach their, as you say, hard to reach population. We are also trying to model who we are missing, why we are missing them. Are we missing people because they do not think it is important? Are we missing people because they do not go on the internet or read leaflets, things like that? We are looking at what type of people we are missing, but the important thing is that people in immigration are still flat-out processing applications, but when that workstream finishes, they will be available to start looking one on one to solve the more difficult problems and we will keep them working for quite a while to try to sort through this.

Deputy R.J. Ward:

What will happen for any individuals who do not meet the application deadline? Will there be support provided? Is there an opportunity there? Will it be pre-settled status?

The Minister for Home Affairs:

Anybody who was there before 31st December 2020 is pre-settled. They may not have a file if they did not apply and do the work, in which case we will try to make sure that they do it, but they are pre-settled, so that is very, very simple, very clear. If you arrived after that, you are not. It is a Common Travel Area rule, it is a British rule. There are other ways of emigrating to Jersey, but not being settled.

Deputy R.J. Ward:

There are, I believe, 42 E.U. nationals that were refused the settlement scheme. First of all, is that figure correct? What happens to those individuals now? Are we going to see 42 people being asked to leave the Island? What happens to those? What is the process there?

The Minister for Home Affairs:

I do not know the make-up of the 42, so if you do not mind, I will send us to Luke to tell you about those particular individuals and cases.

Deputy R.J. Ward:

Yes, of course. Thank you.

Acting Director, Immigration and Nationality:

Good morning, Chair. Thank you, and thank you, Minister. The 42 refusals, we have had one of those that has specifically fallen within the thresholds of the criminal tests that we put in place, in other words, the person was subject to deportation so therefore did not receive status. The others,

there are a small percentage that are still being dealt with, to be fair. They will be looked at again, but the actual refusals are those who have not met the residency standard. We have had some very odd ones from those who are just not eligible because they are not European nationals and are not dependants of a European national, who just misunderstood the scheme and thought it was a way to apply to get the settled status, even though they were not from Europe. But the majority of those who either applied having only arrived this year and therefore were not eligible to it, so the residency did not fit, or in fact they were here, but much, much longer ago, so there are some parameters around that. You needed to have been here for a period within the period of the later application. An example might be someone who left here maybe in 2017, having only spent a year here, and then put an application in in 2020. They would have not been eligible under residency rules for that. Sorry, Chair, I cannot hear you there.

Deputy R.J. Ward:

Sorry, I made the fundamental error. I switched my sound off because my dog got very interested in what was going on and then I did not switch it back on again. It is quite interesting that only one person, it appears, is due to a criminal record. That is a very low number, which is very pleasing to see and perhaps breaks some of the myths that may exist across some of our society. Were you particularly pleased with that?

Acting Director, Immigration and Nationality:

It took a bit of understanding on my part when the scheme was first established as to how the criminal threshold would work, but it became clear before we launched the scheme that these are the kind of numbers I expected. So for someone to fail the criminal threshold, it needed to be the level of deportation, therefore any person, any E.U. national who may have been considered for deportation would have happened prior to this point anyway. We monitor the courts, we get referrals from the courts as to those E.U. nationals who may come up for recommendations for deportation, so they have either been deported, therefore it would not apply anyway, or their case is being considered for deportation and they have not been deported, therefore that would not be tested again at the point of application to the scheme. The majority of these, the threshold was very much in place for those people who were almost in the process of being considered for deportation. We go through approximately 10 to 12 deportations a year, and obviously not all E.U. nationals, so it does not surprise me too much that the number was quite low.

Deputy R.J. Ward:

Okay, that is good to see. Okay, I think that is just about everything on the settled status scheme. Minister, I have got a few questions on some of the things that seem to be priorities. You mentioned in your speech when you were made Minister in regards to the Financial Crimes Unit. Can you update on the progress regarding the work of the Financial Crimes Unit, noting that the 6-month update report of the Government Plan said there had been a delay to the Financial Crimes Unit? Where are we with that project at the moment?

The Minister for Home Affairs:

I will hand you over to Julian for this. The Financial Crimes Unit is something that Len was working on exclusively, so there are a few things. Sorry, let me find the name of it, because that is quite

important, but the role of Minister for Home Affairs includes a seat on the Financial Crime Political Steering Group, which I have not attended yet, so it is something that I will be briefed for especially and get the beginning of the information on. I was thrown in at the deep end of this very recently because you may know that we will get a MONEYVAL evaluation in a couple of years and that of course is absolutely primordial to Jersey, and the Financial Crimes Unit is one of those entities that they scrutinise extremely carefully. What we did is we commissioned a team to do a mock review to look at all our systems, all the departments in government that deal with finance, the J.F.S.C. (Jersey Financial Services Commission), everything that we do here and give us a simulated valuation to the one that MONEYVAL will do. According to their recommendations, we will bolster all our systems and it was quite clear that the Financial Crime Unit needed work in certain areas, so it is something that I will have to be involved with. As for the previous issues, if you do not mind I will pass on to Julian.

Deputy R.J. Ward:

Just briefly, if you can, that will be good.

Director General, Justice and Home Affairs:

Yes. Sorry, Chair, I think the Minister has covered most things. Is there a specific area you wanted to focus upon?

Deputy R.J. Ward:

No, I think that has been covered now, to be honest. Perhaps I could just ask, I have got one more thing before I pass over to Senator Vallois. The combined control information technology, regarding the project for crime control I.T. (information technology) in particular, can you just update where we are with that? Because I thought there were some issues developing.

The Minister for Home Affairs:

Yes, that is another one I will pass you on to Julian. We have a system that we are looking at and it is a 3-pronged system, so we have the telephony issue, which is just being able to answer calls and then deal with that, which needs a completely brand-new system. We have the computer-aided dispatch, which is probably the largest issue, because there are systems available. We could copy and paste the system from the U.K., for example, but their scale is so much larger than ours that it is a little bit difficult, so I think Julian will confirm that this is one of the issues we have. Then one of the things that we are looking at, because we have not been doing this for very long, is the people model and how we man this control room and how we match people with the needs of the machines. Sorry, Julian, if you want to ...

Director General, Justice and Home Affairs:

Yes, thank you, Minister. I will just add briefly. As the Minister said, 3 elements to it. The telephony is progressing, so we are looking to a new Mitel platform that will go live in the autumn in the combined control room, so that will be a good step forward, so everybody will be on the same telephony platform, at the moment which they are not. Then as the Minister mentioned, the C.A.D. (computer-aided dispatch) system, which is the system that triages and dispatches with users - the police, fire and ambulance - to respond to 999 calls particularly, that is out to tender. The funding is

within this year's Government Plan to go out and look for a system that can be built that can cope with and handle all 3 different services' calls coming into the control room and then going through a form of triage and then dispatching out. That has been significantly delayed because of COVID, so the funding is being moved into 2022 in the main, but that work still continues. The people model, at the moment you will recognise there are 3, ambulance, fire and police in their uniforms in the same room working off different systems, so ultimately the people model will go to a service that is probably all civil service and any member of the team can answer a call, whether it is police, fire or ambulance demand. So the project is still very much going forward, but there has been significant delay because of COVID.

Deputy R.J. Ward:

That civil service answering the calls is a significant move, is it not? Will you not lose some specialisms from police officers and ambulance staff in terms of knowing what to do with those calls?

Director General, Justice and Home Affairs:

It is a common model across other jurisdictions and indeed across the Isle of Man and Guernsey as well. It is all about training and a lot of it is the system, so particularly from a fire and ambulance point of view, those are set systems, so you triage. Somebody calls, they have fallen over, they have got a bump and you literally go through a model of yes/no, are they bleeding, do they have a headache, are they breathing and the system is very cleverly designed so it takes out ... it is less subjective and more objective to ensure the right response. I have worked in other organisations where the control room has been predominantly civilian staff and it works equally well. There is some concern, as you have identified, that is the experience loss, but getting the right call-handling system in place and getting the right training in place with the right supervision can work and does work.

Deputy R.J. Ward:

Okay. I hope that system does work.

The Minister for Home Affairs:

If I can add, it is one of the things that you should experience to understand and you are welcome ...

Deputy R.J. Ward:

I did visit the ambulance station while there was an emergency call and I was quite amazed by the amazing calm and professionalism in that room. It strikes me as a very specialist role. That is why I asked.

The Minister for Home Affairs:

Yes, it is extremely procedural and ...

Deputy R.J. Ward:

Yes. There was just that element of the individual who really knew their stuff. It was very impressive, I have got to say. I do not want to distract, we have got quite a bit. Senator Vallois, do you want to ask some of your questions on a couple more topics?

Senator T.A. Vallois:

Yes, it is probably a good segue into the electronic patient records. It is just really asking, Minister, the update on the work of this and the review for the preferred system to ensure the integration between the 2 systems is possible.

The Minister for Home Affairs:

We have decided to go with an existing system, which is used by the South Western Ambulance Service, so they will extend that system to us. There is a small delay because we are looking at how and where data is kept to make sure that data about Jersey patients is kept separate from whatever happens in the U.K., but apart from that we are of course talking with Health about integration. I do not think they will be ready to match the systems immediately, but we are assured that data can be exchanged between the systems when both are working.

Senator T.A. Vallois:

Okay, that is great. Thank you very much. Just a few quick-fire questions from me, Minister. The youth justice review, it was mentioned before when we were talking about the prison sentencing and drug and alcohol strategy. Could you give us an update on the progress of the implementation of the recommendations that arose from the youth justice review and on the key milestones that have been reached to date?

The Minister for Home Affairs:

If you do not mind, I will send you again to Nathan for this.

Head of Justice Policy:

Thank you, Minister. Yes, so following the recommendations of the youth justice review, a project was started through Government Plan funding to put in the youth justice in Jersey, which was the project to bring those recommendations, to clarify and refine the recommendations and to bring them in. I know I am banging the drum about this continually, and I am sure the panel is heartily sick of hearing it, but you can imagine what COVID did to that project, not least because I was 100 per cent redeployed and my 2.6 F.T.E. (full-time equivalent) was off on 1.6 for the entire year. We could not staff the project because the people we were getting in were kept off secondment in their locations to help service pressure for COVID.

[10:45]

So we had to trim effectively the aspirations for the project, which had been intended to integrate a youth justice and a wider criminal justice strategy to its core, what it was funded to do, ultimately, which is the youth justice strategy recommendations. From that baseline and a late start, we have produced an initial draft of the strategy for review. We have consulted with key stakeholders to try to get their position on it, including external stakeholders. We had a review in May this year by

director generals and the wider policy group for J.H.A. (Justice and Home Affairs) and for C.Y.P.E.S. One of the questions that has arisen really is to what extent the strategy's inception from the youth justice review is still what Jersey needs at the current time, against a backdrop of rising youth crime ... sorry, recorded youth crime, because I think there is a lot of discussion around the actual reality of the numbers that Jersey is experiencing at the moment in that area. It seems very much that the direction is the right one; that a child-focused welfare model is the course. There is probably a risk in perceiving of it as a crime-reduction strategy in the short term. Because one of the big questions that the youth justice review poses, impliedly, is to say what is our philosophy in Jersey towards youth crime? Are we satisfied with the concept of a child-focused model and are we willing to pay the price potentially of not having a short-term crime reduction strategy? Because, if you take away punitive aspects, then the argument is you have more immediate problems and you cannot resolve them because you have given up, as a Government, some of the tools if you choose to do that. Also some of the tools we have never brought in like A.S.B.O. (Anti-Social Behaviour Order) now, criminal justice in the U.K. and other things Jersey has never had. Are we in a position effectively to accept the costs, the material costs and the monetary costs, of having a strategy that says the Government is going to surrender the power to punitively manage some elements of youth crime, in return for stopping the individuals being habituated to the criminal justice system and potentially becoming a life-long offender? There are quite a sophisticated set of questions around what, as a Government, we are doing and what, as a society, we are willing to do that the youth justice review poses - it is not a criticism - and then effectively says "and there we are." That is fine but there is more work that needs to be done in all those areas and questions are being asked. What we are trying to do is we are trying to make sure that we can get the entire thing to a place where we are satisfied with it as a Government. Then we can start having conversations with society.

Senator T.A. Vallois:

That is really helpful because it gives us an indication. We understand that COVID has an impact on so many different areas, we really do understand that. But it would be helpful, Minister, if we had the ability to see the pulling back on certain areas because of COVID and what those areas now look like. It has just been mentioned there is now a focus on the strategy and there are a lot of questions around that, which involve the community, and particularly evidence-based arguments about how we take this forward. Would the Minister agree to provide us with the current position and what is not included at the moment on the youth justice review in a letter to us? But also whether we could have a briefing to understand where we are. I am trying to be constructive between us to see how we can move this forward.

The Minister for Home Affairs:

Definitely. If you remember, I mentioned the large issues that I considered cultural and that we would need to bring to the Assembly, and what Nathan just described is probably the biggest of them. Because our position of children first goes towards removing any sort of punishment for anybody who is under 18 in Jersey. That of course means not policing some sort of crime. It is a very, very big question that we must face as a group, as a whole Assembly. I can certainly make

sure that Scrutiny is involved from the start but it would be very helpful if we could build a way of bringing that fundamental question to the Assembly.

Senator T.A. Vallois:

We will look forward to seeing that, Minister, and we will try to support and help in whichever way that we can. I am going to pass back to the chair now. I know we are running out of time.

Deputy R.J. Ward:

There are a couple of areas that I wanted to touch on. One was the joint fire and ambulance station, but I also want to go on to the test and trace questions. If we can be aware of that, that we want to cover these 2 things in the next 10 minutes. We recently received a briefing on the joint ambulance and fire station. What is your view, Minister, on the location at Rouge Bouillon for the joint station?

The Minister for Home Affairs:

That is interesting because that is one of the cases where having cross-ministerial co-ordination works well. I have been very involved with planning in the last 3 years and so I have a good feeling on what can and cannot happen. It is absolutely clear to myself, and also to the Minister for the Environment, John Young, that there is absolutely no way that you could get planning permission for building a fire and ambulance station anywhere in town other than where it is. To put it another way, if you had a fantastic site getting freed up, call it Gas Place, you said Gas Place is a perfect place to put the fire and ambulance station. You will have 5,000 residents fighting you for ever because they do not want the noise and the disruption that it brings. That works everywhere we could put it; everywhere else we could put it in town is the same. Therefore we are faced with the decision of do we keep it exactly in the same place where it has been established for more than 100 years or do we move it outside of town? We have done extensive tests, we have spent a year testing the possibilities, and nowhere outside of town gives the right response times. We lose about 2 minutes in the best possible site outside of town. Considering where the majority of accidents happen, we lose about 2 minutes in response time. For quite a few of those, those 2 minutes are the difference between life and death. Therefore, my conclusion is that site is sacred. There is absolutely nowhere else in the Island where we should have the fire and ambulance station.

Deputy R.J. Ward:

The consideration for its use by C.Y.P.E.S. to you is a non-starter and that is not something you would consider?

The Minister for Home Affairs:

It is impossible. It is quite funny ... sorry, there is nothing funny about it, it is quite odd that of course Rouge Bouillon, it is a school that burned down at a point in its existence. Schools need fire and

ambulance. To take it away and stick it in the countryside is really not helping. On the other hand, it is easier to relocate the school in town if you reserve the sites in advance. I know that you have an amendment for the Island Plan, which does just that, and which is looking at a very good potential site.

Deputy R.J. Ward:

It is nice to see that we agree on something. I will move on at that point because I do not think I am going to get a better answer. Senator Vallois, do you want to ask some of the questions on test and trace? It is a big issue at the moment and we do not want to leave this one out.

Senator T.A. Vallois:

Thank you, Minister. Could you briefly summarise the challenges regarding the operations of the test and trace programme due to the difficulties that we have seen recently? Why has the test and trace programme failed or come under so much pressure with the current conditions?

The Minister for Home Affairs:

First of all, it does not come under my responsibility. I am quite aware of what is going on because part of my role is to belong to the competent authorities, so I do follow that very carefully. I would call it “faltered” rather than “failed” and I will ask Julian to give you the details on this.

Director General, Justice and Home Affairs:

I am, in some parts, the accountable officer for the test and trace programme and the senior responsible officer as well for parts of it. I have been to various ministerial meetings and Scrutiny Panels this week around this challenge that Islanders absolutely experience both personally and their family and friends, and it is very understandable, the emotion around it. The reality is, Senator, the system has in part - certainly not totally - been overwhelmed by the significant rise in cases and therefore the demand to contact people, to let them know they are positive, so you identify their direct contacts and then get them tested and get their results in. You will be very familiar with the figures and the numbers; we had nearly 300 cases yesterday, for example. The pressure on the teams, both the contact tracing team, the helpline, and those people who are swabbing and testing, is significant. There is no other way to describe it. They are doing an incredible job in the face of huge pressure. Parts of the system have been overwhelmed and that has generated some delays in identifying direct contacts. It has certainly generated huge demand on the helpline because people are ringing up and saying: “Why have I not been identified yet and where is my test?” The strategy has changed this week, as you will know. That will ultimately manage risk in a better way because it is important to sometimes step back from this really difficult challenge and say: “How are we managing risk?” When there are delays in the system and there are problems, that does not always acutely manage the risk there and then. Whereas, if there is less pressure on the systems

and we are targeting our testing and contact tracing in the right areas, that can manage risk in a different way. We are putting more resource in; we are looking to stand up a new testing centre in the coming days. We have a number of people recruited this week on zero-hours contracts and fixed-term contracts. We are extending hours. We have Lean specialists in looking at revising the processes. Importantly, we are getting our comms much more regularly, much more transparent, saying: "There are delays, it is under pressure, please do not call the helpline, we will contact you." So there is a whole raft of activity to try to improve the system. But there is no denying it, it is a system under pressure, and that is because of the huge volume that we are dealing with at the moment.

Senator T.A. Vallois:

Just before I pass to the chair, can I just clarify, because probably the best way to compare, Julian, would be the pressure that was on the service back in December when we saw rising numbers. I know the numbers are higher now. But what was the number of staff in December compared to what we have now? Is there a significant difference?

Director General, Justice and Home Affairs:

I cannot remember the numbers off the top of my head but we are probably above what we had in November/December. Not a huge amount, but we are looking to take it beyond the numbers in November/December. But of course the environment was different then. We did not have the vaccination and, as you know, we went into lockdown and then relatively quickly it plateaued and then the demand reduced. Then of course we got to a position earlier on this year where we had very little demand. As you would expect, we then had to flex our workforce so that we did not have a lot of people not doing anything. Quite quickly we have had to stand it all up again and get people in very quickly. Therefore all those activities of trying to improve processes, communicate better with Islanders, as well as recruiting and getting additional staff in. But I have said to Ministers we can continue to throw resource at this but that will not solve the whole problem. Because if the numbers keep going the way they are, we are chasing a problem that resource alone will not fix.

Deputy R.J. Ward:

Can I just ask, is it not the case that the system is overwhelmed because the Delta variant was much more contagious and was inevitably going to spread through the population? Do we not have a risk about if we are not testing asymptomatic people, which it is clear they do pass it on with the Delta variant, then we are just going to end up with significantly more symptomatic people who will have to isolate for 14 days? I know all about this. Many will not be able to work, so it becomes counterintuitive. Is it not a point that the test and trace system, which at the beginning we were told is so vital for the managing of a pandemic, now simply is not managing that pandemic? I get the point about vaccination. I would support vaccination and encourage people to do it. But just in

terms of the numbers we have now, which are presenting a new problem. Test and trace perhaps has become even more important to keep people going, so to speak.

Director General, Justice and Home Affairs:

It is a strategic challenge, it is a political challenge, and the strategy therefore will determine how we respond to it. Absolutely the focus is daily on those people who are testing positive and identifying their immediate direct contacts, as you know. People who are symptomatic are being prioritised in the helpline. Then the communications are very much around personal responsibility. That is the strategy that the Ministers are deploying at the moment.

[11:00]

All the testing capacity we are standing up is not about travel at this stage of the pandemic at this stage of the pandemic, it is very much about on-Island transmission. Making sure that we are testing those people who are symptomatic and their direct contacts with their tests. Then keeping in touch with them. Asking them to be cautious and if symptoms start to emerge obviously they then get tested and have to isolate. It is a political strategy. It is a strategy that we are operationalising and that is the challenge we currently face at the moment. The staff, I have to say, and I would like to say it because this is a public environment, they do an incredible job in the face of huge volume and pressure. My plea to Islanders would be to please understand that and be patient while we get to your case or your direct contacts.

Deputy R.J. Ward:

Yes. Senator Vallois has a question but I want to reiterate something, because the person who dealt with me did a fantastic job under huge pressure. But they really are under huge pressure and that needs to be recognised. Senator Vallois, do you have a question?

Senator T.A. Vallois:

Yes, just briefly, because Julian mentioned the fact that it is moving to personal responsibility. Whether we like that or not, that is the competent authorities Ministers' decision to move down that road. But that is where the question has to be: how well are you going to communicate the constant changes in policy that are happening so that people can take personal responsibility. Because, like with Deputy Ward, he has been tested positive. The whole panel has direct contact beeps on their COVID app, but it is telling us something completely different to what the new policy is. Communication is going to be really important. So how do you configure that in the right way and the right momentum for the people to take personal responsibility?

Director General, Justice and Home Affairs:

I completely understand and you are right, communication is critical at this moment in time. The messages are clear, simple, people understand them and it works for them. There has been a huge amount of work with our comms colleagues over the last 48 to 72 hours. The messages we have asked to go out regularly, more than once a day, updating people around: "There may be a delay, the team are under pressure, this is the advice." The comms that went out yesterday and today do demonstrate that clarity. But it will take some time for everybody to understand that and make sure the website reflects that; make sure people can read it and make sure our staff understand it as well. So like when the chair of the panel did ...

Deputy R.J. Ward:

You have frozen again I am afraid. That is a real shame because I wanted to ask the question, and perhaps I can ask the Minister, can you please fix the COVID app so it is sending out the correct message, because it is telling everybody just to isolate? Can you confirm for direct contacts at the moment they have one test or 2 tests or 3 tests? What is the procedure? Because there has been some confusion regards that.

The Minister for Home Affairs:

I cannot. I completely agree with you that the message is very, very scrambled. It is a shame because we were looking at the new normal and unfortunately the Delta variant happened maybe 3 weeks before we were into the new normal. So we are scrambling to try to correct that.

Deputy R.J. Ward:

Julian might be back. Julian, are you back?

Director General, Justice and Home Affairs:

I am, yes, apologies.

Deputy R.J. Ward:

Julian, I wonder if you could answer the question that you must have missed. The first thing was: can you please fix the test and trace app so it is sending the right message out to people because it is telling people to just isolate now, which is completely against Government advice? Second, can you confirm what the process is for direct contacts because it is interesting that the Minister is unsure, I am unsure, and certainly the public will be. If you are a direct contact is it one test, 2 tests, 3 tests, what is the process there?

Director General, Justice and Home Affairs:

As of today, if you are a direct contact, you are only a direct contact if you get a text from the contact tracing team that tells you that you are a direct contact. There are a lot of people who think they are

direct contacts because they are friends of contacts, then saying they are positive. Of course the advice is please be cautious and be sensible until you have been determined to be a direct contact. If you are a direct contact you get an initial test and that is it. The day 5 and day 10 tests that did exist have gone.

Deputy R.J. Ward:

That is interesting because I have to say that some people who were direct contacts from my situation have received texts with 2 or 3 appointments. Indeed, somebody very close to me has got 3 appointments as a direct contact, and I am effectively getting it in the neck because they thought it was not the case. If you could confirm that it would be fantastic.

Director General, Justice and Home Affairs:

The system changed at 12.01 a.m. today and the team are going through the process of cancelling all those day 5 and day 10 tests, so in effect the second and third tests.

Deputy R.J. Ward:

Is it still the situation that, if you are positive, you isolate for 14 days full stop?

Director General, Justice and Home Affairs:

Correct.

Deputy R.J. Ward:

Because if you had a day 5 test and you were still positive you would be asked to isolate for another 14 days from that test; is that the issue?

Director General, Justice and Home Affairs:

Yes, if you are positive, you have to isolate. Indeed I would say if you are symptomatic isolate and get your test. Then it is 14 days isolation, yes.

Deputy R.J. Ward:

We are over time. We did have a couple of other things. But I have certainly had a lot of public hearings over the last evening and today so I could do with ending this one on time and for the officers as well. So, unless there is anything you want to add, Minister, or anything you want to ask, I will call the ... Senator, sorry, is there anything you want to add as well, any other questions?

Senator T.A. Vallois:

No, just thank you all for your time.

Deputy R.J. Ward:

Yes, and that is what I was going to say. Thank you for your time and with that we will call the meeting to an end.

[11:06]