

4. Questions to Ministers without notice - The Minister for Home Affairs

4.1 Deputy S.C. Ferguson:

Following on from a few minutes ago - it seemed like a good idea at the time - would the Minister like to tell the House how she expects to have a reasoned and thorough review of the Firearms Law, given the effects of the adversarial interview given by the Deputy Chief Officer of Police?

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

I do believe that we will have a reasoned review and I have to say, Sir, that one of the things that has disappointed is the way in which some individuals of the firearms fraternity have really taken a very knee-jerk reaction themselves and indeed, as I say, they did successfully prevent a law coming to this House in 1995. I regret if that is going to be the way in which this is going to be conducted. It certainly is not our intention that it will be conducted in this way and I have every confidence in my Assistant Minister, as the Chairman of the Firearms Liaison Group, to ensure that matters are brought forward in both a timely, sensible and - if you like - peaceful way.

4.2 The Deputy of St. Martin:

The Firearms Liaison Group established after the passing of the Law in 1999 or 2000, can the Minister tell us how often the group has met and is the Minister satisfied with the effectiveness of that particular liaison group?

Senator W. Kinnard:

I have not got in front of me all of the minutes of the Group but I think Members heard earlier on that the Connétable of St. Ouen was in fact the Chairman of that Group for the first 3 years and they tended to meet, Sir, when they felt there was an issue that needed to be debated and discussed rather than meeting on a regular monthly basis. Indeed, much good work has been done and changes to the way in which the 2000 Law operates - amendments have been brought to this House - as a result of working within that Group. I do believe that it is a successful vehicle but there are occasions, of course, when there is not a meeting of minds and at that point it is the responsibility of both the Minister and this House to make the decision on what the Law should be.

4.3 The Deputy of St. Martin:

Could I just add then that if the Connétable of St. Ouen was on for 3 years, that there has not been a meeting of the group for the last 3 years, bearing in mind that is 6 years in total?

Senator W. Kinnard:

No, Sir, I do not believe that is true because, following on from the Connétable, in fact, it was the previous Deputy of St. John who chaired the Group and I am aware that he did chair meetings.

4.4 Deputy J.A.N. Le Fondré:

To return to the EP (*Evening Post*) article of Friday, 17th March - which is the one with the machine gun on the front page which we understand was based upon information supplied by the

police. Could the Minister confirm the method of calculation which backs up the statement that the people registered to own guns in the Island hold 6.5 million rounds of ammunition?

Senator W. Kinnard:

That information will have come from the Firearms Index which records both weapons and indeed ammunition.

4.5 Deputy A. Breckon:

I wonder if the Minister could give any information or statistics about the temporary release schemes and show whether it has been a success or a failure in comparison with other prisons?

Senator W. Kinnard:

The temporary release which takes a variety of forms - from both tagging to temporary release for home visits or for reasons for medical appointments or whatever - has been extremely successful. The failure rate has been virtually non-existent. In fact, there have been no sort of failures to return. Where there have been difficulties they have only been very minor in terms of people perhaps not abiding exactly by the terms of the release. I have not, I am afraid, got this in front of me at the moment but really there is nothing to report and in fact we have regular reports at our Ministerial meetings from the prison and indeed there has been nothing to report in terms of failures. It has been an extreme success and I think that is very much in part due to the panel which assesses risk in terms of whether or not individuals should be given temporary release and I pay credit in fact to them.

4.6 The Deputy of St. Peter:

There have been several rumours over the future of the retained Western Fire Station. Would the Minister for Home Affairs comment on the possible closure and sale of this site, either now or in the foreseeable future?

Senator W. Kinnard:

Yes, I will, Sir. I just need some time to find my piece of information because I think it is important that I answer this question very carefully because I am aware that there have been some concerns expressed, obviously, in the western parishes. What I would say, Sir, is that there are no current plans to change the status of the Western Fire Station because some 16 per cent of our total fire-fighting force is stationed there. That is 18 personnel out of a total of 118 whole time and retained staff. The station has always been identified as a retained - that is part-time - resource and this is what it does in fact continue to be. No changes can be made without a comprehensive risk assessment of the future needs being made and one is planned in terms of an integrated risk management plan in 2007. So, certainly, no change could take place before that plan was undertaken. In fact, also if the physical site was lost to the service, there would also be a loss in terms of the impact on the revenue budget if we had to lease alternative accommodation to overcome any problems of vehicle garaging and equipment storage. But, as I say, Sir, there are no immediate plans to change the status of the station.

4.7 Senator L. Norman:

In view of the startling revelation made earlier this morning that the Police Chief does not report to the Minister for Home Affairs, what comfort can the public take from the obvious conclusion that policing in Jersey occurs in a political vacuum?

Senator W. Kinnard:

No, Sir, I am sorry, it is my fault. I did not make it clear. Of course, on a political level the Police Chief does report to the Minister for Home Affairs. What I was trying to perhaps try and explain, and did not do it very well, was that in terms of reporting and in terms of sort of professional Civil Service line, my Police Chief does not report to my Chief Officer of Home Affairs. So, he does not report through the Chief Officer of Home Affairs whereas the Fire Chief does, Immigration does and so on. The Police Chief on that particular aspect reports to the Chief Executive and I am sorry that I perhaps did not make that absolutely clear but, of course, in terms of political accountability it is here within the remit of the Home Affairs Minister.

4.8 Deputy C.J. Scott Warren of St. Saviour:

Can the Minister inform Members of the progress being made to improve the educational facilities for all age groups at the prison? Thank you.

Senator W. Kinnard:

Some Members will know that this has been a grave concern to me for some time and indeed it was a major aspect of the Criminal Justice Policy which unfortunately this House chose not to debate last November. However, had they done so I think I might have had more of a chance of keeping it in the Strategic Plan. It was originally in the Strategic Plan and unfortunately it has had to be removed because of the lack of funding. However, now I am faced with the reality of having to do what I can with the resources that are available. So, meetings are going to take place with Education, Support and Culture when the Minister returns to see what they can offer to us within existing resources. I have also met with the Probation and Aftercare Services to see whether indeed they could offer us some places on the courses that they have available. I am also working to provide accommodation - although it will probably be quite temporary accommodation - for better provision for classrooms while we are waiting for the building programme to go ahead. This, I think, is a very important matter and I will do what I can to progress it but, clearly, without that £100,000 that was identified in the Criminal Justice Policy, it is going to be a difficult one to achieve.

4.9 Deputy I.J. Gorst of St. Clement:

The Minister may already have partially answered my question. Assuming, Sir, that we no longer subscribe to the Victorian value of locking-up criminals and throwing away the key, Her Majesty's Chief Inspector of Prisons in her report states that there are no policies to help prisoners address their offending behaviour or to prepare them for release. Could the Minister confirm what measures she intends to introduce to correct this fundamental problem?

Senator W. Kinnard:

Again I would say this was a major pillar - Pillar 9 - of the Criminal Justice Policy, which I really, really regret that the House chose not to debate because that set out a whole programme of how we want to move forward in terms of the rehabilitation of prisoners. We are in fact doing a number of things: Post-custodial supervision. Funding has now been released to the Probation Service for some of the work also that they do in the prison in terms of preparing prisoners for release. That is going ahead. Staffing, of course. That is one of the 6 most significant things I see that we are moving forward on that will enable us to have officers doing the kind of work

that we all know needs to be done, which they have not been able to do because pressures in terms of understaffing, no available time and resources to deliver the education. So, yes, I agree absolutely with the sentiments that the Deputy has just expressed and I am absolutely determined that we are going to turn that place round because it sorely needs it.

4.10 Deputy P.N. Troy:

Can the Minister explain the reasoning for the Chief of Police reporting to the Chief Executive Officer of the States, rather than directly to her Department? Does she feel that that dilutes her authority as Minister and dilutes the whole reporting process directly to the Department?

Senator W. Kinnard:

As I explained, the Chief of Police does report to me politically. But there was this change to the way in which things were set up for this particular Department because of the significance of law and order. It was felt that the Chief of Police should have a separate seat in his own right on the Corporate Management Board, but there is also the issue around the split between policy and operational matters. Members may be aware of the fact that the Chief Constables in the U.K. also have this difference between operational and policy and they have quite a lot of flexibility within their operational area within set policies. That we are, in a sense, trying to emulate here. So it is an unusual scenario and I am more than happy to give Members a further briefing on that in detail - it is a written briefing - so that perhaps the misunderstandings that sometimes arise out of this scenario can be better understood.

4.11 Deputy G.P. Southern:

Can the Minister provide for Members a list of the number of times in the last 3 years when she has approached the then Finance and Economics Committee for additional funding for the prison or for long-term solutions to the dreadful funding problems associated and with what outcome, and how many times she has been turned down, especially with short notice?

Senator W. Kinnard:

Certainly, in terms of specifically going to the then Finance and Economic Committee for assistance, I attended on a number of occasions, 4 in particular where we provided major reports to - if you like - assist our case because we were facing severe budget deficits because it is quite clear that the prison budget has been under-funded for a great many years. In fact, if Members wish to refer to the written question of Deputy Le Hérisier that I have given an answer to, they will see a financial chart on the back and that identifies where the Home Affairs Committee has sought to clear their deficits and where they have received one-off funding. On many occasions, Sir - I think you will probably be able to read it from the figures for Members or they will be able to read it - I have not received what I have asked for. I have been grateful for what I have received but it has never been enough. What we have asked for in the past was just to have assistance to run the prison with the low level of service that it gives now. Otherwise, I have the other evidence here, Sir, which I have to share.

4.12 Deputy D.W. Mezbourian:

Will the Minister comment on the current position regarding the implementation of the 32 recommendations made in the Wall Report?

Senator W. Kinnard:

Yes, Scrutiny have been, I think, wanting to look at this and there has been some movement on the House Needs Analysis Report from Dr. Rosemary Wall. Sir, she proposed that there should be much closer joint working with Health and that has now been translated into a business plan and there is going to be a bid for growth funds from the Health and Social Services Ministry

from 2007 and this, I believe, has officers' support in principle. So hopefully there is good news there.

4.13 Deputy S. Pitman of St. Helier:

Would the Minister clarify whether she feels it is adequate that in 2006 all the Government can offer its people is race relations protection that is wholly voluntary in nature? If not, could the Minister also clarify what progress has been made to implement statutory legislation to bring us into line with other neighbouring European countries?

Senator W. Kinnard:

I am answering this because it is sort of within my Home Affairs umbrella because I have got the budget. But I am doing it under the ambit of the Council of Ministers and I am working with officers and we are looking forward to putting out a consultation paper before the summer on how we move forward with bringing legislation into force at the earliest possible opportunity.