

## **2.2 Deputy G.C.L. Baudains of St. Clement of the Minister for Home Affairs regarding the functions of the States of Jersey Police for which she has responsibility:**

With regard to the States of Jersey Police, would the Minister inform Members what functions she has responsibility for, and should that not encompass all activities to whom the police are accountable for the remainder?

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

It is my duty to secure the maintenance of an adequate and efficient police force, and this responsibility is clear in the Police Force (Jersey) Law 1974. Accordingly, States of Jersey Police are accountable to myself for the delivery of an effective service to the Island, and this encompasses all their activities. There is no remainder of policing activities for which the force is accountable to someone else.

### **2.2.1 Deputy G.C.L. Baudains:**

As the Minister informs us this morning she is apparently responsible for nearly all the activities of the States of Jersey Police, apart from operational issues I presume. Could she tell us why the situations that have been developing of recent time have been allowed to do so? Has she, for example, called the Chief Officer into her office for an explanation, or if not, will she be doing so shortly?

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

Perhaps the Deputy would be clear in his question as to what situations he is describing?

### **Deputy G.C.L. Baudains:**

It would seem the Minister must have a very short memory. We have been talking just a few moments ago about disciplinary issues; there have been allegations of over-reaction; there were inappropriate comments in the media about firearms - I could go on for some length.

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

Firstly, if I may take the firearms issue, perhaps the Deputy would be kind enough to say to this House that he has a conflict of interest in this matter as I believe he took part in a recent shooting activity. But leaving that aside, as to the firearms issue I think that this House is very aware that a very detailed report is being compiled, being led by my Assistant Minister. So, I will not go over that, and again I would ask Members to await the outcome of that report rather than to rely on anecdotal and inappropriate comments by others. In respect of the other matters to which he refers, including the disciplinary matters, I have made it quite clear that I have asked Her Majesty's Inspectorate of Constabulary to look at this issue because of some concerns that have been raised by Members. I have also to say that I have answered many questions in this House as to the level of oversight that there is in terms of these matters. When complaints are made against the police these are overseen by the

independent Complaints Authority. If they had concerns about how these matters were dealt with, I am absolutely certain that they would make those known not just to myself, but indeed to the whole of this House in the regular reports that they give on that matter. I have to say, Sir, the States of Jersey Police Force is probably the most scrutinised organisation in the public sector. There are regular quarterly reports on statistics, crime levels; there are yearly reports; there are independent inspections; there is the oversight of an independent authority; there are indeed many Members of this House who, on a daily basis sometimes, question the Chief and the senior officers of the force on various matters. There is a very great openness in terms of replying to questions from the media and others. We have nothing to fear, I believe, Sir, either myself as Minister or the States of Jersey Police, in terms of transparency and accountability, and I think that that is the way forward. What concerns me is that there are some Members of this House who seem to think that some matters are better left uncovered and swept under the carpet when indeed that is not the way in which we maintain the robust reputation that we have in this Island for a dedicated police force and a well-run, well-regulated Island. Thank you, Sir.

### **2.2.2 Deputy J.J. Huet of St. Helier:**

The Minister would not have been in position at the time, but the Minister did say that we have got a few rotten apples, and I am asking does she think this could possibly be because for a certain period of time when we used to take training officers on, not one of them ever failed their training. On an average all the years previous to that about a quarter used to fail, but there was a period of time that we took everybody no matter what they did. Do you think that could be where a lot of this stems from?

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

I would not like to comment, I really do not know whether that was the case or not, but clearly there were some concerns raised by HMIC in the 1990s about aspects of States of Jersey Police in terms of its efficiency, its leadership and so on, but that is old territory and I do not wish to draw attention to those because I do feel that sometimes people who have perhaps been in this job in the past are encouraged to comment. Perhaps they comment off the cuff and do not always think about what happened under their period of tenure. So, I will not go further into that other than to say there is no point in going over old territory: we are moving forward. I am delighted to be associated with the absolute independently verified improvement in both practice, procedures, efficiency and indeed I think the overall standing of the force, both in terms of its abilities, but also in terms of the public and its view of the force. Over 90 per cent of people are saying that they are satisfied with the service that they receive from States of Jersey Police, and I think that is something of which we should be proud.

### **2.2.2 Deputy G.C.L. Baudains:**

We have heard a very bullish performance this morning, but I believe a totally misguided one. Clearly the Minister has a view of the States of Jersey Police that is

not shared by members of the public, nor indeed members of the States of Jersey Police themselves. I wonder, Sir, if the Minister would consider resigning and making way for somebody that is more proactive.

**Senator W. Kinnard:**

I most certainly will not, and I certainly would not consider resigning in the face of someone who is an avowed critic of the police and has been throughout his period in this House. Several letters going back several years to me demonstrate this to be the case. I think it is outrageous frankly that such inflammatory, unsubstantiated comments can be said about a body of young men and women - for the most part. The new recruits are excellent, are extremely well-trained and have an extremely difficult job to do, and I just wish that some Members would stop for one moment and reflect about who they would call in time of need, and I am sure they would be the first ones on the phone to the States of Jersey Police headquarters.

**2.3 Deputy C.H. Egré of St. Peter of the Minister for Home Affairs regarding the establishment of a Police Authority:**

Would the Minister of Home Affairs agree that in the days of the Committee system that there was a pseudo police authority, which meant she was not on her own in over-viewing what the police were doing, and does she not agree that now we are in Ministerial government we should be looking to produce a Police Authority as soon as possible so we can have a broader overview of the public perception of what goes on within the policing?

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

When we had the Committee system of course there were more people who were in a position of seeing general policy matters and so on. As the Minister, again, I am not alone. There is an independent complaints authority; there is the HMIC; the openness and transparency with the press and so on and so forth. The Members of this House indeed also ask questions. So, I am not alone in this matter. But indeed I have been for some time, as you know - as indeed other Presidents before me - wrestling with the issue of the Police Authority, and indeed may I remind Members that perhaps before they think that they are aware of all the issues that they go back and re-read R.C.35, which was circulated to States Members. At the time I do not think all that many read it because in fact I received only one comment despite letters reminding States Members about this report, which is all about setting up a Police Authority - its pros and its cons - and suggesting an alternative such as the Liaison Committee. Indeed what I might do, Sir, for the benefit of new Members in particular who obviously will not have had that report is I will seek to get that circulated alongside the report of Cameron McPhail, who - contrary to comments in the press - it was not convenient that the gentleman concerned decided that a police authority as originally envisaged was not appropriate for Jersey, it was extremely inconvenient because we thought that at last we had found someone to be Chairman of the Authority, and in fact it became a great shock when he decided that, in his view, although he was doing himself out of a job as it were, it was not appropriate. This is a very highly respected gentleman from the finance sector, so I would say, Sir, that I will re-circulate that report and perhaps then Members may be more considered in the sort of questions that they ask in this House. Thank you, Sir.

### **2.3.1 The Deputy of St. Martin:**

In respect of that report, the Minister has indicated during the course of her last speech there... But again the person concerned was opposed to the theory, or the whole principle of a police authority, so therefore his report cannot be seen as a balanced report, and really as such I would ask that the Minister does not waste any money and time or effort re-releasing R.C.35, because it is only a one-sided report. This House made a decision in 1999.

#### **The Greffier of the States (in the Chair):**

A question please, Deputy, it is not a speech ...

#### **The Deputy of St. Martin:**

So, can I just ask that the Minister does not waste any time and effort in circulating it, because really it is a biased report?

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

I think that is extraordinary. R.C.35 is a report that is a report of Home Affairs - the previous Home Affairs Committee - which sets out the pros and cons. It is not biased one way or the other. It sets out the facts and the arguments as they are, and I think it would be of value for Members to read it. Indeed, this is interesting because I was recently called to a Scrutiny hearing where the issue of a Police Authority was raised by the Deputy as the Chairman of the Social Affairs Scrutiny Panel. Indeed, he agreed with me that although he had brought the original proposition to the House to set up a Police Authority, he actually said - and in fact I copied his words down verbatim, I do not have them with me today, but I can produce them - that he agreed with me that he no longer thought that a Police Authority in the form in which it was originally envisaged in the legislation was appropriate and he therefore agreed with me that what should go into the Strategic Plan of the States was a proposal to set up a liaison or consultative panel.

### **2.3.2 Deputy P.V.F. Le Claire of St. Helier:**

Would the Minister not agree with me that, over the years that I have been in this Assembly at least, the Home Affairs Department and the responsibilities that it oversees has suffered from a lack of support and a lack of funding in most areas that it has to manage its operations. I can name the prison for one; and the current police headquarters, which means that the police themselves have to operate out of 18 different locations. Is it not a fact that the Minister in charge of this remit is dealing with a whole host of situations that she has inherited because of our joint lack of action over the last decade?

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

I am grateful for the support of the Deputy and I would say, yes, with respect to the prison I definitely do feel that there has been a lack of corporate responsibility for that issue, with which I am now wrestling, but I am beginning to feel that I am getting

more support than I have done hitherto, but of course we will see whether the money follows the bells as it were. But the issue about funding elsewhere, I am not going to complain too harshly; we are all on strict and strained budgets and I would say that in the other areas we are managing, and we indeed intend to manage. I think that we have got an extremely effective and efficient set of services across the whole of the Home Affairs remit, apart from as I say regretfully, the prison. I think we should be grateful for the fact that we are requiring our men and women in these difficult frontline services to take on more and more within existing resources, and indeed I wish to give my heartfelt thanks and would hope that a few more in this House would also share in giving heartfelt thanks to those men and women who do an excellent job on behalf of the Island in those often extremely dangerous and difficult situations. Thank you, Sir.