

#### **4. Questions to Ministers Without Notice - The Minister for Home Affairs**

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

With the turnover of prison governors at La Moye very akin to the turnover of managers at Newcastle United, what steps, if any, will the Minister be taking to ensure that the new prisoner governor does not get bogged-down with red tape and bureaucracy that caused the last prison governor to resign?

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

In relation to the turnover I think Members might be aware that in the United Kingdom the turnover of governors is quite frequent. They do move between establishments, but clearly here in the Island, when we have been offering a 5-year (j) category, we have wanted to keep them, but for various circumstances - different circumstances - we have a situation where 2 prison governors did not fulfil the entirety of their contract. I am very much looking forward to welcoming the new prison governor to La Moye. I am absolutely convinced that his background will make him an excellent governor. He is coming to the Island with his family, so he is going to be putting down his roots here from that point of view, and I have every confidence that he will be able to make known his requirements to me, as indeed all prison governors have been able to in the past, and that he will bring a great breadth of experience and further enthusiasm which is much needed up at La Moye prison.

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

I take it from the Minister that the past governor did not resign because of red tape, but other reasons. Is that such a fact?

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

The other prison governor made public his personal reasons which he referred to red tape. One accepts that, but clearly also I think it is often difficult for families to settle in the Island.

##### **4.2 Deputy S. Power of St. Brelade:**

My question will refer to a member of the public who owns a vehicle recovery business and I just want to clarify that he has given me permission to mention his name, Sir. Is that all right?

##### **The Deputy Bailiff:**

If he has given permission for his name to be used, yes.

##### **Deputy S. Power:**

Mr. Roy Boschat received a phone call from an inspector of the States of Jersey Police on 21st December to appear at police headquarters. He was told he was under investigation for an alleged criminal offence for a second time. He appeared with his advocate, Advocate Lakeman, and was interviewed for an hour. He was cautioned that his house might be searched on 28th December and he was warned that the alleged criminality referred to the misuse of a States' police computer connected to a previous case last year in a Magistrates Court when a suspended police officer was found guilty on 3 out of 42 charges and fined £200. My question to the Minister is; will the Minister undertake to look into this new alleged allegation against Mr. Boschat? I ask the Minister to do this as a matter of urgency because the States of Jersey Police have now indicated to Mr. Boschat that there is no timeline to this new investigation. Can I add and tell the Minister that a number of States Members have been contacted and are uneasy and indeed queasy. Thank you, Sir.

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

This is clearly a police matter which will be dealt with through the appropriate channels. It is not appropriate for politicians to get involved in individual criminal matters which are the preserve of the police and the courts.

**The Deputy Bailiff:**

Do you want to ask another one, Deputy Power?

**4.2.1 Deputy S. Power:**

This is a supplementary one, Sir. Would the Minister not agree with me that this could be interpreted as a form of inappropriate police behaviour, given that this new investigation parallels, (a) the States of Jersey police process for the recovery of vehicles from road traffic accidents, and (b) that Mr. Boschat has made a complaint against the States of Jersey Police and this is being investigated by the Devon and Cornwall police?

**Senator W. Kinnard:**

Well, quite clearly it is not a matter then for us to be discussing in this Chamber. If a complaint has been made by the individual and is being investigated then clearly he is at liberty to make a further complaint, should he wish to do so.

**4.3 Deputy C.H. Egré of St. Peter:**

Towards the end of last year, amid some publicity, it was announced the States of Jersey Police were in the process of carrying out an investigation into several officers of the Customs and Immigration Service employed in the joint investigation bureau. Later in the session questions were asked, in this Assembly, in regard to the progress of this investigation. It was stated that a file had been forwarded to the Solicitor General and that a decision had been made that no further action was to be taken. It was also stated at that time that the file would be forwarded to the Customs and Immigration Department and that a full internal inquiry would take place. Can the Minister inform this Assembly if that inquiry has now taken place, and if so, will she make the results of that inquiry public?

**Senator W. Kinnard:**

It is impossible for me to say so. The inquiry has been included internally and I, and my Assistant Minister, have yet to consider it.

**4.3.1 The Deputy of St. Peter:**

Is the Minister also aware that there are now outstanding 4 complaints made by individual officers of the Customs and Immigration Department against the police force? Would she assure this Assembly that that inquiry will be carried out objectively? Is she happy that it should be the police conducting that inquiry into those complaints?

**Senator W. Kinnard:**

Any complaints that are made against the police are conducted absolutely appropriately and, of course, if there any complaints that are made they are overseen by the Jersey Police Complaints Authority.

**The Deputy of St. Peter:**

Supplementary, Sir?

**The Deputy Bailiff:**

No, I think you have had 2. You can come back later if we run out of questions, Deputy. Senator Syvret?

**4.4 Senator S. Syvret:**

Could the Minister for Home Affairs give the Assembly an assurance in the light of the current police investigation into a number of child abuse issues, that any officers, particularly those senior officers who are involved in carrying forward this inquiry whose contract term might be

ending, or who might be coming up towards retirement, will be offered the opportunity to continue in post and carry on working upon this inquiry for the sake of continuity?

**Senator W. Kinnard:**

This has not been an issue that has been raised with me, but I am absolutely certain that if it would benefit the inquiry for that to be the case then it would be a matter upon which I would look very sympathetically.

**4.5 Deputy S.C. Ferguson:**

I have 2 or 3, but I will start with this one. Referring back to Deputy Powers' comments, the original court case that was referred to was in July, so why did it take until December to decide to investigate? I may be being cynical, but I must question whether it is entirely coincidental that the counter-investigation commenced after the Devon and Cornwall police started their investigation into complaints. Bearing in mind the guidance notes for officers, a copy of which has arrived on our desks, will the Minister confirm that that particular investigation was referred to the Attorney General?

**Senator W. Kinnard:**

I am a bit concerned about the kinds of conspiracy theory that seems to be being generated here. I do not have the details of this case. It would not be appropriate for me to be that close to it as to when it was, or was not, referred to the Attorney General. I think that we are in very sticky water here because the individual that Members are mentioning has indeed made a complaint and is in the process, or has already made a statement to police officers investigating matters, police officers from outside the Island who are independent, and I really think that this attempt here to raise these issues and raising a number of red herrings does not really show the most appropriate way of dealing with sensitive matters where individuals are concerned and the matters of judicial process are concerned.

**The Attorney General:**

I wonder, Sir, just for a matter of clarification arising out of the previous question, if I might say that the guidance note, which has been circulated this morning, is for regulatory departments and not for the police officers, not for the police station.

**4.5.1 Deputy S.C. Ferguson:**

Yes, there are a number of words that are more than 2 syllables. Think about it. In view of all the very forthright comments in the article in the *Jersey Evening Post* by the retiring prison governor, there were a lot of very valid criticisms made in that. What measures does the Minister intend to take to address these sort of measures and these issues where there was obviously a great deal of disquiet?

**Senator W. Kinnard:**

Perhaps the Deputy would elucidate on the valid criticisms as she sees them, Sir.

**Deputy S.C. Ferguson:**

Yes, Sir, I am referring to the fact that the prison governor felt that he was not able to communicate with the Minister. He was very much at the bottom end of the pecking order when it came to budgets, although the necessity for the budget for the prison is so apparent that the principle that he who shouts loudest gets the most and, in fact, that the reductions in budget and the economies were forced on the prison whereas the police who take up a significant amount of the budget never seemed to have been making any economies whatsoever.

**Senator W. Kinnard:**

I am afraid the Deputy is highly mistaken on a number of the assertions that she has made. The prison governor may have said that he found it difficult communicating his needs but in fact he had free access to both me and my Assistant Minister directly by email, by telephone and by face-to-face meeting, which we had on a regular basis. So, I do not accept that particular criticism. In terms of bottom of the pecking order in terms of budgets, Members will be aware of the long fight that I have had in this Chamber to get some appropriate level of funding for the prison. Having said that, within Home Affairs we have spent several years protecting the prison as best we could in terms of their budget and I would say, Sir, that the Council of Ministers has come up absolute trumps and, in fact, has ensured that the prison is now on a secure footing in terms of funding going forward and that both the prison's performance improvement plan and the needs of the base budget are now protected.

#### **4.6 Deputy D.W. Mezbourian:**

We read in the 2008 policing plan that one of the aims is to reduce street violence and disorder associated with the Island's night time economy. In the Home Affairs 2008 Business Plan comment is made that effective policing of street violence and disorder continues to be frustrated by inadequate late-night transport services. The policing plan also refers to the fact that there are no buses but they complement the new taxi marshals that have been introduced in conjunction with the Building a Safer Society partnership. What is happening between Home Affairs and Transport and Technical Services to introduce adequate late-night transport services? This has been going on for some time, certainly since I have been in the House and it seems that we are getting nowhere fast.

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

In terms of some of the transport issues, the original focus was, of course, on buses but there has been some success just recently with the introduction of taxi marshals which has had an extremely positive effect both on those waiting for taxis and particularly, I am told, that young women are feeling much more secure, but also the taxi drivers themselves are feeling much more secure about operating from the rank late at night. So, I think that we are going to see a positive effect in terms of perhaps more taxis being available as a result of that experiment. My Assistant Minister of course sits upon the Safer St. Helier Group which is looking into these issues. There is one group that looks particularly into transport matters and buses is certainly a matter that is high on their agenda, but I have to say, Sir, I am not sufficiently briefed because I do not keep a dog and bark myself. Excuse me, I do not mean it in a very unpleasant way, Assistant Minister, perhaps not a very nice choice of words.

#### **Deputy Bailiff:**

He is currently your Assistant Minister. **[Laughter]**

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

I realise that. I do apologise for the unfortunate choice of words but in fact I would be more than happy to provide further details, but I would have to consult with my Assistant Minister further, if he will still speak to me, that is.

#### **Deputy D.W. Mezbourian:**

If I may, I would be happy for the Assistant Minister, if he is able, to respond to get an adequate answer to my question.

#### **4.6.1 The Deputy of St. John:**

If I could just add to what the Minister was saying. I have been talking to T.T.S. (Transport and Technical Services) recently about the issue of taxis and we have 2 types of taxis in Jersey, private hire and rank taxis. We have 160 private hire taxis, which currently cannot pick up at the rank, although they can at the airport and the harbour when there is no other rank taxi there.

That would put an extra 160 taxis on to the streets late at night if those taxi drivers were in agreement with that, but that would need consultation with the taxi drivers which I believe T.T.S. are looking at, at the moment, but that could help that problem that Deputy Mezbourian is referring to. That could be mean an extra 160 cabs on the streets of St. Helier on a busy Saturday night, not something which you really want to look at, and I will be looking at it with E.D.D. (Economic Development Department) during the strategy we are looking at regarding licensing laws as well.

**The Deputy Bailiff:**

I am afraid that concludes the time for questions.

**Senator P.F.C. Ozouf:**

May I raise a point of order? Article 109 of Standing Orders says under Article 5 that the Presiding Officer shall determine whether the words of some of other Member were offensive. Sir, Deputy Ferguson... I heard her say that in relation to the statement from the Attorney General, that the statement had more than 2 syllables in it, and I think she was referring to some officers of the States of Jersey. She is not in the Assembly, but I thought that that was a derogatory remark in relation to officers within the employment of the Home Affairs Minister. She said: "Think about it" so I would like you to confirm whether not you heard that in which case you would suggest...

**The Deputy Bailiff:**

I heard it, but I did not understand it.

**Senator P.F.C. Ozouf:**

Did you not think that that was a derogatory remark in relation to certain police officers? I certainly took it as that.

**The Deputy Bailiff:**

Right. Well, I did not because I did not understand it. No doubt we can take it up with the Deputy when she returns. That concludes questions.