

2.5 Deputy P.V.F. Le Claire of the Minister for Home Affairs regarding the recent armed response incident in St. Helier:

Would the Minister explain the background to the recent armed response incident in St. Helier, and outline, in light of appeals by the Royal Court, what proposals exist, if any, to increase the sentencing terms for offences involving people carrying weapons such as knives?

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

As the recent armed response incident is *sub-judice* no information or background on it can be given at this time. A Firearms Law amendment has, however, been prepared with regard to offensive weapons which creates new offences respectively of (1) carrying a pocket knife with a blade over 3 inches long or other article that has a blade or is sharply pointed in public, and (2) carrying such an article or an offensive weapon on school premises. Both of these offences would be punishable by means of a fine or up to 4 years imprisonment.

2.5.1 Deputy P.V.F. Le Claire:

How does this compare with proposals in the United Kingdom for sentencing for people under those circumstances? Is 4 years mirroring that type of an offence and is 4 years really going to be enough of a signal to stop this type of activity in our society, which leads to people not only having their lives ended by these traumatic incidents, but also altered for ever by having to serve in prison for these terms?

Senator W. Kinnard:

As to whether 4 years is in keeping with what is the sentence elsewhere, particularly in the United Kingdom, I think I would have to look to the Attorney General for that.

Mr. W.J. Bailhache Q.C., H.M. Attorney General:

The proposals for sentence are similar to those in the United Kingdom.

2.5.2 Deputy P.V.F. Le Claire:

I am comfortable with this, Sir, but just in light of the appeal by the Royal Court, which I do take seriously and I am sure Members do also, will the Minister undertake to keep under review the sentencing in the future so that these types of activities are kept under strict guidance and control?

Senator W. Kinnard:

Yes, Sir.

2.5.3 The Deputy of St. Martin:

Will the Minister confirm that the current or the present legislation is sufficient to enable the police officer to carry out their responsibilities in respect of any offensive weapon, not just knives? Is she satisfied the present legislation is sufficient or would she consider bringing new legislation to give police officers more assistance?

Senator W. Kinnard:

We are always looking to give assistance to our police officers wherever possible and we are bringing a number of amendments to the Firearms Law in respect of other aspects of firearms. Police do have a number of powers which they utilise appropriately, but we have felt it is important, given the concern about knives in general, that we have a specific explicit statutory piece of legislation that deals particularly with knives.

The Deputy of St. Martin:

Could I help the Minister? I am thinking offensive weapons such as carrying baseball bats or other instruments. Is she satisfied the current legislation gives the police officer sufficient powers?

Senator W. Kinnard:

Yes, I am, Sir.

2.5.4 Deputy G.C.L. Baudains:

Does the Minister not agree that it is more an issue of culture and public order rather than what one is carrying on one's person, Sir, because what I can see from what the Minister has just explained is that an awful number of law-abiding citizens are going to be made into criminals simply because they have got a pen knife in their pocket with a blade slightly longer than it should be with no intention of creating any antisocial behaviour with it?

Senator W. Kinnard:

No, the intention of the law is to ensure that law-abiding citizens are not caught by the legislation and every effort is made to ensure that is the case.