

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

### **The Bailiff:**

Well, I fear that that brings question time to an end. We then move on to Questions to Ministers Without Notice and the first period is to the Minister for Home Affairs. Deputy Le Hérissier?

### **5.1 Deputy R.G. Le Hérissier:**

Continuing from question 18, would the Minister not acknowledge that, notwithstanding the obvious integrity of the office holders and indeed of himself, having a Deputy Chiefs' decision reviewed by a Chief does not provide the required distance and, therefore, there is a need for an outside element to provide some checks and balances?

### **Senator B.I. Le Marquand (The Minister for Home Affairs):**

I understand that is the system which operates in the U.K. and, as I have said already, the local Police Association are very happy with the current system. I am still exploring, with the acting leadership, the possibility of the Minister having some role. That is not just because of an outside issue but also the problem if the Police Chief has to deal with the appeals is that he then has to bring in some other person to deal with the substantial matter which can be costly. So, there are a variety of reasons why I am exploring this although my advisers in the police force are telling me there are very good reasons why I should not get involved.

### **5.1.1 Deputy R.G. Le Hérissier:**

Just to press the point, would the Minister announce when his explorations will come to an end and reach a decision and is he firmly of the view that there needs to be more objectivity in the process?

### **Senator B.I. Le Marquand:**

I missed a word there because somebody coughed. Was it more objectivity? I am relaxed about the situation but I think you are right that I should explore this for terms of possibility.

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

As security around this building over the last week has been very tight and we have seen police officers, *et cetera*, with machine guns in the streets, can the same be said, Minister, for the security within this building, given that I had to stop a person coming down our stairway last week and challenge him as to who he was and he said he was a police officer, so I asked for identification, i.e. by way of his warrant card. He had no warrant card but had a pass in his hand and let himself out the door. Can that be right that if security is lax inside that we could expect similar on the outside? I tried to contact the Police Chief. I was told that he was at a meeting and I was told that his Duty Inspector would call me. I have not received a call back to reassure me that everything is above board. Is the Minister happy that the policing of this building is 100 per cent as secure as it should be?

### **Senator B.I. Le Marquand:**

Of course this is an operational matter and, therefore, really a matter for the police force. I am surprised that an officer should be present in the building without having his warrant card. I would have thought he would have had that as a matter of general practice but, as I say, I know nothing about the details of the operational matters.

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

Will the Minister please familiarise himself with this and then come back with a response later on in the sitting? Thank you.

### **Senator B.I. Le Marquand:**

I think I am being asked to ask a question of the police as to whether or not there was an officer present in a building without a warrant card and whether that is appropriate. I am happy to do so but I am not sure when will be an appropriate time to come back though.

**The Deputy of St. John:**

If I may help. The Minister is here, I think, for 4 to 5 days this week. I am sure he will be speaking to his Police Chief at some time in the next day or so or 2 days and can come back within the week with a response, given I have waited a week already for a reply.

**Senator B.I. Le Marquand:**

I am happy to do that if the Chamber is happy to let me say something later on that subject.

**5.3 Deputy K.C. Lewis:**

Further to the potentially very dangerous furze fire around St. Aubin in which the Fire Service and the part-time Fire Service did an excellent job, I have been reliably informed that there is a manpower shortage to the tune of one man or woman per shift. If this is the case can the Minister inform the Assembly whether there will be an active recruiting campaign?

**Senator B.I. Le Marquand:**

There was an outside review of the manpower and other aspects of the Fire Service and that came back and basically said ideally we should have one more person per shift than we currently have, but in the light of the current financial position and the constraints of budget this time, I took the view that it would be a practical impossibility to obtain that at this stage. It is an ideal goal that we should, however, be aiming for.

**5.4 Deputy M.R. Higgins:**

It is a question with regard to Operation Blast. I would like to ask the Minister, the Data Protection Commissioner was considering inviting Wiltshire Police to conduct an investigation of these protection issues with regard to Operation Blast, can he advise the House whether such an investigation is taking place and, if it is, when it is expected to report?

**Senator B.I. Le Marquand:**

I have to be cautious about what I say in relation to Operation Blast. There is an investigation taking place and that investigation, if it comes up with matters of a potential criminal nature, we will deal with those in a particular way but the officers who are investigating it are looking both at disciplinary aspects and potential criminal aspects at the same time.

**5.5 Deputy M. Tadier:**

I have decided to bring my question forward a couple of weeks. Will the Minister indicate when an independent police authority for Jersey is likely to be fully operational?

**Senator B.I. Le Marquand:**

I can answer that question and I am grateful that Deputy Tadier did not make me answer the other one. As Deputy Tadier knows, I took the view early in assuming office as the Minister for Home Affairs that it would be unwise to attempt any serious work in relation to this until the dust had settled in relation to various disciplinary and other matters. That view has, if anything, been reinforced by the direction in which things have gone. I think that we need to receive reports. There needs to be a time of reflection upon those reports and, indeed, upon what has happened once we know what has happened and only thereafter, I think, can I begin to formally declare plans to bring before this House in relation to the way in which a police authority would be structured.

**5.5.1 Deputy M. Tadier:**

Just a supplementary, Sir; would that authority have responsibility for both the States Police and the Honorary Police and, if not, would the Minister say whether it is desirable that it should have responsibility for both the Honorary and the States Police?

**Senator B.I. Le Marquand:**

I have hesitated because I am just having to think about this. My own mind is focused on a police authority in relation to the States of Jersey Police and not on a joint police authority. There was a previous attempt to set up - in fact it was an organisation set up which never functioned very well which was meant to cover both - and my own view is that the Honorary Police responsibility should remain ultimately with the Attorney General as it does at present and that trying to set up an all-embracing authority will just confuse matters.

**Deputy M. Tadier:**

I thank the Minister for his response but does he not believe that there is also perhaps a greater risk of ...

**The Bailiff:**

I am sorry, Deputy. I think you have had 2 already so I must allow others to have a go. If there is time left you can come back at the end. Deputy of St. Martin?

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

I could probably help both Deputy Tadier and the Minister. When the States agreed in 1999 to set up a police authority, it was intended that both Honorary and the States Police would be part and parcel of that. I know that for a fact. Could I ask the Minister, will he confirm that there were at least probably 2 police officers who were suspended well over 12 months ago and had been told that no criminal proceedings are being taken against them now - I think they were told that some months ago? Could the Minister please confirm whether these officers are still suspended and if they are suspended, why and indeed will they be facing a disciplinary hearing or some action being taken?

**Senator B.I. Le Marquand:**

Yes, those 2 particular police officers remain suspended and are currently awaiting a full disciplinary hearing which will be conducted by an officer from outside of the Island.

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

Could I ask the Minister how soon it is going to happen because I gather they have now been suspended for some considerable time and the Attorney General decided no criminal proceedings was going to be taken some months ago?

**Senator B.I. Le Marquand:**

I am afraid I do not know the answer to that question. I have known for some months that a full disciplinary hearing was pending and a slight surprise it has not happened already, but I believe it to be imminent.

**5.7 Deputy J.B. Fox of St. Helier:**

The Minister answered the Deputy's previous question on the Fire Service manning and the desirability of additional staff. Could he comment on other areas under his domain such as Immigration, Customs, Fire Service, Prison, *et cetera*; are we to have a manpower shortage in those areas as well or a desirability to have additional staff thereby avoiding less overtime to provide the coverage that is needed in those areas? Perhaps the Minister could just enlighten us as to where we are at this time, please.

**Senator B.I. Le Marquand:**

The position with Customs and Immigration remains that we are one person down per shift of where we should ideally be. The situation was made easier this year, however, by the fact that there was only one regular boat company operating from France. The position in relation to the Prison is that manpower levels are currently satisfactory and overtime levels have been greatly reduced as a result of recruitment of additional officers. The position in relation to States of Jersey Police is that we are going to be between 11 and 16 officers down next year by reason of a combination of budgetary cuts and also incremental effects. All my departments are suffering adversely in terms of staff numbers by reason of incremental effects, which are particularly extreme, in Home Affairs areas. For instance, in the Fire Service we have 8 increments over a 10 year period and we have a number of officers working their way up. For next year the position is going to be extremely tight. For 2011 I do not think the position will be sustainable and I will be needing to come to the House for additional resources to cover incremental increases.

### **5.8 Senator S.C. Ferguson:**

I will take up Deputy Tadier's comments. Given the efficiency of running the Honorary Police with their budget accountability directly to the relevant Parishes and the ratepayers, will the Minister consult with the Comité des Connétables re possible structure of a police authority?

### **Senator B.I. Le Marquand:**

Well, I am sure I am going to consult with just about everybody in relation to that, at some stage or another but I am sure their advice will be happily received.

### **5.9 Deputy C.H. Egré of St. Peter:**

If I could return to the Fire Service, would the Minister confirm that the normal crewing of a fire appliance is 5 personnel and would he confirm that, at the moment, there are times when crews are going out on a fire appliance to attend emergency callouts with 4 personnel? Does that not concern him in relation to the safety of our fire fighters?

### **Senator B.I. Le Marquand:**

The problem, as I understand it, is when we have to send out 2 crews simultaneously and it relates primarily to an issue of specialist equipment which may need to go as well. The fact of being one down makes it difficult to send out 2 appliances and a specialist piece of equipment at the same time but that is where the pressure is, if 2 appliances have to go at the same time plus a specialist piece.

#### **5.9.1 The Deputy of St. Peter:**

I understand exactly what the Minister has said and that there will be times when more than one appliance needs to get called out in the event of an emergency. That is what our Fire Service is for. Does he then not reflect further on what I said, that the fact there are a lack of personnel with specific roles to play when there are more than 2 units going out, the fact that they are not there might affect the safety of our fire crews?

### **Senator B.I. Le Marquand:**

That is not a concern that has been put to me by the senior officers, the safety of fire crews in that context. The concern is more so being the ability to deploy everything that might be needed in one go.

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

Can the Minister take a look at that for me, please?

### **Senator B.I. Le Marquand:**

Yes, I have regular meetings with fire officers. I will discuss that with them.

**The Bailiff:**

Very well. That brings questions to the Minister for Home Affairs to a close.