

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

4.1 The Connétable of St. John:

Will the Minister confirm that all security staff on security duties on both the docks and at the airport pass strict police checks?

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

I do not know the answer to that because that would involve employees of departments outside of my own departments. Clearly, I cannot answer for other departments who would have staff there.

4.1.1 The Connétable of St. John:

If I can rephrase it: all staff who are brought in as contract staff, i.e. whether it be Group 4 or one of these other companies that do security checks on the public at either of those ports.

Senator B.I. Le Marquand:

I cannot answer that either, for the same reason that the staff who are employed do not fall within my remit. My departmental remit is simply to provide the police checks and other information as and when they are requested. The policy which is followed in relation to that would be, in my view, a policy for the responsible Minister in any particular area.

4.2 Deputy R.G. Le Hérissier:

Can the Minister indicate when the prisoner repatriation programme will start or, if indeed it has started, can he indicate the numbers who have been moved to their home location under the programme?

Senator B.I. Le Marquand:

It has not started yet. What has been holding it up is the need for a particular convention to be extended so it applies to us. All the preparatory work has been done in relation to that and the signals we are getting are positive but we are not quite sure at what point it will kick-in. The second thing that has to happen of course is I have to bring an Appointed Day Act to the States. It is my intention to bring the Appointed Day Act as soon as I can. I am awaiting additional information for that but I will then bring that as soon as I can, so that once we become party to the convention the system can start to kick in.

4.3 The Connétable of St. Lawrence:

I seem to remember reading in the *J.E.P.* that in the lead-up to and during the Olympics the Customs would be strengthening their operations. Will the Minister tell the Assembly what that included, whether it was successful and whether or not it is being continued?

Senator B.I. Le Marquand:

Although one cannot believe everything one reads in the *J.E.P.*, on this occasion the Connétable is absolutely right. We agreed in Jersey to increase our standards of checks in the same way as was happening in the U.K. for the period of the Olympics. We did so because we did not want a situation to arise in which potentially a terrorist would have come in through Jersey. That was for a limited period. I cannot say precisely what the nature of the additional checks was because that is not logged in my brain but it was only for a limited period.

4.3.1 The Connétable of St. Lawrence:

Just a supplementary, does the Minister believe that it was successful during the period that the work was undertaken?

Senator B.I. Le Marquand:

As to my knowledge, no terrorist incidents occurred during the Olympics. We must have been part of an overall successful programme.

4.4 Deputy R.G. Le Hérissier:

The issue has arisen in the U.K. as to how the investigation is going to occur into the numerous allegations made about Mr. Savile and whether the role of the Metropolitan Police is paramount in these investigations, and other forces feed into them. How is the Jersey force going to operate in relation to these allegations and in relation to the broader inquiry being apparently masterminded over in London?

Senator B.I. Le Marquand:

I am very grateful for that question because it gives me an opportunity to very strongly rebut the quite ridiculous suggestions that in some way our police force would not be suitable for investigating such matters. That is utterly and completely wrong, completely ridiculous. Frankly, the press coverage of this has not been very helpful because they did not go to Jersey, although I wanted to, it did not give me an opportunity to rebut it on air, which was most regrettable. The position, however, in relation to that is this: the Metropolitan Police having decided to do an overarching investigation had requested assistance from the Jersey Police in relation to the matter.

[12:00]

The Jersey Police have provided such information as they have and they will continue to assist them as and when they require. If a situation arises where potentially there were crimes committed in Jersey by people who are still living then obviously the matter would become a Jersey matter in terms of producing paperwork and so on for the Law Officers to consider, but at the moment the matter is being done under the overarching Metropolitan Police umbrella.

4.5 Deputy M.R. Higgins:

Does the Minister for Home Affairs have complete confidence in the police today because in the past, on the previous child abuse allegations, officers were under suspicion for destroying evidence or not passing it on? Does he have complete confidence in the police force as it now stands?

Senator B.I. Le Marquand:

I have complete confidence in the leadership of the police force which has produced remarkable results in the last 2 years, a remarkable reduction in crime figures. I also have complete confidence that the Historical Abuse Inquiry matters were properly concluded by the local police and that they looked properly into all matters. Indeed, I know that they reopened certain matters towards the end of that for the sake of completion. I have previously made it clear that if there is new evidence in relation to matters which might arise in relation to the Savile matter then obviously investigations can be reopened again.

4.6 Deputy M. Tadier:

If Tasers do eventually end up getting introduced into Jersey will the Minister make sure that police officers have training to tell the difference between a blind man's white stick and a deadly samurai sword?

Senator B.I. Le Marquand:

I do not think there will be a need for any specific training on that matter. Can I say, the fact that an individual officer on a particular occasion may do something crassly stupid can never be the basis of making decisions as to what is appropriate or not. Clearly, a huge mistake was made and an unnecessary use of force took place. I am sure there will have been an appropriate disciplinary process in that force.

4.7 The Connétable of St. Martin:

Taking that forward, can the Minister tell us when he is going to bring forward the proposition regarding the possible deployment of Tasers?

Senator B.I. Le Marquand:

I cannot give precise dates because as a result of the very detailed report produced by the Scrutiny Panel a great deal more work had to be done. The police leadership has been deflected off now of course into doing a great deal of work in relation to the proposition of Deputy J.A. Martin of St Helier. Clearly, we do want to go ahead to bringing it into the States as soon as we can but the police themselves have limited resources in terms of officers who can produce that sort of detailed work.

4.8 The Very Reverend R.F. Key, B.A., The Dean of Jersey:

There has been much speculation in the press and on websites that part of the reason for the reduction in crime is people's unwillingness or reluctance to report crime. Does the Minister have an opinion on that and in any event, what else can be done to help people know that they will have a ready and listening ear by the police if they have been the subject or victims of crime?

Senator B.I. Le Marquand:

We have experienced a remarkable drop in the amount of crime in recent years. Last year the figure was 13 per cent. So far this year the figure is 9 per cent. Additional to that, I am very proud to report to this Assembly that during the period that I have been Minister 2008 to 2012 we will have seen a drop of nearly a quarter in terms of crime. I am quite confident that those figures are genuine and are not in relation to the willingness or non-willingness of people to report. Indeed, the system was changed some years ago adversely to the numbers because we had a situation where a person might apparently have been assaulted but would not make a complaint and we now count those figures in. One of the areas of growth in terms of crime has been reports in terms of domestic violence. I think that is an encouraging sign in this sense - not because there is more domestic violence, which I detest - because I think it shows a greater willingness on the part of people to report.

4.9 Deputy R.G. Le Hérissier:

In a recent case where a prominent personality was exonerated, and obviously that must be a considerable relief, it was also reported rather strangely at the same time that this person had not been interviewed by the police. I wonder if the Minister could say when serious allegations are made is it not customary that the person who is the subject of these allegations be, almost as a matter of routine, interviewed?

Senator B.I. Le Marquand:

I have to think carefully as to which incident is being talked about. I assume I have come to the right one. The police will normally interview somebody in order to put allegations and evidence to them. If they were to find that there was no cogent evidence to put to the person there would be no point in interviewing them. I do not of course know what happened in this case because it is an operational matter but that would seem to be a logical approach.

4.10 Deputy M.R. Higgins:

Could I ask the Minister for Home Affairs if he is concerned that there have been 3 investigations recently where the police have said they were investigating the matter but have spoken to very few of the people concerned. If I mention, for example, the George Burrows case regarding the Standard Chartered Bank, they decided that there was no act of fraud but they did not really interview people or call for papers, from what I can see. We had the allegations made against Senator Le Main. I do not believe that parties to that case were interviewed. Another

one involves the Department of the Environment, where officers were accused of perjury and yet the police have never carried out proper investigations and have just washed their hands. Is he concerned that the police are not doing their job properly? Surely, if allegations are made they should be investigated and witnesses interviewed.

Senator B.I. Le Marquand:

The position in relation to this matter is of course this is clearly within the operational freedom principle of the States of Jersey Police. Now, the view I take in relation to such matters - and this is the correct view constitutionally - is that it is for the police to determine to what extent they may investigate, and the manner in which they investigate a particular matter. Having said that, I also take the view that because they have a statutory duty to investigate, it is sometimes appropriate for me to intervene, purely to check that there has been an appropriate process. That process will sometimes involve a preliminary decision as to whether or not there is sufficient matter to continue to a full investigation. I will not intervene in that. In the particular cases, if we take the Burrows case, for example, I am aware from conversations I have had with senior police officers that indeed there was a considerable amount of time spent looking at that. Indeed, I think I have answered questions previously on that matter and indicated it was reviewed twice. So, it was looked at by 3 separate officers. As I say, it is a very fine line in relation to that because if the police come to the conclusion that there is insufficient matter there to launch a full scale investigation that in itself is an appropriate process, but where they have decided to investigate fully that is a matter for them. It is an operational matter. I will not intervene.

4.11 Senator S.C. Ferguson:

Has there been a change in the categorisation of offences and does this have any bearing on the fact that crime is alleged to have reduced?

Senator B.I. Le Marquand:

There have been changes during the period but the main change that I recall is the one that I mentioned, which is that now we include in certain categories even where there is no complaint. I do not think apart from that there has been anything material in terms of categorisation. We do now follow the same principles as they do in the U.K. in terms of the methodology.

The Bailiff:

That brings the time for questions without notice to an end.

Deputy E.J. Noel:

Deputy Young was unavailable to make it to the Chamber to get an answer to his question from the Minister for Planning and Environment. I wonder if the Minister would be obliging and circulate his answer to Members?

Deputy R.C. Duhamel:

That is the usual protocol.

The Bailiff:

I think that means yes.

Senator I.J. Gorst:

In an answer to Deputy Tadier earlier this morning, I might have led Members to believe that the second briefing with regard to the terms of reference for the Committee of Inquiry was taking place on Thursday. I do believe I followed this up and corrected it later on as being Friday but I just wanted to confirm to Members it is Friday and not Thursday.

The Connétable of St. Peter:

Earlier on, Deputy Le Hérisier did ask a question about the operating theatres being used exclusively on a Friday for private patients. Can I just confirm it is a normal operating day and it is not set aside for patient use on a Friday? Thank you.

The Bailiff:

Very well, there is nothing under J or K so we come to Public Business.