

21.11.23

13 Connétable of St. Martin of the Minister for Home Affairs regarding the safety of women walking or using public transport at night (OQ.236/2021):

Will the Minister state what action, if any, is currently being taken to ensure that women walking and using public transport late at night are as safe as possible?

Deputy G.C. Guida (The Minister for Home Affairs):

Incidents of assault, including sexual assault in public spaces and on public transport, are thankfully rare in Jersey. In the vast majority of assault cases parties are known to one another. I have increased the number of police officers by more than 10 per cent. This allowed more patrols and more community policing. Also the police target known or suspected perpetrators using intelligence and geographical analysis. Finally, our town, St. Helier, benefits from an extensive C.C.T.V. (closed-circuit television) system, as do LibertyBus.

4.13.1 The Connétable of St. Martin:

Is there a way that women in Jersey can provide direct input into development of new policies and strategies to improve their safety? Has any consideration been given to more direct policy-making opportunities, such as citizens panels and assemblies, to give women in Jersey the chance to make the Island safer?

Deputy G.C. Guida:

The Ministry would welcome such a thing. We certainly have no problem with the idea. Anybody who would like to be involved could talk directly to the Ministry or myself.

4.13.2 Deputy L.M.C. Doublet:

I just wanted to ask about the Minister's statement that sexual assault is rare in Jersey. Is the Minister aware of the national survey that found that 97 per cent of young women had been sexually assaulted or sexually harassed? Does he think that this figure would be any different in Jersey and why does he think that?

[11:45]

Deputy G.C. Guida:

No, I was not aware of the survey, which I expect will have been from the U.K. I would expect this to be much less in Jersey. We recently had crime statistics in Jersey and we even beat Guernsey in the number of crimes. Jersey is a very, very low crime community. It is interesting because I was asked this in an interview and they said: "Oh, so we have the lowest rate of crime in the British Isles. What do you do next?" I said: "Well, we do not change anything. There is no figure at which point we say that is enough and we will stop." Policing and prevention will continue whatever the numbers are.

4.13.3 Deputy L.M.C. Doublet:

If the Minister believes that the figures would be different in Jersey, would he please commit to doing some kind of survey or work to assess the extent of this problem in Jersey, so we know what we are dealing with, please?

Deputy G.C. Guida:

It is a good idea and I will see whether we can start on something like that.

4.13.4 Deputy R.J. Ward:

Given the answer just given by the Minister, was the Minister aware of the surveys that have happened in our schools recently where many young girls and young women have detailed sexual harassment. It seems to be a day-to-day experience, which is fundamentally wrong for our society. Would the Minister not accept that this would extend into the wider community and particularly in terms of the safety of girls and young women travelling, particularly travelling alone at night on the Island?

Deputy G.C. Guida:

I completely agree with the principle that whatever happens in the rest of the world is extremely likely to happen in Jersey. Again, doing a survey to see how prevalent the problems are here is a very good idea and something that I would recommend and help do. Again, there is little crime in Jersey. If you really want to know, in terms of assault it is much more likely that a male will be a victim of an assault than a female.

Deputy R.J. Ward:

With respect, the question was about a survey that had happened in Jersey, in our schools, and whether he believes that the extension from that survey and that information would be relevant to the wider community.

The Bailiff:

Yes, that was the thrust of the original question, Minister. So if you could perhaps address that.

Deputy G.C. Guida:

Yes, absolutely, we have the results of the survey and we are acting on it, of course. I am not quite sure what else the Deputy wants me to say, except that, again, there is less crime in Jersey than in most other jurisdictions.

4.13.5 Deputy R.J. Ward:

I would ask the Minister whether he would state to young women and girls that he is aware that there is an issue for them in travelling safely on this Island and that is everybody's responsibility and he would work with all members of our society to highlight that factor and address it rather than deny that it is an issue for us on this Island?

Deputy G.C. Guida:

Sorry, again, we experience at a low level every type of crime available in the world. I am not quite sure why we need to accept that one is offering more or less than another. I am not sure I understand the question. There is very, very little chance of assault of a female in public transport or in the streets of St. Helier. It is not a non-existent problem, but it is a problem that we have less than other jurisdictions. Why do we need to do more work on it?

4.13.6 Senator K.L. Moore:

Following recent coverage of the low conviction rate for rape and sexual assault in the Island, would the Minister consider and commit to the Assembly to revisiting the amendment brought by the former Education and Home Affairs Scrutiny Panel with regard to Jurat trials for rape cases?

Deputy G.C. Guida:

The situation is unfortunately a little bit more complex than just low conviction rate. The reason why there are low conviction rates is very, very complex. I am disappointed as much as the Senator, but I am not sure that taking Jurats or juries for the trials is the easy way to do it. The problem with any rape conviction is proving it, is evidence. Very, very often it comes down to one word against another. This is very, very difficult to judge. I do not see how changing the mix or the constitution of a trial is going to affect that.

4.13.7 Senator K.L. Moore:

Would the Minister agree that confidence in the prosecution of alleged perpetrators would give greater confidence to those people who may consider coming forward to report a crime, who often do not because of the intimate nature of those crimes?

Deputy G.C. Guida:

There are 2 questions there. The first question is trying to get a better conviction rate. I am, as is the Senator, completely disgusted by the fact that some people may be walking away from this crime. There is no excuse for it, except for the fact that it is very, very difficult to prove. The other side is quite well-served in Jersey, as she will know. We have a Sexual Assault Referral Centre at Dewberry House, which is extremely efficient and discreet at helping victims of crime. We are developing that into a victim centre that will be just outside of town, if everything goes according to plan. That will have a multiagency service for victims of crime. Again, we are doing well now. We will do even better in the future for the victims themselves.

4.13.8 Senator S.Y. Mézec:

Irrespective of any comparisons with crime rates in other jurisdictions, does the Minister consider that the most effective way to ensure that women are safe at night is for predatory men to not assault them in the first instance? **[Approbation]** Would he agree that when discussing this issue that the strongest messaging ought to go out towards would-be perpetrators rather than victims?

Deputy G.C. Guida:

Absolutely. Again, who could answer differently to that? I would like to remind the Senator, and I have said this before today, that rape is a very serious crime in Jersey. In fact, it is one of only 2 crimes that carries a maximum penalty of life imprisonment. Rape is considered as serious a crime in Jersey as murder. I am not quite sure how further than that we could do it to make us sound serious about it. Rape is as serious a crime in Jersey as murder.

4.13.9 Senator S.Y. Mézec:

Of course, what the Minister has just said is true but the fact of the matter remains that there are low conviction rates for this incredibly serious crime and many people do not have confidence in the system to report those crimes in the first instance because of that. So what is the Minister going to do to try to build up confidence in that system so that would-be perpetrators out there can know that they will not get away with it and that they would face an extremely serious punishment were they to assault women and that that would be an effective way of making sure that women are safe at night?

Deputy G.C. Guida:

Again, the best way to deal with it is the way that we have chosen to go. The Sexual Assault Referral Centre is the best place to go in the case of an assault. It will help the victim not only recover from the ordeal but also ensure that everything is set up for an investigation and a possible prosecution.

So it is very, very discreet, it is very, very helpful but, importantly, it sets up the background for successful investigation and prosecution. So we do have the tool and I urge victims to use it as much as they can. Apart from that, the rest lies in the justice system and the fact that our justice system still relies on evidence and that evidence as we go forward.

4.13.10 Deputy M.R. Le Hegarat of St. Helier:

What work are the States of Jersey Police doing with the schools in relation to the recent survey that was completed?

Deputy G.C. Guida:

The investigation has started. We are of course very aware of the reports and the investigation is ongoing; that is all I can say about it.

4.13.11 Deputy I. Gardiner:

I would like to ask the Minister if he is aware of multiple stories shared on social media from a local woman disclosing sexual assault and harassment and if the police force is monitoring social media.

Deputy G.C. Guida:

I do not personally monitor social media. The police do but not as principal tools, just general intelligence. Again, it is quite important for a victim to go to the police or, better, to go to the Sexual Assault Referral Centre and talk to them if they want anything to happen.

4.13.12 Deputy I. Gardiner:

Would the Minister advise what level of the sexual assault and harassment is acceptable to the Minister?

Deputy G.C. Guida:

There is no acceptable level. In fact, the Sexual Offences Law, again, if you want to talk about how seriously we take things, touching can carry an up-to-10 years' imprisonment sentence, so there is no acceptable level of sexual offences.

4.13.13 The Connétable of St. Martin:

I think fellow States Members have asked quite a few of my supplementary questions, so I thank the Minister for his answers and look forward to the surveys being undertaken and further action being taken.