



Education and Home Affairs Scrutiny Panel

Quarterly Hearing

Witness: The Minister for Home Affairs

Friday, 6th December 2019

Panel:

Deputy R.J. Ward of St. Helier (Chair)

Deputy R.E. Huelin of St. Peter

Deputy T. Pointon of St. John

Witnesses:

Connétable L. Norman of St. Clement, The Minister for Home Affairs

Deputy G.C. Guida of St. Lawrence, Assistant Minister for Home Affairs

Ms. K. Briden, Group Director for Public Protection and Law Enforcement

Mr. B. Brown, Chief Fire Officer, States of Jersey Fire Service

Mr. J. Wileman, Deputy Chief Officer, States of Jersey Police

Mr. L. Goddard, Assistant Director, Customs and Immigration

Mr. N. Fox, Head of Policy, Criminal Justice

[9:33]

Deputy R.J. Ward of St Helier (Chair):

Good morning and welcome to the quarterly hearing of the Minister for Home Affairs. I will point out the piece of paper in front of you, which I am pretty sure that you are quite aware of, and everybody else around the table is. I just remind people to switch their phones off and I am just going to check that mine is off, and it is. There is no recording but it is broadcast and you can watch it for some time afterwards. If we do some introductions, I am Deputy Robert Ward and I chair the Home Affairs and Education Panel.

Deputy R.E. Huelin of St. Peter:

Rowland Huelin, Deputy of St. Peter.

Deputy T. Pointon of St. John:

I am Trevor Pointon, the Deputy of St. John and a member of the panel.

The Minister for Home Affairs:

Len Norman, the Constable of St. Clement, the Minister for Home Affairs.

Group Director for Public Protection and Law Enforcement:

I am Kate Briden, Group Director for Home Affairs.

Assistant Minister for Home Affairs:

Gregory Guida, Assistant Minister for Home Affairs.

Chief Officer, States of Jersey Police:

Good morning, my name is James Wileman, I am the acting Deputy Chief for the Police.

Chief Fire Officer, States of Jersey Fire Service:

Paul Brown, Chief Fire Officer.

Deputy R.J. Ward:

Thank you very much. We will get started. We just had the Government Plan debate, which we have managed to come through. The draft departmental operational business plan identifies a number of deficiencies totalling £1.789 million. Can you talk us through the aspects of each of these deficiencies and how it is to be achieved?

The Minister for Home Affairs:

From the prison service we have found £380,000, which we spoke about last time, which was the removal of posts or some reorganisation, I can give you some detail.

Deputy R.J. Ward:

Some posts?

The Minister for Home Affairs:

Posts, yes, jobs. Health and safety manager, we are now having support and guidance provided by the health and safety lead. Security analysis, which is a process made by greater collaboration with

the prison service and with the customs and immigration service. Facilities management, there is a duplication between roles and that has been removed and combined, facilities management and engineering supervision. Vocational training, the function has been constructed into a single vocational training manager with a team of 8 and now we have a head of reducing reoffending, which is given greater measure over sites, and 2 counsellor roles, which have been vacant for I think over 2 years, so when you have posts that vacant for that length of time and not affecting negatively on the service, they are clearly not needed, so they have done a very good job.

Deputy R.J. Ward:

Are those under the heading “departmental”, because we have a breakdown to departmental efficient commercial operations, efficient organisational structures, modern and efficient workforce. The workforce saving we have is only £217,000 but you talked about £380,000 by loss of posts in prison, so are these sort of interchangeable?

Group Director for Public Protection and Law Enforcement:

So the prison savings are departmental, so that come into that £1.26 million. The modern and efficient workforce strand is more part of the cross-Government initiatives that tried to put an efficiencies plan in each departmental plan, and that is things like savings on overtime and absence management and reducing fixed-term contracts and changing the way that we do agency costs.

The Deputy of St. Peter:

You said in your initial comment: “Removal of posts.” While I understand duplication and replication is a fundamental part of achieving efficiencies, because it is being more effective, can you share with us what you mean by removal of posts and what potential impact that might have?

The Minister for Home Affairs:

The posts that have been empty for ...

The Deputy of St. Peter:

Those are those 2, is it? It is 2 posts that you are talking about?

The Minister for Home Affairs:

There are 2 of them; they have been vacant for 2 years, so I think even longer than 2 years, so if they are vacant for 2 years they are not necessary.

The Deputy of St. Peter:

I have joined up your 2 statements.

The Minister for Home Affairs:

Sorry, but it is a matter of providing all the facilities, all the support that the prison needs, but in a different and better way, which is more efficient for the taxpayer and so I say well done to the prison governor for that reorganisation.

Deputy R.J. Ward:

There was something I wanted to come back to. You said, while you were on that topic for later, there were identified 4 to 7 roles in the prison service. Are those 2 counselling roles part of those 4 to 7 roles?

The Minister for Home Affairs:

Yes, they are.

Deputy R.J. Ward:

Have you identified the other roles now that will be gone?

The Minister for Home Affairs:

Yes, the health and safety manager has been amalgamated, security analysis, facilities manager, and one in vocational training, which is being restructured.

Deputy R.J. Ward:

But no front line prison officers?

The Minister for Home Affairs:

No front line prison officers.

Deputy R.J. Ward:

You are happy with the level of front line prison officers staffing that you have?

The Minister for Home Affairs:

Yes, and, not only that, the Assistant Minister and I were at the prison yesterday and we spent over 4 hours there with staff, not the management ... well, 3 hours with the staff and one hour with management, and I have to say that I was really impressed with the enthusiasm, the vitality, of the staff. They really are proud of what they do. Indeed, the interrelationship between the front line prison staff and the prisoners, which that sort of relationship helps with the whole process of

reintegration and rehabilitation, which is the main focus of the prison these days; not just locking them up and throwing away the key.

The Deputy of St. John:

Minister, perhaps I was off focus, but did you say there are 2 counselling posts that are going to be lost?

The Minister for Home Affairs:

They are lost, yes; they have not been filled for over 2 years.

The Deputy of St. John:

Can I ask why they were not filled for over 2 years?

The Minister for Home Affairs:

Presumably the management at the prison did not find them necessary. There is a lot of vocational training that goes on; there is a lot of interrelationship with outside agencies ...

The Deputy of St. John:

But the people that previously occupied these posts, they were trained counsellors presumably?

The Minister for Home Affairs:

Presumably. This was well before my time, but I presume they were. But we do have psychologists, all the support that we can possibly ...

The Deputy of St. John:

In our experience ...

The Minister for Home Affairs:

... and there are a lot of charities come in as well. Well, a number of charities come in as well to help support ...

The Deputy of St. John:

In our experience, when we visited the prison, we met a number of people who are resident there who have psychological problems and expressed the idea that they would appreciate more people to sit down with them to talk about their difficulties. So I wonder why these, what are essential posts, have disappeared.

The Minister for Home Affairs:

We do have 2 permanent full-time forensic psychologists who support the prison population, plus we have other support workers providing programmes, particularly for rehabilitation, and the one we saw yesterday was helping to get prisoners who have young children, for those prisoners to help their children, over V.T. (video telephone) or in the prison itself, with literacy programmes. There is a heck of a lot of good work going on up there. You could always do more. If you can throw money at things you can do a lot more, but when I see the positive work that is going on there I am very impressed.

The Deputy of St. John:

Is that not in fact the nub of the matter? It is about money rather than providing a service for people who are in distress as they are in prison about many things, their family outside, and ...

The Minister for Home Affairs:

I deny that accusation 100 per cent. The prison is there to support the inmates, to support those who are incarcerated. As I said before, the main focus is on rehabilitation, reintegration into society. We are working very hard, the prison is working very hard with the probation service now on reducing reoffending, pre-custodial release systems, support, because if we can stop one crime that might have occurred if we did not have these programmes then we have saved the Island a lot of money, we have also saved people a lot of distress.

The Deputy of St. John:

I do understand all that and perhaps we have taken this as far as it can go.

The Minister for Home Affairs:

Yes, but I would not want people to think that we are not supporting the prisoners because we certainly are. That is the main focus.

Deputy R.J. Ward:

It is just the reality of the financial pressures and efficiencies, and can I just come back to something you said - I may have the wrong heading - because I have to say the headings regarding efficiencies do become a little intermingled when you are looking at them and it does become a bit jargon. But you talked about efficient commercial operations, was that the area in terms of sickness and absence and so on being managed better?

Group Director for Public Protection and Law Enforcement:

No, that is modern and efficient workforce.

Deputy R.J. Ward:

Modern and efficient workforce, okay, so that is £217,000 of saving through less staff sickness, through ...

Group Director for Public Protection and Law Enforcement:

It is predominantly overtime, a slight reduction in the overtime across the services that the service heads have considered and committed to. There is also a small reduction in fixed-term contract use and a small reduction in agency costs.

Deputy R.J. Ward:

I get the agency and the fixed-term contracts; it is quite important that we have a consistency in our staffing. When you talked to staff yesterday you said you were there for 3 hours; do you sense that they were happy about less overtime, perhaps therefore less income, they were happy about the perhaps perceived pressure on them in terms of their absence and sickness? Because that is one of the concerns that I have with these efficiencies, it just puts more pressure on staff and it could be counterproductive in the long term.

The Minister for Home Affairs:

No, I did not see it. There is pressure on staff, there has to be, because you are in a pretty tense situation in a prison and indeed in the fire service and the police. So what was particularly pleasing to see was the relationship between the members of staff and they did not have to ask each other if they wanted some assistance or help. The prison officer who was showing Gregory and I around was late for another duty, but another officer, without asking, carried out that duty. That shows the relationship is good. But the other thing, which pleased me very much, in the briefing we had from the prison governor subsequently was the reduction in sickness levels was quite significant over the last 12 months.

Deputy R.J. Ward:

Why do you think that has been the case?

The Minister for Home Affairs:

I think it is the relationship between management and staff. I think it is the management looking after, caring and showing that they value staff.

[9:45]

Deputy R.J. Ward:

By extrapolation of that, do you think that there was an issue before in relation to management and staff that could have led to more sickness and not assisting as much as it could have with the stresses of the job, which are obviously very difficult?

The Minister for Home Affairs:

It is difficult to say that because the prison under the previous prison governor came from a very low level, it had extremely damning reports about 10 or 12 years ago, and the prison governor who came in subsequently took it to a whole new level, unrecognisable, so a heck of a lot of good work was done there. Now they have a new prison governor and he is building on that work that the previous governor did. There is a good attitude, a good ethos, a good feeling around the place.

Deputy R.J. Ward:

There is good support for staff. I suppose, to play devil's advocate here, the concern is that if somebody has had problems at work and it is a high-stress job and we recognise the stress, and in the police and the fire and the ambulance service, we absolutely recognise that, which is why this support is needed there to support staff when they have a difficult time, which is perhaps, at some time in a long career, inevitable. But there is not the pressure just to finish a career because it becomes convenient to save on that, perhaps sickness rather than just giving more opportunities to come back gradually, et cetera, you do not sense there is any drive to end careers a bit earlier because it is very convenient to do so? That is as blunt a question I think as I can ask.

Assistant Minister for Home Affairs:

I would like to mention a couple of things. We have just visited the prison, we go through all the services and so this is the one we are freshest about. We are going to visit the fire service on Monday and do exactly the same thing and probably get acquainted with all the latest changes. There is one important figure that you need to know, there are today 151 prison staff and 135 prisoners, so there is more than one staff per prisoner. We are talking about a service that works extremely well, having participated in the normal day of an officer, it was quite interesting to see how enmeshed it is and how everybody has a very specific job and also at the same time the collaboration is really, really exceptional. But it works, it works really well. Again, 151 staff for 135 prisoners.

Deputy R.J. Ward:

But they are not all directly involved with the day-to-day running of prisoners' lives, it is not prison guards who will be one-to-one, so I think that is a slightly misleading phrase, there is more than one staff to prisoner.

Assistant Minister for Home Affairs:

No, but it is just to say, if you were in a hotel you would have probably 30 per cent of staff compared to the number of guests, so in a prison you have more staff than you have guests, so that is one thing. But the other one, the one I was going ...

The Deputy of St. John:

To be fair, hotel guests are not detained against their will.

Assistant Minister for Home Affairs:

I would like to mention one more thing because that is what surprised both of us. While we were in one of the control rooms we saw a little poster on the wall and that was: "Emergency mental health officers," and there was a list of about 10 people who had been certified and they are all members of staff and the idea is that if another member of staff has any sort of problem, because some of those jobs you see the worst in life, so if any member of staff has a problem they have a list of people within the staff that they can call immediately and will have a chat and talk about their problems.

Deputy R.J. Ward:

To get initial mental health first aid.

Assistant Minister for Home Affairs:

Absolutely, yes, and that was remarkable ...

Deputy R.J. Ward:

But are you confident that they can signpost people on and those people can receive treatment urgently and quickly that may be way beyond just the mental health first-aider?

Assistant Minister for Home Affairs:

Absolutely ...

Deputy R.J. Ward:

Because one of the issues with mental health first-aiders is you can put lots of them in lots of organisations but if there is nowhere to go at the end of their capability of helping then it just makes the situation worst.

Assistant Minister for Home Affairs:

No, it goes further, and the other thing is that there is local help for prisoners within the staff but of course they also liaise with the hospital and in fact half of the transfers are for mental health

consultations, so you put prisoners in a van and then you take them to hospital and have a mental health intervention. As far as I can tell it is about half of the ...

The Deputy of St. John:

We are now beginning to talk about residents and their well-being. The changes you are implementing will reduce staff numbers, some have been reduced for a while. What effect are these reductions going to have on the prisoner population?

The Minister for Home Affairs:

On the prison population?

The Deputy of St. John:

On the prisoner population.

Assistant Minister for Home Affairs:

Interestingly, and that is something that has not been updated, it has been done, we have visited the prison with the new staffing levels, it is sorted, 2020 figures are sorted, and they did not reduce staff, they just merged posts according to their vacancies. So they had long-term vacancies and instead of eventually trying to fill them up they just merged posts so the services still exist. There are still some vacancies needed - there is one nurse - but otherwise those direct prisoner support services are not affected.

The Deputy of St. John:

So what is the prisoner's day like? Has it meant that they have to remain in their cells, for example, for longer than they used to?

Assistant Minister for Home Affairs:

No, no, it was the contrary.

The Minister for Home Affairs:

Absolutely not, they have access to all facilities, obviously they are rota'd and timetabled, and that is one thing we saw yesterday was the way that they moved from their blocks to their activity, whether it be education, art, gymnasium, workshops. In fact they are trying to increase the amount of activities that go on. You spoke about commercial activity before; one of the famous ones is the poinsettias, which they now sell through the Co-op, they grow them, sell them through the Co-op and make some money and the lads are very proud of that. Walking around the gardens was quite interesting yesterday, the quadrangles if you like between the blocks where the prisoners

themselves maintain them and grow stuff. It was at least as good as the Howard Davis Park, not as big, but it was extremely well-established; they are very proud of that. Some of the things going on in the workshop, some festive reindeer they've made out of old pallet boards and ...

The Deputy of St. John:

We have visited and we were equally impressed.

The Minister for Home Affairs:

But what I am saying is there is no cutback on activities. There has been no cutback on front line staff and I have always said when I have been asked in the States, when I have been asked here or in other places, front line staff are not to be reduced.

The Deputy of St. John:

I only ask the question because when we hear about prison cutbacks in the U.K. (United Kingdom) we often hear that the knock-on effect is that prisoners have to spend more time in their cell and less time involved in activities.

The Minister for Home Affairs:

You are right, Deputy, and we are going nowhere down that line. We were talking about it yesterday, I mean obviously many of the prisons are a lot bigger than ours but you could have a situation with 2 prison officers looking after 200 prisoners in one block. I mean that is mind-boggling to me and is not something ...

The Deputy of St. John:

I do appreciate it is very different over ...

The Deputy of St. Peter:

Can I suggest maybe it is time for us to pay another visit and see this process at work?

Deputy R.J. Ward:

Just to move on then, because we have taken a lot longer on that than I thought on question one. We note the J.H.A.'s (Justice and Home Affairs) senior leadership team will meet monthly and provide quarterly updates on the business plans with weekly meetings between the Minister and officers to brief you on the same. When is the first meeting of the senior leadership team scheduled?

The Minister for Home Affairs:

Which group are you talking about?

Deputy R.J. Ward:

The senior leadership team will meet monthly and provide quarterly updates on the business plans for yourself and officers.

The Deputy of St. John:

This is Justice and Home Affairs.

Deputy R.J. Ward:

Justice and Home Affairs, sorry, yes.

Group Director for Public Protection and Law Enforcement:

That is on the departmental business plan; it is part of the risk and control framework, but it has a wider application than that. We meet monthly already and have done for some time, so the director general and myself and the heads of service with our finance, H.R. (human resources) and communications business partners, and I.T. (information technology) as well. Then it is expected in the new year, so 2020, obviously first year we will have had departmental operational business plans, we will review them quarterly at that meeting and then provide the Minister and Assistant Minister with an update subsequent to that meeting. But we do meet weekly anyway, so we are regularly briefing the Minister and Assistant Minister.

Deputy R.J. Ward:

So those meetings with S.L.T. (senior leadership team) are scheduled, but the meeting with the Minister is yet to be scheduled?

Group Director for Public Protection and Law Enforcement:

We would probably just take the quarterly update at one of our weekly meetings with the Minister rather than scheduling a separate one.

Deputy R.J. Ward:

We are wondering if we could see the minutes of those meetings and the quarterly updates.

Group Director for Public Protection and Law Enforcement:

I do not see any reason why not. We can provide you with a quarterly update summary I think.

Deputy R.J. Ward:

Just to move on a little further ...

The Minister for Home Affairs:

Just for clarity, the Assistant Minister and I meet with the director general, Kate and other officers, every week without fail, so we are fully aware of what is going on.

Deputy R.J. Ward:

Justice and Home Affairs follow the Government of Jersey Corporate Risk Management Strategy and Guidance, however with regard the ambulance service the measuring of progress against deliverables planned for 2020 suggests that a risk management framework has yet to be developed. Is that the case?

Group Director for Public Protection and Law Enforcement:

So we are operating on the current risk management framework at the moment, in which ambulance work, in partnership with H.C.S. (Health and Community Services), having formerly been part of the department, that is running fine, they have no concerns about it, but we want to evolve the arrangement and improve it, so that is what the objective in the departmental plan is about. It is due for completion by quarter 3, 2020. We have started the initial work on it with H.C.S. and Julian and I met with Karen London and Rob Sainsbury, who you will know are our counterparts in Health, a couple of weeks ago with the chief ambulance officer to talk about kicking off that piece of work. So we have made a good start but we do not yet have more to say; we will in due course.

Deputy R.J. Ward:

Will you be looking for the views of the operational staff on the effectiveness of any risk management strategy?

Group Director for Public Protection and Law Enforcement:

Absolutely, because it is key in terms of their clinical practice as professionals, how that is then governed and new protocols and procedures are set and how they then come back down to the road.

Deputy R.J. Ward:

Is it possible to measure performance such as clinical performance through K.P.I.s (key performance indicators)? How are you going to do that? Because the ambulance service is a very particular service with quite a range of outcomes and range of challenges; we fully recognise the challenges that these skilled people face. So how do you use K.P.I.s to do that?

Group Director for Public Protection and Law Enforcement:

You are right, it is quite difficult to think about it in terms of key performance indicators that we would use for other services and other metrics. The metrics we have in the departmental business plan for ambulance are about things like response times, which are of course measurable and we are constantly seeking to improve. In terms of the clinical side of things, the team have fairly recently introduced clinical performance indicators and what they are is very visual wheels. You will see them on the wall when you visit the ambulance station, and the technicians and paramedics use those to review their own practice against best practice. So once they have dealt with a case they will review that against the best practice and then be able to talk to a clinical mentor about it, so that will be someone more senior in the team. We have a small amount of hours dedicated to clinical mentorship at the moment and we are looking, as part of our new model, to increase the amount of hours that will be able to take place for the benefit of everyone.

Deputy R.J. Ward:

Of course there have been some more challenges for the ambulance service in terms of, for example, providing more training for fire service, for example, as the targeting operating model seems to get more requirement for different services. Has there been any consideration of the greater need for particularly really skilled paramedics to provide training, put in a simple form, their day is full, they have these clinical performance indicators, which look great, but then if they have this additional role on top, which is growing, their day is even more full and could that be a blockage to clinical performance?

Group Director for Public Protection and Law Enforcement:

We must make sure it is not a blockage of course. What we are doing as part of the next stage of our target operating model is looking at how the senior structure in the ambulance service works to make sure that we have the right capacity. You referred, Chair, earlier to part of the service review recommendation was that we harmonise effectively the emergency medical response training that the fire service undertake, so that is now fully in conjunction with the ambulance service, which it has not been before, just simply because the systems had grown up differently. There has been a lot of work that the heads of service might want to come in, in a minute, if the Minister is content for you to do so. There has been a lot of work going on in relation to that to make sure that it works effectively. In terms of ambulance clinical learning and practice just for the ambulance service as opposed to the co-responding point, we will be keen to make sure that we have the right capacity to do that and that is very much at the heart of the work we are doing at the moment ...

The Deputy of St. John:

am interested that. In relation to answering a question about clinical performance, we have not got the person here who might well be able to answer that question with a lot of insight; that is the chief ambulance officer.

Group Director for Public Protection and Law Enforcement:

Yes, the Minister did extend an invitation to him to come but he has a personal medical appointment with his daughter so he sent his apologies, otherwise he would have been very content to be here and explain that first hand and that may be something that we want to do in the future here.

[10:00]

Deputy R.J. Ward:

Do you want to move on to the second part about the appointment of the ... that is you, sorry, Deputy. I cannot read my own handwriting at the moment.

The Deputy of St. Peter:

I think we move on to the appointment of the new chief of police and first of all this panel would like to congratulate him on his appointment, welcome him to our Island, and we look forward to working with him. Minister, can you just confirm the process that was undertaken to recruit our new chief of police and perhaps go a little bit deeper and discuss the key attributes that he presented during the interview process that will be of great benefit to our Island?

The Minister for Home Affairs:

The process was very much a standard process but a high-level process. It was overseen, as these appointments are, by the Appointments Commission. It was the chair of the commission who looked after the process from beginning to end. So it started in July this year with advertising campaigns in local media and also in journals in the United Kingdom, which obviously would be seen by senior police officers. The people who were showing an interest were given the opportunity for informal conversations with the chairman of the Police Authority and the chief executive of the States of Jersey. Then we had the application procedure, which firstly the bottom line was that they had to have completed the strategic command course, provide their C.V. (curriculum vitae) and so on, and make the application. So what I am told is there were 8 stages in the recruitment process: the promotion of the role, initial assessment of candidates submitted on an informal application, candidate long-listing, which the Appointments Board made in September, the technical assessment, which we were assisted with by a former chief constable of West Yorkshire, then a short-listed meeting was held towards the end of September, and then there was a full day assessment on 22nd October, which 3 short-listed candidates came over and were given a very

hard time and at the same time had a tour of Police Headquarters and I had a brief chat with each of them. I think they also met the heads of the other emergency services. I think they came to see Paul and Peter and customs and immigration. Psychometric tests, written exercises, role-play exercises, interviews, needs assessment, so they had a pretty head-on time and they had their final interview on the next day. Then the Appointments Panel made a recommendation to me, which I was pleased to accept.

The Deputy of St. Peter:

Part 2 of the question: what do you believe were his outstanding credentials?

The Minister for Home Affairs:

What the Appointments Panel saw in Mr. Smith was a man of great experience, integrity, a passion for community policing, which is very important to me and to the Island, and someone who was personable, will be respected by his colleagues in the States of Jersey Police and will be respected by the Island, I have no doubt about that. He has something like 30 years' experience in many different roles, some extremely high-level roles, gold commander at some of the more serious terrorist or accident situations. It shows the respect and esteem he is held in by colleagues in the United Kingdom and I think he is going to be a great asset.

The Deputy of St. Peter:

I was going to mention that, I noticed that he has gold command on some of the key awful terrorist attacks that have happened, London Bridge and Manchester recently, and the Croydon Tram. We would like your comment on whether those skills will be needed in this Island.

The Minister for Home Affairs:

One hopes not. But, as we often have to remind ourselves that we are not immune from activities, which nasty people might wish to perpetrate, but his skills and his experience, those are 3 incidents in a 30-year career. There is a lot more to our new chief than that. But it does show the regard he is held in and the respect that he holds.

The Deputy of St. Peter:

Yes, and with the Jersey Bulls his experience in football policing I am sure will be managing 1,000 people instead of 80,000.

The Minister for Home Affairs:

We are heading towards a possible 1,000 for a home game.

The Deputy of St. Peter:

Can you please confirm the timeline for the appointment of the deputy chief officer?

The Minister for Home Affairs:

That decision has not been made yet. As I have been asked previously, and I said the management structure would be decided between myself, the new police chief, and the Police Authority and the senior management team of the police, after the new chief arrives. It would not be the right thing to impose a management structure on a new chief. He is going to have a major say in how his force is structured at a senior level.

The Deputy of St. Peter:

We have had some great successes within Justice and Home Affairs for promotion from within - I believe within customs and ambulance - can you give more about the strategy, the idea behind the succession planning and the work that is being done to ensure that continues? We are seeing more growth and promotion from within in the Island.

The Minister for Home Affairs:

As you say, we have had a good run, not just customs and immigration and ambulance, but also the fire chief was also promoted from within. The police have been through a particularly traumatic time since the previous chief retired with illness, death, and other people moving on to other situations. They have been through a difficult period and their top level was decimated at one point. But I think that we have proven in the department that succession planning is very important and that will be a major role for the new chief because we want our local talent to be developed to take on the most senior roles in the future, no question about it.

The Deputy of St. Peter:

That is part of the new chief's brief?

The Minister for Home Affairs:

Yes, absolutely.

Deputy R.J. Ward:

Can I just ask a question on that: would the target operating model assist that or could it be a slight obstacle to that? Because you are going to end up with a flatter structure in some organisations, so for example there was not a second-in-charge in fire. Would that not limit the opportunity with that experience in Jersey? So you will inevitably end up with people with experience elsewhere coming

into the organisation because it will not be gained here and that is a product of the target operating model. I may be wrong but that is the way I picture it.

The Minister for Home Affairs:

A lot depends on what the structure turns out to be. The fire service has been through a difficult time as well with a lot of retirements coming at the same time. But we decided that, at least for the time being, there will be a flatter management structure there. But the opportunities for promotion within the fire service will still remain but, again, training, aptitude, will be absolutely necessary and part of Paul's job in that place and Peter's job in the ambulance service and Mark's job in the customs and immigration service, to make sure that talent within the service is nurtured and encouraged and trained to gain the necessary experience to be able to take on the senior roles in the future. It is not a matter of only being chief, there are other senior roles within the department ...

Deputy R.J. Ward:

So you do not see the target operating model, it is a flatter structure, as widening the gap between the very senior posts and those on the next level and thus a future problem?

The Minister for Home Affairs:

No, I do not think there is a widening of the structure between the top and the bottom, I think there is a flatter management structure but the structure below them remains the same. I do not know, Paul, if you want to comment on how it affects the fire service?

Chief Fire Officer, States of Jersey Fire Service:

It does 2 things, I think, to some extent. It might be that you could argue that it perhaps lessens the focus on one person if you have one deputy in terms of that development but what it does do on the positive side is it increases the exposure and the experience to more than one person and that is good for resilience and succession; so there are 2 ways of looking at it. I do not think it has to create a gap. Part of my job is to make sure that there is no gap. The things that were done by me as the deputy chief fire officer before still need to be done and so we make sure that those duties are performed as development opportunities as much as anything else.

The Deputy of St. John:

In your situation, there is nothing in the law that says there has to be a deputy chief officer.

Chief Fire Officer, States of Jersey Fire Service:

No, it defines a chief fire officer and then fire officers.

The Deputy of St. John:

Yes. But I am looking back at the police law here and it very definitely says there shall be a deputy police chief. Presumably, once you have had discussions with the new police chief, then you will come back to the Assembly to have the law changed should there need to be an adjustment.

The Minister for Home Affairs:

We will do one of 2 things, Deputy. If it is decided by the Police Authority, with advice from the management team at the States of Jersey Police, and if I approve we will go to selecting a deputy chief. If it is decided that we are not going to have a deputy chief, we are going to have a different structure, then the law will need to be changed and I will come to the States for the States approval for that change. That is the way it has to be; I would not have it any other way.

The Deputy of St. Peter:

We are well behind so a quick opening question on this one. Increasing police officers from 190 to 215; can you just give us some update on where you are with that recruitment process, how successful it has been on-Island, off-Island? Just a quick summary of where you are with that.

The Minister for Home Affairs:

That is a very good news story but I think perhaps if I could ask James to ...

Deputy Chief Officer, States of Jersey Police:

Thank you, Minister. So it is good news, so the local recruitment process has just completed within the last 10 days. We have now made 29 offers to local candidates to join us throughout 2020, which is part of the major uplift to 215 police constables, which, as far as I am concerned, will be in post by the end of next year. In addition, we have also brought in some U.K. colleagues as well with specific experience that we wanted to help us redefine and develop our community policing.

The Deputy of St. Peter:

How many from the U.K.?

Deputy Chief Officer, States of Jersey Police:

We have had 8 licences altogether: 5 have joined, the rest join in January next year. We also brought in 2 other U.K. colleagues a little bit earlier in the year as well.

The Deputy of St. Peter:

With a trainee police officer, how long does it take them to really get up to speed to be effective?

Deputy Chief Officer, States of Jersey Police:

From entering the door through to being deployed can take 6 to 7 months because they have a training programme and a tutorship process, but they are trainee officers, if you like, for the first 2 years. It is only at that point that they become confirmed in rank as constables. So, in terms of effectiveness and deployment out on the street, in 7 to 8 months, fully substantive constables 2 years.

The Deputy of St. Peter:

Okay, I will move on, thank you very much and well done.

The Deputy of St. John:

Just an addendum to that, these fellows and women that you brought over from the U.K., what local orientation will they receive?

Deputy Chief Officer, States of Jersey Police:

They have about 2 weeks with local officers for that familiarisation and orientation. If they need more then of course we will provide that to them. There are some subtle differences between U.K. legislation and local legislation, as you will fully understand, and we support them in that process. Some of the transferees have connections with the Island already, which is great, and has been one of the reasons that drew them to this appointment.

The Deputy of St. Peter:

I think there was something in the *J.E.P. (Jersey Evening Post)* recently about working with the Honorary Police and having a tighter integration. I am sure there are a lot of Honorary Police out there would like to know your feelings on that and what is behind that.

Deputy Chief Officer, States of Jersey Police:

Maybe you are referring to the front-page article that took place a few days ago, which fell from the H.M.I.C. (Her Majesty's Inspectorate of Constabulary) inspection. The H.M.I.C. absolutely spotted the opportunity, which, if I am honest, we also knew existed around the connection and greater integration with the Honorary Police and a lot of intelligence exists out there in the community. When our resource level fell to the level that it did, we had to pull back from community policing, we briefed the Minister on that and it was not a position that we took lightly, we just did not have the resources to continue in the same vein.

The Minister for Home Affairs:

I did not take it lightly either.

Deputy Chief Officer, States of Jersey Police:

You did not, Minister, and you gave me an appropriate hard time on that. The uplift in resourcing though, my commitment back to the public was that we will invest back into this space and the Island will see community policing return.

The Deputy of St. Peter:

These 29 will materially contribute towards that?

Deputy Chief Officer, States of Jersey Police:

Absolutely materially contribute. Not all of them will go to community policing, but the vast majority will, and I am really passionate to see a connection back with individual Parishes. It does not mean, sadly, that each Parish will get its own officer, as we have had in the past, maybe 8 years or so ago, but there will be a real material uplift in the connection between police officers and the Parishes.

[10:15]

The Deputy of St. Peter:

I am off now, sorry, totally off piste. One of the challenges is recruitment in the Honorary Police and that is down to the modern-day pressures of life, but it is also down to the vast amounts of training, which is required before an honorary policeman can be effective. Do you have any ideas on how we could help with the recruitment of that, maybe streamline the training processes, make them more efficient, so people can give of more time without having to invest so much time?

Deputy Chief Officer, States of Jersey Police:

Yes, we are supporting the Honorary Police in a recruitment campaign and every candidate who comes to us who is unsuccessful, either at initial application phase or right the way through to the very final stages, is very much encouraged then to go and seek opportunities with the Honorary Police, not only to help bolster those numbers, but equally to gain that important experience. So then perhaps come back to us one day with greater experience to then become States officers. But in the meantime of course supporting the very valuable honorary system, which exists here.

The Deputy of St. Peter:

Thank you.

Deputy R.J. Ward:

We are going to talk about the settlement scheme.

The Deputy of St. John:

We intend talking about the settlement scheme, so can you give us an update in relation to the number of applications you have received since the scheme opened?

The Minister for Home Affairs:

It really went wild in many ways; we have now had over 9,500 applications, which have been dealt with by customs and immigration service. We estimate - it is an estimate - that there are a total of 20,000. So as we get closer to Brexit day we expect another flood of applications.

The Deputy of St. John:

We have spoken about this before of course and you had anticipated there being a rush toward the end. How is that going to be catered for from a manpower point of view?

Assistant Director, Customs and Immigration:

Luke Goddard, acting director, customs and immigration. In answer to your question, as we spoke previously when I was sitting with you, yes, we do anticipate a rush towards the end of the year. We are already in a position where we are now starting to use our existing casework officers that already manage visa applications, work permit applications and further leave to remain applications, which is their bread and butter, into the area of the settlement scheme, knowing that it will be something that will continue. Something to bear in mind is that those people who have applied and currently have pre-settled status will then be applying for settled status once they have achieved 5 years. So this could extend 5 years from 2020, even though the numbers obviously will be far fewer as they go through. So it is something that we are already integrating into the B.A.U. (business as usual) of the standing officers, so they will ...

The Deputy of St. John:

Because of course it was thought there would be a definite cut-off point.

Assistant Director, Customs and Immigration:

There still is the anticipation; well, there will be a definite cut-off point as to when people are eligible. There is still, I hate to say it, the potential for a no-deal, which will also change the eligibility of people under the scheme. On the basis and now more likely chance of a deal, people will remain eligible until the end of next year.

The Deputy of St. John:

Given the delay there has been in Brexit, has it had any adverse effects on your ability to work with that?

Assistant Director, Customs and Immigration:

I do not think so. It is not a concern, but the only anticipation I would have is that there has never been any change to the day given for the transition period being the end of next year. Obviously, as Brexit day has now been pushed back 3 times, whether the U.K. will consider changing that date; that may change our perspective. But today; we are no different today than we were when we started the scheme at the beginning of the year. The cut-off dates have not changed. The only thing that oddly almost assisted us is - as the Brexit date has moved - it has refocused those people who needed to apply to come forward and make those applications, maybe more so than we wanted at one point, but nevertheless it will even out as the year goes through.

The Deputy of St. John:

Yes, I remember rightly you were going to sort of tool-up towards the end of the period, so you have experienced some pressures.

The Deputy of St. Peter:

At a separate hearing with the Portuguese consul, he indicated that they had received 20,000 to 25,000 applications for Portuguese equivalent passports from the Island. Do you think you may have underestimated the challenge?

Assistant Director, Customs and Immigration:

The passport application is a different issue than the settlement scheme, even though they are connected. In terms of numbers, I spoke with the Portuguese honorary consul myself last week on this issue and he is preparing for a large quantity to come through. The basis of the numbers of applications that we anticipate for the E.U. (European Union) nationals is based on data that was provided by the honorary consuls now 18 months ago as well as some of the information held by Social Security, none of which is definitive. There was no indication from any of the consuls that the numbers that they had engaged with were still in the Island and that there may be others that have not engaged with them that may be in the Island. Likewise, from Social Security, even though some are asked what their nationality was, they never verified it, and some do not need to give their nationality. So there was no clear indication because we lived in the world, as we do currently, of the European Union where there is no need to register as a European Union member. So it is our best estimate, but clearly we have to be prepared that may be more than that.

The Deputy of St. Peter:

We need better data in this Island.

Assistant Director, Customs and Immigration:

It just did not exist.

The Deputy of St. John:

Thanks for that; that has been very informative. We would like to move on to service reviews, Minister, and ask you: can you provide an update on the progress of the individual service reviews that have been commissioned? When do you expect to receive the outcome of these reviews?

Group Director for Public Protection and Law Enforcement:

They were the service reviews that were commissioned earlier this year and P.24, they were undertaken between April and June, we have now completed them over that summer period. We have written up an internal summary of those reviews, which I think has been sent to the panel. The heads of service have been working on them at pace since then. They resulted in improvement plans for the services, which are partly joint and partly separate, as appropriate. The key joint things range around co-responding, so we briefly touched on that earlier in terms of aligning the training. Also technology plans being developed together and cohesively, people plans being developed cohesively, and also key prevention activity. We are keen to set up an innovation group, which will pull all the feedback that we had during the service reviews from individual members of staff in the services with their ideas of how things can be improved and I am really keen to get that up and running, which we hope to do in the new year. So I am confident that we are making good progress on the basis of the improvement plans. It was planned to be about an 18-month period of activity, so we are only maybe sort of 4 or 5 months into that at the moment and we have still got time to go but I am confident with the progress. Heads of service are materially leading it from hereon in with my oversight and Julian's oversight and obviously regularly reporting to the Minister.

The Deputy of St. John:

Thanks for that. How long do you think it is going to be before you are in a position to implement the results of the reviews?

Group Director for Public Protection and Law Enforcement:

We are implementing as we go along really, so the key activity was to be taken in chunks, really looking at the key joint strategic things, so they are things like the people plan and the technology plan that are being worked on already. There are more practical operational things that are joint, so we have just seen a programme of joint training for the ambulance and fire rescue services for working together at road traffic collisions, sea rescues and height rescues, where both teams have

reported really high satisfaction and enjoyment and fulfilment from those activities. It makes us better prepared to respond to those things as 2 services working hand in hand, as well as a good opportunity for the staff to get to know each other. So we are already taking practical improvements.

The Deputy of St. John:

You mentioned sea rescues. There have been questions raised about the future of the fire service inshore craft. Could you tell us more about this?

The Minister for Home Affairs:

I have heard no such comments. Who is suggesting that it does not have a future?

Deputy R.J. Ward:

Not sure where it came from, to be honest.

The Minister for Home Affairs:

As far as I am concerned, when you are looking at efficiencies and cost savings, we have a duty to look at everything. We have to provide the appropriate service at the right cost to the taxpayer and if we are doing things we should not be doing then we should remove them. As far as I am concerned, the inshore rescue craft, the service that is provided by the fire and rescue service, is the only inshore rescue vessel, which is available 24/7 and available to be launched at any point in the Island.

Deputy R.J. Ward:

We would agree with that and that is partly why I am asking the question.

The Minister for Home Affairs:

As far as I am concerned, unless it can be shown to me that there is at least an equivalent available, if not a better service available elsewhere on the Island, then it is not going, as far as I am concerned.

The Deputy of St. John:

So there have been discussions about the future of that particular craft?

The Minister for Home Affairs:

Not with me. My view is well known so no one would dare discuss it with me. But I say that, Deputy ... sorry, that was a bit facetious, but I do concede that as the Minister responsible for a large and expensive department we do have a duty to look at all the services we provide to make sure we are doing them as effectively and efficiently as we possibly can and that we are doing things that we

should not be. But this is one where I think we are, certainly at this present time, it is a service we are providing, which I think is essential.

Deputy R.J. Ward:

As we are going through a time of change that you have mentioned in all the services and the target operating model and looking for efficiencies in every single area, is not an essential part of that that you have a clear picture of what the end point, what the services will look like in the end, otherwise how do you evaluate whether those efficiencies will give you your end point? Do you have that and do you think the services, all of the services, have a clear picture of what that might be, particularly those on the front line because they are in a time of real change, are they not?

The Minister for Home Affairs:

Yes, they are, and this is why, and colleagues might have a different view, but I do not think there is an end point. I think the services that we provide will continue to evolve, develop and improve, as technology improves, as knowledge improves. Take the fire service we are talking about there, the number of fires over the last 10 or 15 years I think has almost halved, it has gone down.

Chief Fire Officer, States of Jersey Fire Service:

Broadly speaking over the last 20 years.

The Minister for Home Affairs:

Yes, last 20 years, it has gone down tremendously. So the demands on the fire service are different than they were 15 or 20 years ago. The police, the type of crimes that they deal with now is totally different to what it was 20 years ago. Twenty years ago had we heard of cyber crime? No. So there is no end point. There is a continuing development, a continuing engagement, so if you say: "We have got to where we are; that is where we are going", I think that is when we start to move backwards, colleagues might disagree ...

Deputy R.J. Ward:

I understand what you mean, I understand that things evolve and society changes, et cetera, and it is because of the hard work on prevention of fire that perhaps some of these fires are going down, the number of fires are decreasing, but do you not think that puts us in a constant state of flux for staff and that has to be managed very, very carefully? How are you ensuring that staff had some certainty in their roles as well as the constant change in their roles, which can cause uncertainty and real stress in the workplace in very stressful environments that already exist, which is the concern?

The Minister for Home Affairs:

I could not agree with you more. All of our services, and not just Home Affairs services, but the whole of the public sector, has gone through a very difficult time in the last few years and it is not over yet, but we are getting there. Of course we want people to feel secure, happy ...

Deputy R.J. Ward:

Just to say, you see this is the point, you say we are getting there, but then we say where is there? What we get is ... well, it is a constant moving of there, and so where are we getting?

The Minister for Home Affairs:

A lot of the uncertainty around the services I am politically responsible for has been in the last couple of years. There was talk and investigations into amalgamating the fire service and the ambulance service, talking about amalgamating the police and the customs and immigration service. These were tremendous worries, uncertainties, for the staff and people who work in there. We have resolved that issue. Then there was the uncertainty about none of us have a chief except the ambulance service, so we have resolved that issue. There is now clarity in the management there. We sorted out the fire ...

The Deputy of St. John:

Minister, I have to interject here; you are saying that you resolved that issue.

The Minister for Home Affairs:

Which issue?

The Deputy of St. John:

The Assembly resolved that issue by putting the brakes on with P.24.

The Minister for Home Affairs:

P.24 was helpful but, as you will recall, I had already announced that the police and customs and Immigration were going to remain separate; already done that.

[10:30]

We were still looking at the possibility of fire and ambulance and certainly at this period that is not something that is going to happen; there is going to be greater collaboration and working together and we have seen the benefits of that already and Kate explained that earlier. But ...

The Deputy of St. John:

We have always agreed with you there that collaboration is a very important way forward.

The Minister for Home Affairs:

Yes, I think we agree on more things than we disagree about, but it was not P.24 that stopped the police and customs and immigration; I had already made that decision and had announced that decision.

The Deputy of St. John:

Can I move on to the fire service please, Minister, just to ask you can you tell us when we can expect to see Her Majesty's Inspectorate of Constabulary and Fire looking at the functioning of the fire service?

The Minister for Home Affairs:

It has been too long but there has not been a proper facility for that. But we are talking to that organisation hopefully to do something next year, 2020. I think these things need to be done on a proper cycle, my view would be something like the States cycle, perhaps every 4 years would be an appropriate thing to do, but not just for the fire service, but for the police as well.

Deputy R.J. Ward:

We are just going to do a little bit on legislation and consultations and so on. There is a draft Crime Prejudice and Public Order Law consultation. For the benefit of the public, could you please outline the main principles of the draft law and what elements have been consulted upon?

The Minister for Home Affairs:

Consulting now, we have just extended the consultation period, it was supposed to end this week but we have extended it for another 4 weeks. It really is to ...

Deputy R.J. Ward:

Sorry, can I just ask why you extended that?

The Minister for Home Affairs:

The standard is 8 or 12-week consultation, we went for 8 weeks. Up to last week, in all honesty, we had not had that many responses. I was advised yesterday that there certainly has been a rush of responses and we could cut it off today, but I thought for the sake of another 4 weeks let us give people the opportunity. But there has been an increase. But what we are attempting to do is to follow best practice in other jurisdictions where there is perhaps an increased tariff for crimes, which are motivated by what is called in other places hatred, but we are calling prejudice, which I think any

modern jurisdiction these days will look at that as being totally appropriate and that the courts should have the opportunity of considering higher sentences when crimes are motivated by hatred or by prejudice.

Deputy R.J. Ward:

What is your definition of “prejudice” because that will be key, will it not, for a law that is based around that term?

The Minister for Home Affairs:

Interesting point but we are not suggesting that we define prejudice in the law because that could be a hostage to fortune so what we are saying is that the courts will decide. It will be the courts that will decide whether prejudice is involved and it will be up to the prosecution to prove to the court's satisfaction that prejudice is involved rather than trying to define it too closely.

Deputy R.J. Ward:

There was a sort of definition because it means hostility towards a person by some religion or any characteristic. This is in schedule 1 of the Discrimination Law 2013 so that would be applied in this law, that current definition of “prejudice” which is linked to the Discrimination Law 2013 in those areas. Are we continuing with that definition?

The Minister for Home Affairs:

My understanding is that the courts would have cognisance of that when they are making their deliberations.

Deputy R.J. Ward:

Okay, so that is the definition in the law that we are talking about here, is it not?

The Minister for Home Affairs:

I wonder if my policy officer who dealt with this could possibly perhaps explain it a little better than I could.

Deputy R.J. Ward:

Yes, of course. That would be good. This is really just ensuring that the public get a clear ...

The Minister for Home Affairs:

Sure.

Deputy R.J. Ward:

Obviously, this is not easy. In a consultation, those definitions are quite important and if they are linked to other laws, it can be very difficult to consult upon and come up with a meaningful consultation response that will be useful to you and useful to the public, so I think it is very important we talk about the definition. That is why we are going down this line of questioning so we can see the context of it. So the discussions that took place in order to derive of that definition, if I may call it that, which I think I can, of prejudice in this law.

Head of Policy, Criminal Justice:

Well, it is in the interpretation provisions and that would be where you would normally find definitions. If you look, you will see it is extremely lightly defined because it just says: "It is hostility towards a person." If we really wanted to go down the rabbit hole, you would say: "Well, then hostility means X" but inevitably you would find yourself using other words in the English language. If you keep chasing for a definition, you will eventually find yourself redefining almost everything. I do not think we have looked at every single jurisdiction in the world with a hate crime law, I must admit, just because there are so many. But certainly the ones that we looked at in developing the legislation did not tend to try and define "hatred" because there is a general understanding among people what it is. The danger with trying to over-define something down to the minutiae is that you can accidentally find yourself bringing in or bringing out activity that common sense tells you does not need a definition because there is a very loyally, very wordy analytical definition there that is too original. So most legislation relies to an extent on the judiciary using their common sense to interpret the words in front of them and you see it sometimes in judgments when there is no fixed definition in terms of a legal dictionary or in terms of a dictionary. They turn to a common understanding of the meaning. So on balance - and most jurisdictions take this approach in the law - there might be an outline or 2 but I think in almost all, we did not want to prescribe to type what this means for the simple reason that that is when the stakes of injustice start to occur around the edges.

Deputy R.J. Ward:

That is very useful. That is a very useful response.

The Deputy of St. John:

It is my understanding that the judges will look at case law to see what the experience has been previously.

Head of Policy, Criminal Justice:

Quite.

The Deputy of St. John:

Rather than using what is euphemistically called the “common sense”. As we all know, nobody has the same view about a particular issue when it comes down to it. Case law determines what the outcomes will be surely.

Head of Policy, Criminal Justice:

This is true but of course there is no case law definition of “prejudice” in Jersey.

The Deputy of St. John:

No, right.

Head of Policy, Criminal Justice:

Now there may be other jurisdictions which would be useful and, very often, you will see in judgments, the judge says: “Is it X? I ask myself what was said in *Harrop v Smith*(?) and this is the, you know ... so, you are quite right, yes. But in an absence of case law, the first approach now is to common sense and then absolutely there will be a standard and understanding but that will evolve as times move on in the way that legislation cannot.

The Minister for Home Affairs:

Yes, precedent is always established, as Nathan said, by case law but the courts will also be aware of situations in other jurisdictions and they will always examine that.

The Deputy of St. John:

We are here talking about hate crime and as you are at the table already here, I am particularly interested in the progress being made in relation to legislation covering domestic abuse and I see we have a ribbon at the table today. Mine is on another jacket, I am afraid, but if we could have an update on the progress in relation to delivering domestic abuse law.

The Minister for Home Affairs:

Yes, well, you asked me a question in the States a few weeks ago and I hope you were satisfied with the answer. We have done a lot of consultation with the groups and obviously including the police and the other agencies who are very much involved with this sort of activity. I am really hoping very much that we can get the legislation before the States in 2020.

The Deputy of St. John:

Could you give us some idea of when that will be in 2020?

The Minister for Home Affairs:

I have to be honest. I suspect it would be later rather than earlier because there is a lot of work to do in drafting and further consultation with the agencies and with the public. I think it will be later, would you think?

Head of Policy, Criminal Justice:

I think it is likely to be nearer the end of 2020.

The Minister for Home Affairs:

Yes, but it is - as I emphasised in my answer to you in that question - very much a priority for Gregory and I, so we want to see that on the statute book as soon as possible. It is something, in fairness, we are being pushed on not just by you but by the agencies, by James Wileman and his colleagues because it is one of the things which they want. They want the tools to be able to deal with this situation better than they are able to now, although they do an extremely good job. It is a complex crime, it is a difficult crime for them to deal with, so the more tools they have to deal with it, the better. James, I do not know if you want to comment.

Deputy Chief Officer, States of Jersey Police:

No, I think it is a very fair summary, Minister. Thank you.

Head of Policy, Criminal Justice:

I was going to say, just for reassurance, we are currently out to recruitment for an individual and whenever an individual gets the post, hopefully they will be joining the team very early 2020, and the prime element of their job will be, before anything else, bringing forward the domestic abuse law at the earliest possible time in 2020.

Deputy R.J. Ward:

Deputy Huelin, do you want to ask questions about anything today?

The Deputy of St. Peter:

I just say you are front page, as always, Minister, of the *J.E.P.* today which the headline is, and I am sure you have read it: "Domestic Violence Orders Still on Table." What has provoked or motivated the fact to do it today and why is that coming out today? Is there anything specific that is driving this law?

The Minister for Home Affairs:

I have not seen it yet, okay.

Deputy R.J. Ward:

You had a campaign.

The Minister for Home Affairs:

Well, this would be it, would it not? We have been running it or James has been running a 10-week campaign.

The Deputy of St. Peter:

It is to show the ...

Deputy Chief Officer, States of Jersey Police:

I have not seen the headlines yet either but I sense that it is of course a domestic abuse campaign right now which concludes tomorrow with an event on the High Street.

The Deputy of St. Peter:

Thank you.

Deputy Chief Officer, States of Jersey Police:

I guess that that has some connection with it and of course that specific point that you raise came out of Her Majesty's Inspectorate of Constabulary's report as well recently so I think the 2 of them converging is a good time to continue to raise the profile of a very important subject.

The Deputy of St. Peter:

So the timing is perfect to progress with this very important piece of legislation.

Deputy Chief Officer, States of Jersey Police:

I welcome the coverage of what is a really important subject.

The Deputy of St. John:

It has been good.

Deputy R.J. Ward:

I think we are just about done on the draft and we will move on to more general questions. I am looking at the clock and I think it should time out quite nicely now. There was a question regards updating the panel on developments that are being brought forward within the Government Plan to address the Criminal Justice Policy on the Island. Can you provide any updates on what has been done to implement recommendations from the Youth justice Review?

The Minister for Home Affairs:

Well, work on that will be starting in earnest now the Government Plan has been approved and the budget for the ...

The Deputy of St. John:

Yes, we noticed that that is now ...

The Minister for Home Affairs:

Yes, that is very much to do with Youth Justice and I am quite clear that you cannot deal with youth justice in isolation because it all impacts on the general justice system, so there is going to be quite a lot of work for the officers to deal with in developing that. I think you are leading on that as well, Nathan, are you not?

Head of Policy, Criminal Justice:

That is right, yes.

The Minister for Home Affairs:

So I do not know if you want to comment on the process.

Head of Policy, Criminal Justice:

Well, certainly. The Government Plan bid for what has been entitled Justice in Jersey has obviously made it through and so now it is part of the Government Plan. So the intention from 2020 is to start a 2-year programme to meet 5 of the recommendations of the Youth Justice Review, a multi-agency youth justice strategy. That is going to be done in conjunction with C.Y.P.E.S. (Children, Young People, Education and Skills) Department in order to avoid it falling too heavily into the criminal justice field because of course there is very significant movement globally now towards not bringing children into the criminal justice system. There is a need to consider the bail and accommodation arrangements for young people. There is a need, according to the Youth Justice Review, for a restorative justice strategy which is going to need, I think, considerable thought, especially when you consider many of these issues are relatively universal. With the existence of the Parish Hall system here, it means any restorative justice strategy is going to have to take careful account of interactions and interplay between central authorities and Parishes. There is a need to - and there is not that much clarity about what there should be in the Youth Justice Review - think about how you treat children's criminal records as they transit into adulthood either into the adult criminal justice system or into productive lives. Well, they can do both but into society in general. What happens to their criminal records? That is quite complex. Then there is a need to consider what training

requirements there should be for those individuals interacting with the children which pulls in some interesting tensions and pressures. If one of the issues with honorary recruitment is the necessity to go through so much training, well, the textbook guidance would be everyone should be trained in relation to children more, so it is an interesting set of tensions around that. Then lastly there is a desire to do some systemic work about improved data gathering and data analysis within the criminal justice system because I think, as the panel has mentioned, probably Jersey could do with additional work in general about its data use and data analysis and knowing more as we try and make policy in that area.

[10:45]

Deputy R.J. Ward:

Just adding on to that, are there any other legislative developments that will come forward in 2020, and we are talking specifically about 2020? Because of the nature of the Government Plan, I think being yearly, I think it would be very good to see what is going to happen in 2020 that you see as coming through. We talked about the Domestic Violence Law. We talked about the ... I refer to it as hate crime law but its prejudice and public order. We have got to get that right. Anything else that you can see as we move on to 2020?

The Minister for Home Affairs:

Yes, on that prejudice law, we did have a consultation to say we will be very interested in your views as well. That would be helpful to us if you could be part of that consultation process. Police governance is one that we are working on and I was hoping to get it a little bit earlier but, a couple of years ago, the Comptroller and Auditor General suggested that the law be updated to emphasise the operation with the dependence of the States of Jersey Police, which is perhaps not as clear as it ought to be in the current law so that, hopefully, is going to come through in the next few months. Post custodial supervision we spoke about earlier, but that will require legislative changes as well so we are with Probation and the prison on that so, hopefully, that will come forward next year. Those are the major things. The Criminal Procedure Law, which has already been approved but we have to bring into force, has been gradually coming to force and will come into force before the end of the year. So those are the major things which we know will be coming through in 2020.

Deputy R.J. Ward:

Okay, it should be quite busy.

The Minister for Home Affairs:

Yes.

The Deputy of St. John:

The Youth Justice Review will always include the Probation Service and the Aftercare Service. It was noted there was going to be a review of Probation and the Aftercare Service and we wondered whether or not that review had now been completed and what the outcomes were.

The Minister for Home Affairs:

Yes, the review document has been virtually completed. It is with contributors at the moment for checking and then there will be an organisational group which would include Probation and the Prison Service and of course other agencies who will examine that report and to make recommendations at the end of the day as to how we approve our offender management system. So that organisational group will be meeting. Do you know when yet?

Group Director for Public Protection and Law Enforcement:

I do not know, no.

The Minister for Home Affairs:

But it is fairly shortly. It will be early in the New Year that they start work on that.

The Deputy of St. John:

So what was the process, Minister? Who is responsible for conducting the review because I am not understanding why the review does not have a date for publication given that, generally speaking, in effect when external reviewers come in, they will have a date for publication?

The Minister for Home Affairs:

It is an internal review carried out by 2 independent folk, one from the United Kingdom and one from Northern Ireland, I believe it was. Another was a retired prison governor of Guernsey and they work together on this for us to provide us with information. It was commissioned jointly between the Home Affairs Department and the Probation and Aftercare Service with terms of reference agreed and it will be that group that will be working on it obviously with the courts as well. They have an important role to play.

The Deputy of St. John:

So will this review come into the public domain?

The Minister for Home Affairs:

Well, it is not intended to but I think it needs to be completed and I think the organisational group will need to discuss the recommendations who will have informed the organisation group how best to proceed. Of course you have also got inside that now the Comptroller and Auditor General's report of non-ministerial departments and the oversight there is of that, so that will come into it as well.

The Deputy of St. John:

That has all come at the wrong time, if you know what I mean.

The Minister for Home Affairs:

I disagree, Deputy. I think it has absolutely come at the right time.

The Deputy of St. John:

Well, why I mention the date is to assimilate that and to ...

The Minister for Home Affairs:

No, I think that is helpful because it is 2 different independent groups giving their opinions on different aspects of the organisations and I think it will be helpful because it would be terrible to go on 6 months down the road and then find there is a problem with this report. They can deal with that at the same time which is, I think, helpful.

The Deputy of St. John:

Would you be able to give us an undertaking to bring the contents of this review to this panel?

The Minister for Home Affairs:

At this time, it is an internal document for use for the agencies which are responsible for it but I have no problem with you seeing it on a confidential basis. Whether it becomes a public document at the end of the day, I do not know, but what is more important is what comes out of it rather than what it says at this time but I have no problem with you seeing it on a confidential basis.

The Deputy of St. John:

Thank you very much.

Deputy R.J. Ward:

Thank you.

The Deputy of St. Peter:

You think I probably get all my information from the *J.E.P.* alone but it is not true.

The Minister for Home Affairs:

Yes, it is.

The Deputy of St. Peter:

These are media reports recently about U.K. drug gangs targeting Jersey and that is obviously a concern if that is suggesting organised crime sees us as an area that they can ply their ghastly trade. Would you like to comment on that, what is being done about it and how real is this as an issue?

Deputy Chief Officer, States of Jersey Police:

I do not think this is particularly new news as such. H.M.I.C. identified a number of organised crime groups that S.o.J.P. (States of Jersey Police) have already profiled and are already mapping and working with agencies to combat and tackle. The point around their report was S.o.J.P. should be looking at other areas of organised crime that takes place within the Island and that is the takeaway from that H.M.I.C. report which we took. Since that report and, in fact, since the visit and the inspection, we have already implemented a new way of looking at horizon scanning more generally called M.o.R.i.L.E. (Management of Risk in Law Enforcement), which also was featured in the *J.E.P.* article to which I think you refer and has identified a number of new work streams for us as a force, so work is in progress in that regard.

The Minister for Home Affairs:

I think if I could emphasise that this is not new news and I pay tribute to the police and the Customs Service for the way they work together, when you see some of the hauls that they have made this year alone.

The Deputy of St. Peter:

£19 million or something to date.

The Minister for Home Affairs:

I cannot remember the total, about £19 million, but one haul alone, £10 million worth of heroin. I do not know what they think they were doing bringing that in but well done to police and customs for getting that but the prices are still very high in Jersey for these drugs which indicates that customs and police are doing a pretty good job. We know some things of course will always get through but they are doing an extremely good job and I pay tribute to, as I say, customs and the police with the work they do in that area.

The Deputy of St. Peter:

Well, that is a concern if the drugs prices are very, very high mainly because those people who are probably the most vulnerable in our society are being taken down that course of action, which is very sad. I do not know where I am going with this question. It is just more of a statement to say this is of great concern. It is a great concern to our society so how can we prevent that?

The Minister for Home Affairs:

Yes, but if we stop policing the imports, prices would drop tremendously.

The Deputy of St. Peter:

Because there is more demand. Supply and demand, okay.

The Minister for Home Affairs:

It is because we are stopping the stuff and there is a shortage of the stuff that prices are higher.

The Deputy of St. Peter:

Okay, to a point.

Deputy R.J. Ward:

Yes, I think we might be going down a free market rabbit hole here.

The Minister for Home Affairs:

Market forces. Yes, do not go down that route.

The Deputy of St. Peter:

I will move away from that one.

Deputy R.J. Ward:

There was a final question. I have one to ask as well at the end which is slightly different. There was the one about have you taken on board the panel's recommendations to proceed with investment in the electronic patient record system for the ambulance service, a review of the Government Plan, where you suggested that that is not undertaken until there is some clarity in the record system in the developing hospital scheme?

The Minister for Home Affairs:

For me, it is a very important project because it helps to support not just the service but the patient. When we met last time, I said some of the things which go on which can be improved, I want to see

improved but I also want to make sure that any technology system that we do introduce is future-proofed and I know that is supported by the department. Kate, I do not know if you want ...

Group Director for Public Protection and Law Enforcement:

We are still working on exploring it. It is a really interesting discussion for me. I was observing last time the points about making sure that integration is key and some of the details that were flushed out at the hearing were really interesting. We have very much got that in mind while we are thinking about the next steps. We have a meeting with South West Ambulance Service on Monday to talk about whether we might be able to be a child of their parent system effectively, subject to appropriate data protection and everything that would be necessary. What we are keen to do is to make sure that we proceed very carefully in terms of the scope. We are working very closely with the Health and Community Services Department in their digital agenda, which you would expect. I think there is potentially a benefit for the Ambulance Service having something much earlier than ... the overall Health and Community Service project will be introduced to replace those big A3 manual record sheets that they have so that they have mobile data terminals in ambulances and can at least take that information from patients and convey it to the hospital in an electronic format. That is its very basic requirement.

The Deputy of St. Peter:

Sorry, data capture?

Group Director for Public Protection and Law Enforcement:

Effectively, yes, which is quite different from an ongoing record that is cohesive, which I think is where the real concern about making sure it is cohesive comes in. We might have a bit part component that would be a real advantage to the Ambulance Service and to the patient that could be adopted early and can then be iterated towards to the full system.

The Deputy of St. Peter:

So what I am trying to understand is what the benefit of this is. So the ambulance arrives and asks questions and documents questions on a tablet as opposed to a piece of paper.

Group Director for Public Protection and Law Enforcement:

Yes.

The Deputy of St. Peter:

Hands over that data, i.e. in advance, 4G, or at the point of arrival so that record is digitised for the way forward.

Group Director for Public Protection and Law Enforcement:

Yes, so that is a basic ...

The Deputy of St. Peter:

So that was the point that we did not quite understand last time. That is a very different thing altogether.

Group Director for Public Protection and Law Enforcement:

Yes, it builds towards a much greater ambition. At the moment, to get that information to the hospital in advance, it has to be called in over the radio which we do not want to keep doing.

Deputy R.J. Ward:

That is a very different ...

The Deputy of St. Peter:

That is a very different thing for a patient record system. There is a misnomer there.

The Minister for Home Affairs:

Oh, sorry, we were not clear previously.

Group Director for Public Protection and Law Enforcement:

We called it "electronic patient records" in the Government Plan which was approved, this £666,000 against that line in the J.H.A. (Justice and Home Affairs) part of the Government Plan. I think that the terms "electronic patient records" have been used for the rather small-scale thing I have just described, which is our basic requirement and for the much bigger projects, we need to be clear about the terms.

Deputy R.J. Ward:

I have to say I am slightly concerned about that answer because we did ask about this at public hearings and I think we sent written questions about this and we did not receive that information. It was not clarified because this seems like, to be quite fair, it is most basic. You are going to buy each ambulance person an iPad to put their records on which is very different, so they can just go and load them when they get there as opposed to an integrated record system, which is the recommendation we made because we do not have one yet. So it is not going to work and we do not know whether it will work. So will it cost the same amount of money?

Group Director for Public Protection and Law Enforcement:

Well, we do not know that yet so that is really clear in terms of exploring the South West Ambulance Service on Monday exactly what that will look like. We put in the amount of money as an indicative bid for something I think that probably is in between those 2 concepts, so the very high-level concept of a completely integrated patient record system that H.C.S. are working on is at its very highest. At its very basic, as the Minister said, I think there are needs that we can meet.

Deputy R.J. Ward:

Could we be kept in the loop of the outcome of that?

Group Director for Public Protection and Law Enforcement:

Absolutely, of course, yes.

Deputy R.J. Ward:

Because I do feel a little - and we do not want to end negatively - that the goalposts have been moved a little there so we are just keeping a ...

Group Director for Public Protection and Law Enforcement:

Yes.

The Deputy of St. John:

Just to express our concerns or our reservations, Home Affairs are racing down the road spending money on electronic devices that, at the end of the day, are not going to be compatible with the system that has been put in and, if that happens, then that money is wasted money. It is not an efficiency saving. It is not a saving. It is wasted money.

Assistant Minister for Home Affairs:

Technically, it does not take much effort to make sure that your data will be compatible. The systems have changed completely in the last 10 years and, even then, our database could talk to each other so here, all we are going to do is be early because this would really improve the Minister's life.

The Deputy of St. John:

Well, you are saying that but you are peddling backwards in relation to the position you were in last year.

Group Director for Public Protection and Law Enforcement:

I think the key thing is to be clear about the scope so there is a very basic requirement ranging to the biggest requirement and we are very keen to chart our way carefully through that in conjunction with H.C.S. to make sure that there is not any nugatory spend or wasted effort but that we can, if possible and sensible, deliver immediate patient improvements, and that is our key strategic objective. We can come back to it.

Deputy R.J. Ward:

I will just finish off by saying that level of detail could have been in the Government Plan because there would have been clarity for us there and it was not and that is a concern.

Group Director for Public Protection and Law Enforcement:

Yes, I appreciate that, yes.

Deputy R.J. Ward:

I am conscious of the time. I just have one small question which, ironically, came out of a Roads Committee Meeting and I am sure they will be pleased to be mentioned. In the Highway Code, it mentions about green lanes, pedestrians, cars, cyclists and horses, I believe, having priority. Is there anything in the law to enforce that because it tends not to be enforced? I am unaware as to whether there is anything legislative that enforces that part of the Highway Code. I had to throw you a little curveball at the end there, Minister.

[11:00]

The Minister for Home Affairs:

No, and I will dodge it.

Deputy R.J. Ward:

That is a surprise.

The Minister for Home Affairs:

No, the road traffic laws are under the administration of the Minister for Infrastructure but my understanding - and we will happily check the Road Traffic Law or the speed limit rule that is made under it - is that these green lanes are simply matched with the speed limit of 50 miles an hour. The principle behind it, which was gone years ago, was that there was priority for cyclists, pedestrians and equestrian people and it was supposed to be lanes of particular beauty and nature to attract people. Now, unfortunately, by some Parishes, it is just used as a traffic calming measure.

Deputy R.J. Ward:

I think we share the issue that has arisen from that.

The Deputy of St. John:

But you do not have green lanes in St. Helier anyway.

Deputy R.J. Ward:

Exactly.

The Deputy of St. Peter:

They do.

The Minister for Home Affairs:

They do.

Deputy R.J. Ward:

We do, yes.

The Minister for Home Affairs:

Mont à l'Alabbé, I think, is one that goes on for ever.

The Deputy of St. John:

Vallée des Vaux is another one which has been ...

The Minister for Home Affairs:

Vallée des Vaux, yes.

Deputy R.J. Ward:

Okay, unless there is anything else that you want to ask or there is anything you want to make comment on, it is 30 seconds to 11 o'clock. Marvellously done. I would like to say thank you to everybody for your contributions and call the hearing to an end.

[11:01]