



Children, Education and Home Affairs Scrutiny

Panel

Quarterly Hearing

Witness: The Minister for Home Affairs

Friday, 13th July 2020

Panel:

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

Deputy T. Pointon of St. John

Deputy L.M.C. Doublet of St. Saviour

Witnesses:

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

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

Mr. J. Blazeby, Director General, Justice and Home Affairs'

Ms. K. Briden, Group Director, Public Protection and Law Enforcement, Justice and Home Affairs

Mr. N. Fox, Assistant Director for Criminal Justice

[10:00]

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

Good morning, everybody. Welcome to the public hearing for the Minister for Home Affairs. We will continue as we normally do with a Scrutiny Panel only this is obviously a virtual meeting. It is available online and it will be available to view later as well. Normal Scrutiny rules apply. Just to introduce ourselves first. I am Deputy Robert Ward, and I chair the Children, Education and Home Affairs Scrutiny Panel.

Deputy T. Pointon of St. John:

I am Deputy Trevor Pointon, Deputy of St. John, and I am a member of the Education and Home Affairs Scrutiny Panel.

Deputy L.M.C. Doublet of St. Saviour:

Deputy Louise Doublet, Deputy of St. Saviour 2, and a member of the panel.

The Minister for Home Affairs:

Constable Len Norman, Minister for Home Affairs.

Assistant Minister for Home Affairs:

Deputy Gregory Guida, Assistant Minister for Home Affairs.

Director General, Justice and Home Affairs:

Good morning, Julian Blazeby, director general, Justice and Home Affairs.

Group Director, Public Protection and Law Enforcement, Justice and Home Affairs:

Good morning, Kate Briden, group director for public protection and law enforcement, Justice and Home Affairs.

Deputy R.J. Ward:

I think that is just about everybody, officers and Minister. If we get started. First, just to ask the question, we will start with the Unlawful Public Entertainments Regulations. The Minister agreed to bring forward an amendment to the Unlawful Public Entertainments Regulations to time limit its effect to the end of September in line with the COVID-19 legislation. It was agreed in response to the panel's comments P.22/2020. However, in a written answer to the panel's follow-up questions sent to the Minister after the most recent public hearing the Minister noted that since the amendment was passed he had reflected on it and although the Minister would honour his commitment to bring the amendment he would speak against it and vote against it. Why does the Minister now believe that the amendment should continue to have effect and not be time limited as originally considered?

The Minister for Home Affairs:

It was originally considered at your request and it seemed like the sensible and pragmatic way forward but you will know, Chairman, that there was quite a bit of legislation which would pass through the Assembly at the onset of COVID. This was one of the weaknesses in the Unlawful Public Entertainments Regulations that was realised, that once the Bailiff had given permission for a public entertainment event he could not revoke that permission nor place additional conditions on that permit. Clearly that was a weakness and when situations arise that we are still going through, it seemed, and the States agreed, that it would be wise to have the conditions should a situation

arise where public safety was at risk, in particular, that the Bailiff could either cancel the event or put conditions on an event, which he was unable to do under the previous legislation. When the draft legislation was brought forward there was no time limit on it because my department felt, and I felt, it would be appropriate for this to be in the legislation and so the regulations fell in 2022, I believe it is. However, you did make the point that all the other legislation was time limited, and I agreed with you that we should bring an amendment to make it time limited. That of course is still what I will do if you feel it is appropriate. I do not feel it is appropriate because I think people need certainty, people need to be kept safe, and the legislation is perfectly serviceable and okay and those amendments should remain there. But I will be guided by you and if you want me to bring the amendment, as I said I would, I will do so because I made a commitment to you that I would do so. But if you feel that on reflection that perhaps the changes are appropriate then perhaps you might say to me: "Yes, we agree, Minister. We will leave it as it is." But very much your call, as far as I am concerned.

Deputy R.J. Ward:

I think it is a point of principle here in terms of emergency legislation remaining as emergency legislation. I think that is something we would need to look at and we talked to you about again. If there is an extension to that legislation for specific reasons then perhaps that can be understood but it seems to me to take away any time. Do you not consider taking away any time limit means we have effectively just introduced legislation but under a different guise and we need to be quite careful of that? I think the Assembly are very aware of that as well.

The Minister for Home Affairs:

You are absolutely right, Chairman. The regulations as amended was a change in regulations, a change in the process. I believe that improvements in the process, if you disagree with me please reflect, there is no panic because we have still got plenty of time before the end of September and if you feel an amendment should be brought I will do that. Of course you can bring one yourself, whichever you felt more appropriate.

Deputy R.J. Ward:

Deputy Doublet, do you want to ask your questions now?

Deputy L.M.C. Doublet:

Yes, absolutely. I wanted to ask about something that was on social media recently and just to make the point that the police are excellent on social media, and I think the panel will agree with me that they have been fantastic through the crisis. There was a post, which of course was well meaning, in regard to sexual assault and there was a lot of negative public reaction to that post. In particular, the tone and content being focused on potential victims changing their behaviour rather

than potential perpetrators changing their behaviours. I just wanted to ask the Minister if he knew what was the rationale behind taking that approach please.

The Minister for Home Affairs:

The media activity over this issue was for mainstream media as well as social media and I am grateful, and I am sure the police will be grateful, for your comments about their work during the pandemic and abilities to communicate with the public. That is much appreciated and something I would totally associate myself with and agree with you totally. Clearly what was happening at this time, the night-time economy was about to start again with many establishments being open for selling alcohol to 1.00 a.m. in the morning and it is quite clear, it is a fact, that many assaults, the majority of assaults, are related to the night-time economy; whether that be assaults on men or on women. This was an effort by the police to remind people that there is always this risk associated with the night-time economy and to do what is sensible to keep people safe. I know from some of the comments from social media that some people felt it was victim bashing, which of course it absolutely was not. But there are equally a number of people who appreciated the good advice given by the States of Jersey Police.

Deputy L.M.C. Doublet:

Can I just pick on what you mentioned there about most assaults happening as part of the night-time economy? I looked into this a little bit and I think you might be referring to the line on the social media post that said: "Statistics show that the majority of sexual offences occur during a night out." I do not believe that this is the case and is it possible that that line meant to say something like: "Most of the sexual offences which are reported to the police occur during a night out"? Minister, are you aware of some of the other data around sexual assaults and rape? Something I got from the J.A.A.R. (Jersey Action Against Rape) website, only around 10 per cent of rapes are committed by strangers and around 90 per cent of rapes are committed by known men. So are you aware of the concern around a lot of assaults happen in the workplace or in the home? Could you go back and maybe look at some of that research and reflect on that to make sure that the correct messages are going out?

The Minister for Home Affairs:

Absolutely happy to do that. Of course you are correct, the vast majority of assaults either on men or on women do occur on people they know. You are absolutely right. Stranger sexual assault is about 10 per cent of the cases that come through. You are absolutely right and I am quite happy to make sure that we have got all of our facts right; not a problem.

Deputy L.M.C. Doublet:

Thank you. We would love to hear ways in which the force moves forward in that area. One of the other concerns was victim blaming because where the communications are focused on the victim changing their behaviour, the flip side of that could be that when a woman or a man does get assaulted people reflect on that and they might think: "Why did you not behave differently then in order to avoid getting assaulted?" Could a more balanced approach be considered perhaps by including an emphasis on the vigilance of police officers, highlighting what the legal penalties are, and maybe revisiting the campaign that the police did about the importance of consent and making sure those messages are brought home?

The Minister for Home Affairs:

Yes, there is always ways of improving the messages. Absolutely. Whether you are a man, a woman, a young girl or a senior citizen, I think you should feel entitled to go out in the evening, enjoy yourself without a threat of any type of assault. Sadly that does not always happen and therefore the message to take sensible precautions when you are out and about I think is absolutely the right one, particularly as people have not been used for a few months to be going out.

Deputy L.M.C. Doublet:

Thank you, Minister. I would be really grateful once you have spoken to the police about getting the data right and the facts right in their communications and talking about a more balanced approach. Would you be able to feed back on those conversations to the panel please?

The Minister for Home Affairs:

Yes, of course. Only too happy to do so. I do appreciate your comments in this area; it is very helpful.

Deputy R.J. Ward:

Thanks for that line of questioning. It is a very important line of questioning, I think, and we will follow up on that. Deputy Pointon, we are going to move forward the questions we had on the domestic abuse legislation, would you like to lead on that?

The Deputy of St. John:

Yes, fine. Thank you, Minister, for coming to speak to us. We move on to domestic abuse and the proposed law that was in drafting stage earlier on in the year. It was said that we would have something ready for the Assembly for us to scrutinise and then ready for the Assembly for the end of 2020. I am wondering if you can tell us where we are with that domestic abuse law change?

The Minister for Home Affairs:

I am sorry I missed the last 10 seconds of that, Deputy. You went quiet. Could you repeat the last 10 seconds of your question?

The Deputy of St. John:

I was just wondering when we are going to see the introduction or the draft of a proposed law to deal with domestic abuse.

The Minister for Home Affairs:

Yes, of course. A very, very important issue. Absolutely at the top of my priority, as I have explained to you before, and I gave you a lot of detail towards the back end of last year when you asked me a written question on this very issue. There is no question it was our intention to bring the legislation forward before the end of the year but then of course, as we all know, something happened and that has put a tremendous amount of things back a bit. We have done, as you know, a lot of consultation, a lot of planning and we had an officer working on the legislation who was seconded to the department. Unfortunately, she was called back to her original department because of the pandemic but now she has been re-released, is back with us and is concentrating full time on this piece of legislation. But even with the best will in the world, I do not think it is going to be possible to bring that legislation forward before the end of the year. My real ambition now is to get it done in the first quarter or certainly the first half of next year. But it is very, very important to me that it is done without further delay. But it also has to be absolutely right and fit for purpose.

[10:15]

The Deputy of St. John:

Last time we spoke about this you had decided not just to co-op somebody in from another department but to recruit somebody to concentrate on this legislation. Did you do that or is that in train?

The Minister for Home Affairs:

My understanding is that has now happened. The officer who was seconded to us is now with us full time, that is my understanding.

The Deputy of St. John:

Have you any idea what sort of model this domestic abuse law is going to adopt? What other jurisdictions you could perhaps refer to in relation to the content of the proposition to come?

The Minister for Home Affairs:

We are looking at all jurisdictions but I think, in particular, we are looking at the models in the British Isles; in Scotland, England, Wales and Northern Ireland. I have to say after various briefings we have had that before COVID struck the Assistant Minister and I were very keen on the Scottish model. That is all going to be developed with further consultation obviously with States Members, with yourselves, and with the Safeguarding Partnership and other partners in this area. But that is the area we are going to be looking at and developing over the next 6 months or so.

The Deputy of St. John:

Are you able to give us a fairly precise time for this draft legislation to come to us?

The Minister for Home Affairs:

I do not want to be hostage to fortune. I said to you just now, it is absolutely top of our priorities, the Assistant Minister and myself, and one that we want to see on the statue book before our term of office is completed. It is such an important area. It has such an impact on so many people's lives and on children, on men and women in the family, and even the wider family. So it is very important to us that this comes forward. I have to say it is going to be 2021. My aim would be the first quarter. It may come into the second quarter, providing of course there are no other nasty things which put a stop to all that.

The Deputy of St. John:

God forbid there are any further nasty things.

Deputy L.M.C. Doublet:

Can I possibly just follow up on what the Minister said there? You are saying that this has been delayed, and obviously that is because of the extra policing work that has had to be done around lockdown and the extra work your department has had to do. Can I just ask exactly where this is in terms of your priorities? What other things are above this piece of legislation in terms of your priorities?

The Minister for Home Affairs:

I am going to ask Nathan to come in, in a moment. Nothing is above it in terms of priorities. But there are other pieces of legislation which are further advanced and closer to coming to the Assembly. That does not mean they are more important but it means that they are nearly completed and we have taken the decision to complete them and bring them to the Assembly while work continues on the domestic abuse situation. But, Nathan, I think, if you do not mind, you could ...

Deputy L.M.C. Doublet:

Could I just press further on that though, Minister? Is it the case that you have to continue this legislation that is nearly finished or could you consider causing some of those things ... I understand it is perhaps not nice to pause something near the end but given the news that has come out today from the Women's Refuge having to open a second home and about the influx of people needing to use the refuge over lockdown period, I am of the opinion that this legislation should be prioritised even over work that is nearly finished and I would ask you to consider that please, given the importance of it.

The Minister for Home Affairs:

Yes, as I say it is prioritised and what we will not allow it to do is will be to go ... the work will continue on the domestic abuse law but not to the exclusion of other things. We have other officers working on the other items that are coming to fruition. If you just let Nathan make a few comments on that I think that might be helpful.

Assistant Director for Criminal Justice:

The work has progressed through 2019 to the point where we are ready to produce law drafting instructions for the legislation. The real difficulty has been the Criminal Justice team is relatively small and all of the people in it, with the exception of me, have a reasonable amount of operational experience, which has made them extremely useful to Government over the past few months and other purposes. Certainly we had the issue with the secondment into the department from an operational department that unfortunately had to be cancelled but, as the Minister said, we have now recruited the relevant individual on a contract to us directly, so she is now working for us as our resource. She is prioritising domestic abuse work based on work we have previously done and based on her long experience in the area. So it is work that is very much continuing. I think what the Minister said, based on the briefing I have given him, is that there is work in other areas that can be done without doing significant harm to the timing of the domestic abuse law for the simple reason that there is going to be exchanges with stakeholders, there is going to be a review of the law drafting instructions as they develop, there is going to be legislative drafting time. During those times effectively there will be an opportunity for staff to work on other projects. So you might see other legislation coming out of the Criminal Justice section before domestic abuse legislation comes forward but it does not mean domestic abuse legislation work has stopped. It simply means the opportunity is being taken to complete other things in the same time.

Deputy L.M.C. Doublet:

I think, Minister, what we need to ask you on behalf of the public, given that this is of such interest to the public, are there any other ways that you could bring this legislation forward quicker if you acted with the urgency that the issue really necessitates? Are there any ways that you could make this legislation come forward quicker?

The Minister for Home Affairs:

If I can we will. But it has to be right. We have the resource to deal with it now that we did not have pre-COVID. It is all in place. A lot of the consultation has been done. We are getting to the stage of producing law drafting instructions. Believe me, it is absolutely the top of our agenda. I want it as quick as possible so need it to be right. Of course there is a lot of legislation which has already been approved, which helps in the situation, but we have to make sure it is right. Like coercive or controlling behaviour is not there at the moment. That is one of the things which I wanted in the law, which I want to bring forward. But as I say, it is going to take a little bit longer than we originally thought but I am very hopeful, very positive about bringing forward as soon as practical but it has to be right as well.

Deputy L.M.C. Doublet:

Could you tell us a little more about the element of coercive control please?

The Minister for Home Affairs:

There is not any legislation, as far as I am aware, at the present time and it is something which the law officers have brought to my attention and will be incorporated in the legislation which comes before the Assembly early next year, hopefully.

Deputy L.M.C. Doublet:

Deputy Pointon was asking earlier about different jurisdictions that you might be following and you mentioned Scotland. Is there any particular reason why you have chosen to perhaps model more on that? Which elements would you say are the standing-out elements?

Assistant Director for Criminal Justice:

Most British jurisdictions have some provision for coercive and controlling behaviour. It is simply a matter of which ... the law officers have taken a position on which one works best in law. The general impression is that the Scottish model is probably slightly better than the English one. There is an Irish model, which is of interest as well. But ultimately the mechanism is more for legal analysis but the policy intent behind the treatment of coercive and controlling behaviour is simply that when there is an assault in domestic premises and an individual comes to court for that assault, there is a feeling among many people who are involved that they are only ever seeing the tip of the iceberg. That that individual moment, physical assault, even though it is the crime at issue, even though it is the offence that is being dealt with by the criminal justice system at that time, it is not really the meaningful harm. It is not the only thing that has happened. It does not reflect necessarily the harm being done to the individual. It might be quite a minor assault. They are of course sometimes very serious assaults. But it could be a very minor assault and the criminal justice system is not in a

position without some treatment of coercive and controlling behaviour to either understand in itself or properly deal with the totality of the experience the victim has gone through in the relationship. That is the underlying point. As well as recognising domestic abuse as a specific offence in itself, as opposed to a species of assault or a species of some other offence, those are the 2 underlying points really that are driving the legislation forward and which jurisdiction we prefer within the British Isles or even elsewhere is more a matter of form. It is more a matter of getting that into our legislation in a way that is most effective rather than any fundamental difference in the underlying way they are treated. I hope that has helped.

Deputy L.M.C. Doublet:

Yes, thank you.

Deputy R.J. Ward:

Thanks for that and it is important legislation and we will keep asking you and keep you on your toes.

Deputy L.M.C. Doublet:

Can I ask one more related question please? Just to go back to the Women's Refuge, and I think myself and other members of the panel and the wider Assembly have asked in the past about the funding to the Refuge. Has the Minister had a chance to reflect on this given the legislative work that he is doing in this area and the news about the increased demand for the Refuge? Minister, will you be able to, in the future, ensure that the funding is increased so that less fundraising has to be done by the Refuge, they can therefore focus on victims a bit more and also to make the funding more secure so that it is not having to be applied for every year or every 3 years?

The Minister for Home Affairs:

I think the funding, it is not just for the Women's Refuge but there are a lot of organisations out there who have been assisting people who need help with their accommodation for lots of different reasons.

Deputy L.M.C. Doublet:

I am asking specifically about the Women's Refuge today.

The Minister for Home Affairs:

I know but we do have a wider remit than that. Certainly it was highlighted during the pandemic that homelessness, whether it be for the Women's Refuge or whatever, was an issue and a lot of money has been put in by the Council of Ministers during this emergency to assist people, like the Women's Refuge, like Sanctuary Trust and the Shelter Trust to ensure that people do have a roof over their

heads. We have made a commitment through the Building a Safer Society strategy, and Julian Blazeby is going to be leading, which is to reinvigorate that to make sure that all of the organisations, all of the bodies that we have an interest in are able to do the job as is necessary and as is required. So the answer is yes, we are going to continue to support the Women's Refuge in the most appropriate manner. But to say that they are not going to have to apply for funds or justify their funds, of course they are going to have to, the same as anybody else who requires taxpayers' money.

Deputy L.M.C. Doublet:

Will that continued support come in the form of any increased funding and increased security over time of that funding?

The Minister for Home Affairs:

If that is the appropriate way to go forward after we have done the analysis, done our consultation and established the need, the requirement, and the best way of doing things, absolutely because these things ... it is like the S.A.R.C. (Sexual Assault Referral Centre). A year or so ago there was a potential because the funding was not there that that might have to close. I was determined that that would not be the case and now we have secured significant funding for that project, which gives it security way into the future. The same thing will happen for other organisations that are supporting the more vulnerable members in our community.

Deputy L.M.C. Doublet:

So you agree with me that given the increased demand on the Refuge that increased funding is likely to be the most appropriate way forward?

The Minister for Home Affairs:

Yes, it seems to make sense to me that if you are providing additional facilities you are going to need additional funding. What the formula for that funding is, is a matter for discussion and debate.

Deputy L.M.C. Doublet:

Thank you.

Deputy R.J. Ward:

Thank you for that. I think what we will do is, I am aware that the officer has to leave early, perhaps we can move on to the fixed penalty notice legislation that we have talked about before, before we do the target operating model.

[10:30]

The panel recalls being briefed on the fixed penalty notice legislation being considered by the department and that would enable the use of penalty notices as enforcement during COVID-19. It was emphasised as being particularly necessary as Jersey loosened its lockdown restrictions. Now that Jersey is moving through the safe exit framework, what is the status of that idea currently?

The Minister for Home Affairs:

As far as I am concerned, Chairman, the work on the fixed penalty notice is on hold. Where it would have been extremely useful for the police and under advice from the Attorney General was when we had things like social distancing was a legal requirement, where not leaving your home for more than 2 hours was a legal requirement. It could have been a very useful tool because, as I explained to you when we met previously, the only sanction that the police had with the Honorary Police or the States Police if someone was not social distancing or was in an urban space when they should not be, was to arrest, take them to the police station, lock them up, bring down the Centenier to make the charge and then he would either release them before they had to attend the police court or hold them until they could attend the police court. What that was doing was against all the principles of the laws keeping people in isolation, keeping people away from other people. There was one occasion where someone was arrested and they came into contact with 13 different people before they were released and virtually appeared in police court. So that was the main thinking behind it but of course now most of the legislation has fallen away. I think the only legislation left is when there is a requirement for someone to self-isolate. Again, a fixed penalty notice might be useful in that area because if someone is required to self-isolate and they do not then you go through all that procedure again meeting a dozen or so people before you turn up at the police court. Really what is wanted is that they are kept in isolation. For the moment, it is on hold.

Deputy R.J. Ward:

There are a few things that come from that. One of the reasons was the enforcement of physical distancing. Are officers finding a challenge at this stage of the crisis to enforce the health guidance in the absence of the measure because there is still a need for physical distancing; the recommendation is at least a metre? We have had reports of groups outside particular venues, for example, and I was wondering whether the police have had any challenges there that they have identified to you, which may make you think again down this line.

The Minister for Home Affairs:

The police have had many challenges over the last 3 months or so and I recall what Deputy Doublet said a few moments ago, they have acquitted themselves extremely well and dealt with the situation extremely well. But of course now the legislations fall away. While we have one-metre physical

distancing that is guidance; it is not a legal requirement. Therefore there is no action the police can take if someone does not do it.

Deputy R.J. Ward:

That would form its own challenge. I think that is entirely the point that forms a challenge in policing. Just a question regards legislation then. We are saying that the fixed penalty notice was specifically for COVID-19 regulations so it is not being considered elsewhere and if it was that would be presented as a very different piece of legislation in terms of fixed penalty notices in general. Because I think the 2 did get merged a little among some people.

The Minister for Home Affairs:

Yes, they did. As much as I tried to explain the situation it was purely all the emergency legislation. Also of course what you have to bear in mind, until this week I think it is, Parish Hall Inquiries were not operating so there was no other sanction except arrest by the police and then the police court. Particularly the situation, things had to be dealt with fairly quickly. The Parish Hall Inquiries are now dealing with speeding offences and so on, which occurred 2 or 3 months ago. That is okay. I do not mind waiting for those but if someone is not self-isolating or someone is not physical distancing, those things need to be dealt with a lot quicker than 2 or 3 months. The laws are now falling away so the imperative is not there and Parish Hall Inquiries are now operating again.

Deputy R.J. Ward:

So the final word is that that legislation is on hold and it is not being considered now?

The Minister for Home Affairs:

That is absolutely correct as far as the Home Affairs Ministry is concerned.

Director General, Justice and Home Affairs:

Can I just add something please? Not specifically about fixed penalty notices but more broadly the principle of alternative methods of disposal for justice options. Obviously fixed penalty notices does provide an alternative route to a disposal option as opposed to taking somebody, as the Minister has often said, through a police station into custody and that route we are familiar with. We are also keen to pursue one of the recommendations from the Youth Justice Review, and that is around restorative justice. So it is not about the fixed penalty but again to emphasise it is more about what other disposal options can we have, particularly around young people to divert people away from the police station and more harsher routes through the criminal justice system and start to try and change behaviour through restoring justice, to bring in the victim and the offender together and looking at alternative solutions. Of course a lot of that is based on the Parish Hall system but getting restorative justice more broadly across as an option for the Island, not just in policing but we use in

education and other settings, I think would support that broader point about alternatives, that was all I wanted to raise.

Deputy R.J. Ward:

Thank you for that. I think we will talk more when we talk about the B.A.S.S. (Building a Safer Society) strategy later. We have got some questions on that. We have got quite a lot of questions so it might be a good time to move on. If I ask Deputy Pointon to ask some of the questions about the target operating model now. Are you okay with that, Deputy? We are not hearing you, so perhaps if I start with the questions you were going to ask and then you can come in later. Minister, in follow-up questions from the panel to the Minister after the most recent hearing the Minister noted that the work on the target operating model for Justice and Home Affairs has been paused, however Justice and Home Affairs now intend to issue a formal consultation response to staff and unions, setting out the final structure. That was designed by the Minister's service heads for proposed implementation of a target operating model that will enhance the business continuity of the work with the intention to do so as soon as possible. Can the Minister describe the final structure that he refers to here and how the structure intends to improve the delivery of front line services?

The Minister for Home Affairs:

It would not be appropriate, Chairman, for me to talk about the proposed final structure until the consultation with the unions, with staff members, with the departments has been completed. But what I could arrange of course would be a private briefing with the director general and Kate Briden to put you in the picture. We are going back to staff and unions next week with the model, which is being, as I say, designed by the service heads together with their senior management team. I think it would just be a little premature to go into detail at this particular stage, but I would be quite happy to arrange a private briefing for you with our officers. Julian, I do not know if you want to add.

Deputy R.J. Ward:

Yes, that would be a really good idea. Can I just ask though in terms of that consultation, there is a model been designed? How flexible is that model in response to consultation? So if I play devil's advocate, the consultation goes out and the response is: "No, that is a terrible idea" what flexibility do you have built into that model to respond to that consultation? Just before I finish, I will ask Deputy Pointon, if your mic is working please step in at any time.

The Deputy of St. John:

It is. For some reason it disappeared and I could not get it back and I could not reconnect.

Deputy R.J. Ward:

Let us have that question and then perhaps you can continue afterwards, yes?

The Deputy of St. John:

You carry on with this.

Deputy R.J. Ward:

So the flexibility issue in terms of response to the consultation.

The Minister for Home Affairs:

The consultation has already taken place and what is going to happen now is the response of the department to the consultation. I have to say it really is all looking very positive but there is always flexibility. Even when the target operating model is in place and operating there will always be changes to the way services are delivered and the demands on the services. So it has to be a flexible arrangement, an arrangement that moves with times and as service demands change.

Deputy R.J. Ward:

What was the period of that consultation? When did it start and end?

The Minister for Home Affairs:

Can I ask Julian to comment on that?

Director General, Justice and Home Affairs:

Thank you, Minister. Thank you, Chair. More broadly, we started the consultation before COVID, as you know. We then had to pause it because of COVID. So we did a number of things. When we recommenced the consultation we extended it, as you will be very familiar with; we had a 30-day or 45-day consultation. We extended it for a number of weeks to ensure staff had the opportunity to feed back.

Deputy R.J. Ward:

Sorry to interrupt, just dates. In Scrutiny I think times and dates are very important to us, as I am sure you will understand. When was the actual beginning date for that consultation and when was the pause period and when did it restart? Just so we have got some idea of timelines because it has been a very strange 6 months.

Director General, Justice and Home Affairs:

We opened consultation on 11th February. But you will appreciate that very quickly after that we had to pause it, and we made that very clear to staff that we were pausing it.

Deputy R.J. Ward:

That was paused on what date? Do you have a specific date?

Director General, Justice and Home Affairs:

I do not have the specific date. What I can say, the consultation then ran to 27th March. In total, the consultation was live for 45 days whereas the original process was to be for 30 days.

Deputy R.J. Ward:

During that time, the service was under huge pressure, was it not, and still is? Do you think that people had time and the ability to get together to discuss effectively, given the huge pressures that they were under? That is obviously the concern that we would have, in terms of the effectiveness of any consultation during that period.

Director General, Justice and Home Affairs:

And very legitimate concerns and certainly they were concerns that we also echoed as well. We are confident that staff did have the time and space to consider that over and above the pressures of managing COVID. Not all services were under immense pressure. Some were clearly, the police and ambulance service were one, maybe less so other services. But of course everybody was very busy and contributed hugely to the effort, not just from our department but across government. What we did was we spoke to senior teams of each of these services to seek their advice in terms of the additional period of consultation and their thoughts that they could give us to ensure that their colleagues had time to feed back. Moving it through to 27th March has enabled people to provide additional comments. A number of colleagues had already provided their responses, it is just providing additional time to either add to their responses or add additional new elements. So we are confident, along with the unions, that we were able to provide the additional space and time for that period of reflection.

Deputy R.J. Ward:

If there was anything afterwards with hindsight of COVID, for example, that may come out would you be flexible enough to say: "Yes, that is a very good point. We learnt something from this experience that would impact on the target operating model itself"?

Director General, Justice and Home Affairs:

Yes, and we have done that throughout the process where we have listened and reflected staff. So we met the unions early this week to talk about feedback. As the Minister said, quite rightly, we are then going to start a series of one-to-one meetings next week. So even though the consultation period is finished we will still be listening. If there are any particular points that we need to listen to more carefully we will. But we are going to start those conversations with colleagues next week. Service heads are really keen now. I think understandably you can appreciate, Chair, that we want

to move on from the period of consultation, deal with the clarity, enable service heads to get their operating models into position where they can concentrate on the rest of the year and get down to future business.

[10:45]

Deputy R.J. Ward:

Deputy Pointon, do you want to take over a little?

The Deputy of St. John:

No, it is fine. You have done a startingly good job, Chair.

Deputy R.J. Ward:

You are way too kind. I was going to ask then in terms of how ... the question about the delivery of front line services, you will not give us the model yet and we will have a briefing, but ... in fact, we will leave that question until next time when we have some more detail. Let us ask the question about efficiencies that are being considered as a result of the COVID-19 crisis across the front line services. What efficiencies are you considering - I use the word "efficiencies" kindly - what are you considering across front line services that may make a change due to the economic response to COVID.

The Minister for Home Affairs:

They are many and varied throughout the services sector we provide. It is right that all services throughout the states make sure they are doing things in the most efficient and effective manner. One of the things which was quite interesting was the use of I.T. (information technology) for the clearance of goods at customs and they found that during the 3-month COVID when we had the lockdown it worked extremely well. That is going to be extended and hopefully will save some revenue. Other departments have been looking at their personnel. Not at front line services because, I repeat, our front line services are not to be mucked around with. They will be protected under my watch but there are some backroom services, which can either be amalgamated or perhaps removed altogether. There are some positions which have not been filled for a couple of years and I suggest if you have not filled the post after a couple of years it is not really needed. So there will be some savings there. But we will also be looking at various other capital projects for 12 months or so to help with the States-wide revenues.

Deputy R.J. Ward:

In terms of not replacing posts, you are saying therefore you can assure members of the services that nobody will lose their job in efficiency savings?

The Minister for Home Affairs:

To be honest with you, Chairman, I do not see any room for any significant savings by removing existing staff. But obviously it will be wrong to say we are not going to look at everything. Now that is the right thing to do, to make sure that the services are running as efficiently and effectively as possible providing a level of service that the Island needs, expects and I want to give them. I do not think, and the Council of Ministers do not think, that this is a time for thinking about people losing their jobs. We have an unemployment situation now so we should be looking to increase the number of jobs available.

Deputy R.J. Ward:

There is not a recruitment freeze then, is there? Is there a recruitment freeze in your department?

The Minister for Home Affairs:

No. No, there is not a recruitment freeze. It is quite right that there is a group, and I am not sure if Julian sits on it or not, who will look at every application of the new positions or replacement positions to ensure that it is the right thing to do and at the right time. But we are moving up to 250 warranted police officers. Now I was hoping that they would be in place this year but because of delays in the availability of training and recruitment issues that is not going to happen until next year. That is not a freeze. That is just a deferment for very practical reasons.

Deputy R.J. Ward:

I believe that panel looks at all posts. It might be for another meeting. Deputy Pointon, do you want to move on to the questions on the electronic patient records before ... there are quite a few questions on the Building a Safety Society strategy that I think is very important that we cover? We have got about 40 minutes left.

The Deputy of St. John:

Yes, fine. Thanks for reminding me that I should be brief. December last year and we heard that you were very keen to get electronic patient records up and running. I am wondering if you could give us an update on where progress is at this moment in time.

The Minister for Home Affairs:

Like many of these projects, it has fallen behind. We were hoping the beginning of this year, it has been moved from this year's budget to next year but Julian will be able to talk more about that, I think. The project is continuing. We are working with Health and Community Services, with the Modernisation and Digital team, and the South-West Ambulance Service on the development of this facility which we consider very important to get away from paper records. We have had a number

of discussions with Dr. Andrew Mitchell who is very supportive of this initiative and he has confirmed it is in line with the objectives of the Jersey Care Model. It is progressing. It will be probably 6 months later than we wanted it to be but it is on the move and it is fully supported by Health and by the ambulance service.

The Deputy of St. John:

Where are you in terms of the stage at which you are at and the stage at which Health are at in relation to patient records?

The Minister for Home Affairs:

I do not know, Julian, if you could be more specific but my understanding is that this is one project with Health and Community Services, the ambulance service and ourselves are working together on the one single project.

Director General, Justice and Home Affairs:

As the Minister said, we are having good conversations with Dr. Andrew Mitchell to make sure that any connectivity and synergy between the direction of travel through the General Hospital and the work we do in the Jersey Ambulance Service is clearly in sync and making sure that we are not out of kilter with what they are doing. As the Minister mentioned, the project has been deferred to 2021 because of the funding pressures however that does also work with the South-West Ambulance Service because of the pressures they were under because of COVID. So we were unable to deliver the project anyway because of the combination of those 2 things. It is absolutely on track. We are getting the support from the senior clinician at the hospital, and their advice from Dr. Andrew Mitchell and colleagues is what we want to do in terms of electronic patient records with the ambulance service absolutely does tie in with their approach as well. If we get the ability to have electronic patient records with ambulances prior to the actual system in the hospital going live that is absolutely fine and it will eventually complement the internal process. So we have been very much guided, as you would hope and expect, by the clinicians who are very much at the heart of it in hospital.

The Deputy of St. John:

It is interesting to see that when we met over this last time we were urging that you perhaps step back from this until you had more integration with the Health system. You were not completely persuaded by that argument. But along came a certain virus and you have had to step back enormously subsequently. Perhaps that has done some good for the dialogue with Health in relation to this project.

Director General, Justice and Home Affairs:

As you say, COVID has brought a natural pause to a number of things, not just this project. I think it is fair to say we have very good support from Health and Community Services. They understand the drive that we are pushing but we must remember that that has come from the ambulance service itself. It is a project they tried to start a number of years ago and could not get traction on it, so they have seen the benefits of it being used in the U.K. (United Kingdom), particularly the South-West Ambulance Service, and they know how much easier it will make their job and make the patient experience better as well. I have seen that first-hand where standing in somebody's front room where somebody is seriously ill on the floor and you are having to fill in a huge piece of paper and ask different questions is not the best when you are trying to manage a patient. So we are very much guided by our clinician colleagues and I am confident we will move forward at the appropriate rate.

The Minister for Home Affairs:

As Julian just said, it is very much driven by the front line services, those that are providing the care both in the ambulance and the hospital. I get the impression that Health and Community Services are just as excited about this project as the ambulance service. They are working together to make sure that the approach is integrated and well co-ordinated. I spent some time out with the ambulance service and to see the paramedics filling in these A3 forms with pen and pencil and then handing them in when they get to the hospital, when they could, if the electronic system was in place, the hospital would have all the information before the patient arrives, has got to be good. It has to be good mainly for the patient.

The Deputy of St. John:

We never doubted that an electronic record system should be put into place. We were very concerned however that this should be married with whatever system Health adopted so that there was a seamless transmission of information between ambulance and Health. I am pleased that COVID intervened in that sense. But do you have now any date on which you might begin to implement the proposal?

The Minister for Home Affairs:

I think implementation is a little way off but it would really be nice if we could have something towards the end of next year. The project is planned for next year so, given a fair wind, hopefully it will be in place next year. Do not ask me when next year.

Deputy R.J. Ward:

I have got some questions now on the Building a Safer Society or B.A.S.S. strategy, and I mention what that B.A.S.S. strategy means for people listening because I am conscious that sometimes abbreviations are used and people do not get what they mean. The initial question, we received a

submission from Simon Harrison on the Jersey Substance Misuse Strategy, and that strategy concluded at the end of 2019 without any review or replacement, thus Jersey has been without a substance misuse strategy for 6 months. I just want to ask what the Minister's view is on this and why it was the case that this has arisen?

The Minister for Home Affairs:

I do not know why it has arisen but of course we are continuing to support so many of the organisations who received funding under the previous strategy, Silkworth Lodge and so on. The drug and alcohol strategy needs revisiting. It needs absolutely sorting. We need to have a proper strategy, which I think it could be argued that we do not have one presently. As a result of that, because of the sinkage, the Minister for Health and Social Services and I met in January and we discussed a wide range of issues around the effectiveness of current laws of the enforcement, importation and so on, and we even discussed the positives and negatives of legalising certain drugs for personal use in Jersey. Now these are just initial thoughts, initial discussions, and one thing we have now asked our director general, Julian Blazeby, who is going to set up a group to invest, develop and advise the Minister for Health and Social Services and myself on a full drug and alcohol policy. One of the more practical things which we were going to do, were looking at well in advance, was to have drug-testing facilities available at events like Weekender so that people, without fear of arrest, could have what substances they had or planned to use to be tested and they could be advised appropriately at these events. Of course with these events not happening now this year that will be delayed until next year, but it is something which I think would be welcomed as a trial, as a pilot.

Deputy R.J. Ward:

We have so many questions on this. I would say to the rest of the panel if I miss any please jump in. But I think it is very interesting that you mentioned the work with the Minister for Health and Social Services because would you agree that the approach that is taken is very dependent upon whether it is a health-based approach or whether it is a policing-based approach, which perhaps one might say could be more punitive.

[11:00]

So where do you see the approach going? Where would your preference be for an approach with regards drug misuse? Do you see it more of a health issue, 50:50, 60:40; I do not know if you can give us some sort of view on that?

The Minister for Home Affairs:

In my view the advice should be led by Health. The police will administer the laws that the States pass and agree to but Health have got to lead on the advice of the appropriateness of the strategy. It has to be very much with Home Affairs involvement jointly because whatever we do, whatever laws or sanctions that we decide to impose, clearly the police have got to be involved. They have got to be able to give advice how practical such legislation might be. But, Julian, you are leading this work, it might be worth making a comment.

Deputy R.J. Ward:

One of the reasons, before Julian answers, I ask is obviously it would be led by the director general of Home Affairs but it could be considered a Health issue. Obviously as a Scrutiny Panel we need to understand how these link together, and I think that is really important as well for the wider public. Perhaps you can address that as well in your answer.

Director General, Justice and Home Affairs:

I completely support the Minister's comments and your last observation, Chair. Based on my experience in this area and in terms of mental health a couple of things to mention. First of all, in terms of this is not under Justice and Home Affairs, through the One Government model and the fact I am the director general for Justice and Home Affairs means I can comfortably work across all departments with my colleagues to deliver. So, as you know, I chair the Mental Health Improvement Board. Mental health does not sit within my department, that is supporting health colleagues and driving improvements across the Island in relation to mental health. Very much in support of the Minister. This is all about harm reduction strategy. So you are right, it is health-based, it is societal-based, it is a social challenge in terms of drug and alcohol and other issues that mean we need to have a proper harm reduction strategy and what does that look like. Part of that will have an element in terms of justice outcomes but a significant part of that will be how we can reduce harm through divergence, through health schemes, through third sector, charitable sector. The example the Minister gave in relation to Weekender is a really good example where we sat down with the Minister for Health and Social Services and the Minister for Home Affairs and talked about how can we support people who choose to a lifestyle of abuse and misusing, in this case, drugs. So not start to look at greater enforcement but look at how we can reduce the harm. At the last Weekender event there was a number of people went into our General Hospital through substance misuse and we wanted to come up with a strategy where we can start to help people make some choices and reduce the harm on people by, in this case, illicit drugs. I think that is a good example where harm reduction is at the forefront of this work.

Deputy R.J. Ward:

There are a number of things that come from this. One of the things I will raise now is, and this is about building into the future because you have to know what has happened in the past, in 2015

annual reports were published on the wider B.A.S.S. strategy and it seemed that in 2016 there was a change of approach and there were no annual reports produced. So therefore we have not had one since 2015. Therefore, to a large extent, no public account of substance use in the Island since 2015. What are the reasons for not having that report and why has it been allowed to continue for so long? Does that leave a gap in knowledge of where we have been for future plans? Is that something you would be concerned about?

Director General, Justice and Home Affairs:

I absolutely recognise the points you made and your concerns. Obviously the OneGov model, I was not in post then and nor was the Minister in that period, but what we have recognised, and the Minister has asked us to do, is review in effect what you have just described; the 3 years of the strategy from 2016 to 2019 in terms of its effectiveness and what does the strategy deliver. Then the Minister has definitely asked us to start looking ahead at the next 3 to 5 years. So there is a gap. We are reviewing the strategy. The strategy was always designed to provide seedcorn funding for organisations in support of building a safer society to promote ideas and suggestions and then provide the money to see whether those projects worked. I think it is fair to say that over a period of time before Justice and Home Affairs and the Minister was in post that money became relied upon by a number of different organisations, which are doing really good work and they are making a real difference, but we have to and we are reviewing the strategy to see the best way to allocate that funding going forward. So if I look at the Victims' Hub, for example, which is a new concept of bringing together a number of different organisations in support of victims, that could well fit within a new strategy supported by the Minister that could benefit from significant funding. So we do need to look at how we can produce a different strategy that meets the needs of 2021 and beyond and how funding will support that.

Deputy R.J. Ward:

Do you accept that there has been a real change in the availability, if you like, of drugs, both illegal and even legal highs, and it is a very, very fast-moving context? The lack of a strategy over the last few years, do you believe that that has led to Jersey not matching the fast-evolving background effectively? So therefore we could have real problems in managing that changing landscape and it needs to be addressed as a matter of urgency, for example?

Director General, Justice and Home Affairs:

Certainly the environment and the landscape is changing and has changed and will continue to change as organised crime groups and illicit markets make available a customer-based strategy because it is driven by customers and need and demand. However, I do not think the Island has particularly suffered as a result of annual reports or the strategy waiting now to be reviewed because through customs and immigration, through States of Jersey Police and indeed through the drug and

alcohol services on the Island, there is still good co-ordination and discussions in terms of demand, in terms of impact on customers, and so those conversations are ongoing. You do see different initiatives and projects emerge and adapt as the market, as you described, does change. But I think it is clear, the Minister has asked us to look at going forward how the strategy can be developed; a new strategy that is supporting further a change in a demanding market.

Deputy R.J. Ward:

Do you think the support for young people is good enough at the moment? There have been really upsetting ... all deaths are upsetting but when younger people are linked to a drug death it has such an impact on groups of people as well. What needs to be done urgently to address that? We note there is not a lot on the Government website in terms of support and I just wonder how you are going to get that out there, particularly the Government is committed to putting children first, and what things can be done as a matter of urgency even within the current climate of economic pressure, to address those issues?

The Minister for Home Affairs:

One of the phrases we used earlier was harm reduction and that has got to be at the very heart of whatever strategy we bring in or we develop. But education and knowledge about these things I think is very important and this is why I was very keen and the Minister for Health and Social Services was also very keen on this testing regime where people could be educated and understand the substances that they were putting into their bodies and the possible results of so doing. Sometimes that information is not available to them although they are scared about getting that information but still prepared to take the risk. As you were saying, Chairman, it is a horrible and desperately sad situation when a young person loses their life because of these illegal substances. So I think it is helping to develop the knowledge of young people about what these things can do and trying to get rid of the myths surrounding it.

Deputy R.J. Ward:

You can see why our concerns over a lack of a co-ordinated strategy perhaps for some time leads us to have concerns over ... when you have that combined with a very fast-changing environment and a particular situation with COVID that has put pressure on people, which perhaps mainly down to drug misuse as a way of coping, there is obviously a real urgency for something to come forward. What sort of timescale are you looking for that panel to work and come up with some concrete actions?

The Minister for Home Affairs:

I will ask Julian to answer that specific question but you and I are at one on this, which is one of the reasons that the Minister for Health and Social Services and I got together, I know it was 5 or 6

months ago now but of course we have had the problem. I want it developed as soon as practical but, Julian, perhaps you might have some ideas.

Director General, Justice and Home Affairs:

The Advisory Council for Misuse of Drugs met last month. They have not been able to meet for a while, as you will understand, and they are very aware of the fact that we have been having discussion around drug and alcohol strategy and review the B.A.S.S. strategy. So I will have a meeting in the next 3 to 4 weeks with key stakeholders from across government and beyond to talk about specifically a drug and alcohol strategy. That is really important. That is slightly separate from the B.A.S.S. strategy so I want to just make that clear. The B.A.S.S. strategy is important in terms of the funding and make sure that is directed in the right areas but a drug and alcohol strategy will be separate to the B.A.S.S. strategy, and that is working again with colleagues in drug and alcohol services and Health and Community Services and others. Throughout COVID - you mentioned about COVID - so I was again chairing a meeting, particularly around mental health and of course there is quite a link as you know between mental health and sometimes drug and alcohol use, not always. So I was chairing a meeting with Mind, with our own mental health services, and drug and alcohol service lead to talk about the adverse impact of COVID where there may be substance misuse and there may be a link to mental health. I want to reassure the panel and listeners there is a continuing join-up of thinking around. The Youth Service have been involved, services across Justice and Home Affairs, to make sure whether it is people who go missing, young people, whether they may or may not have drug and alcohol issues, whether they have got mental health issues, that those organisations within government are having conversations and co-ordinate their activity. That definitely happened within COVID and that will continue to happen as we build our strategy going forward.

Deputy R.J. Ward:

I seem to be getting a theme that we are, would you agree, moving away from this issue from being a criminal issue to one that is a health and mental health concern, which I think is very welcome and may have more productive outcomes? Would the Minister and officers agree that we are seeing that? That is the theme that we are looking at here?

The Minister for Home Affairs:

Absolutely, which is why the engagement has started at ministerial level. Absolutely right.

Director General, Justice and Home Affairs:

Just to add to that, you will have heard the phrase before, you cannot police - from my experience, and the current police chief and others in law enforcement - your way out of this sort of problem. It has to be a harm reduction strategy and, as I mentioned earlier, part of that you would want, and

Ministers would want, it to have an element of law enforcement because you have to, but at the same time, Chair, you are absolutely right. This is around harm reduction, around the health of the Island and this issue around drug and alcohol and mental health.

Deputy R.J. Ward:

So there is really a move practically speaking in terms of scrutiny as well. It tends to be a move we are looking at towards Health and away from perhaps an emphasis in Home Affairs, from the Minister, in terms of this strategy. It is similar to what Guernsey did, I believe, in 2017, to give a more balanced approach, I suppose. Would you agree with that, that there is that shift?

The Minister for Home Affairs:

Absolutely. It has got to be a balanced approach. It is not one or the other. It is not Health or Home Affairs. It is Health and Home Affairs and the enforcement agencies and including customs and immigration working together with the support of the States.

Deputy R.J. Ward:

Does anyone else on the panel have anything on the B.A.S.S. strategy they want to ask that I may have missed?

[11:15]

Deputy L.M.C. Doublet:

Yes, please, could I just press further on the harm reduction? I have listened to the answers and I do feel that if the harm reduction approach is the approach that is being taken that it would sit better with Health. Is this not something that the Minister could consider discussing with the Minister for Health and Social Services to have Health leading this so that there is a truly harm reduction model being used?

The Minister for Home Affairs:

I see no reason why Health and Home Affairs cannot work together as equal partners in this. I mean Julian said just now and reminded us, we now have a OneGov operation. We are not working in silos anymore. We are trying really hard not to work in silos anymore. Therefore I do think it is important that we do not see departments as separate entities. These departments are armed for the state, which are going to work together for the benefit of Islanders. I do not think you should see Home Affairs as simply being enforcers and Health being the good guys, if you like. We are all on the same page. That is how I see it anyway.

The Deputy of St. John:

Minister, you mentioned a couple of times, testing at large gatherings. What do you exactly mean by testing? What are you testing?

The Minister for Home Affairs:

The drugs. Individuals at these festivals, as much as we like to think it was not happening they do occur at these festivals, and throughout we have looked at what happens in the United Kingdom and in many of these festivals drug-testing facilities in a marquee are available to the people who are attending, to have what they bought tested so they know exactly what they are using and have the opportunity of talking to a health professional as to what the effects of such substances might be and whether the substances are what they were purporting to be. This is always an issue, is it not? You are buying something and you cannot be 100 per cent sure what it is. This gives people the certainty.

The Deputy of St. John:

I have another one. In terms of harm reduction, what are the models that you are looking at around the world in relation to societies that have been quite successful at the harm reduction game?

The Minister for Home Affairs:

I think Julian's team will be charged to look at all jurisdictions to see what the effectiveness is of various strategies throughout the world. We have a duty to look everywhere quite honestly.

The Deputy of St. John:

So you are saying at this present time there is no focus on any particular jurisdiction and their response or their approach to the drug taking?

Director General, Justice and Home Affairs:

We are not focused on any one particular jurisdiction. I am sure you will know, Deputy, there are a number of different approaches across the globe, whether it is legalisation, whether it is harm reduction, whether it is diversion and a whole range of schemes. I think we have an opportunity to look at where it is working, where there is good practice and build from there. Even so, the Minister has not asked us to look at any particular one jurisdiction. I think you would like us, and I am sure you would agree that we would try and take the best of what is out there. We are not starting from fresh, we are not starting with a blank canvas. But we would want to explore and look at all the new emerging ideas in the current good practice.

The Minister for Home Affairs:

There is even zero tolerance in some jurisdictions.

Deputy R.J. Ward:

We have spent some time on that and I think that has been an interesting conversation. Just a few questions, we have got about 10 minutes left. I wanted to ask some questions regards policing now we have reopened borders and ask if there has been any impact on policing in the reopening of borders, any additional pressures, for example, that police officers may be facing due to that? I know it is early days but as travel numbers grow are you anticipating anything?

The Minister for Home Affairs:

I think the major impact on policing will be the monitoring and enforcement of isolation for those who test positive or those who decide to take the P.C.R. (polymerase chain reaction) test. It does have the potential to impact on resources. One police constable has been at the moment seconded to the enforcement hub full time. It is not just the States of Jersey Police who are dealing with the enforcement. The Honorary Police are very much at the forefront of this and so are the Environmental Health people. The States of Jersey Police will have an impact as the numbers increase. I anticipate it could be up to 10 officers a week, is the thought it might be.

Deputy R.J. Ward:

What about the policing of or the advice given regards health and safety guidance from visitors? I recognise it is difficult to ... perhaps it is not about enforcement but I think there is an important element for policing in terms of guidance from visitors regards the health and safety guidance that we have given to all Islanders which we still have to follow?

The Minister for Home Affairs:

I think that is fair. There is no longer a legal requirement. As you say, it is guidance so it will be a matter of giving advice, which the States of Jersey Police have always been doing since the beginning of this pandemic. But as I said, we also involve Honorary officers and Environmental Health officers. We are not going to be policing visitors, if that is what you are getting at. We will not be following them up.

Deputy R.J. Ward:

Has there been a discussion with officers about an approach that can be taken there because although you are not necessarily policing visitors I think there is an important role there regards that health guidance in the current circumstances because it is a very different circumstance? I think there is also concern within the community there.

The Minister for Home Affairs:

Sure, but all visitors, both returning local people and people visiting family or coming over for a short break, do receive all the appropriate guidance in written form. I do not know if you have something specific in mind, Chairman.

Deputy R.J. Ward:

I think it is just that I mentioned before reports of groups gathering and as the weather hopefully improves we will have more people out and about and more people here. I just wonder whether the police will be taking ... what type of approach they will be taking with that because there will be a need for sensible behaviour and the police will be involved in that.

Director General, Justice and Home Affairs:

Could I come in? I think the same applies to travellers on the incoming side as it does to Islanders. The public health guidance is really clear. That if you are from out of town specifically and when people arrive at the airport and harbour there is information visibly to see and leaflets are handed out. Those travellers will get a daily text updating them in terms of the public health guidance and asking them to monitor their own symptoms. So therefore the application of the public health guidance is very clear to everybody, whether it is Islanders or visitors. So from a policing point of view nothing is different, in effect, and it is important the public health guidance is adhered to, whether it is Islanders or travellers. But travellers get a more strict regime because they get text every day while they are here reminding them about the public health guidance and asking them to report on their symptoms, where clearly Islanders do not have that. So it is quite clear. It is a good system. We will keep it under review but I do think we want people to behave responsibly hence the increased measures for, particularly, new arrivals.

Deputy R.J. Ward:

Deputy Doublet has a question she has notified in the chat. We have got 5 minutes.

Deputy L.M.C. Doublet:

It is a very quick one. I just wondered about the civil partnership legislation being extended to mixed sex couples, which I believe you were planning for this summer, Minister, but has that been delayed and when will that be enforced please?

The Minister for Home Affairs:

Everything has been delayed but this one, if I remember correctly, is one of those which is quite simple, well-advanced, so should be able to come forward in the next few months. But I must double check that, but I am sure that is one of them that is pretty well-advanced and will be coming as quickly as possible. I have got some notes here somewhere but I cannot find them at the moment.

Deputy L.M.C. Doublet:

That is great. If you could let the panel know when you have the date that that would be enforced that would be great, thank you.

Deputy R.J. Ward:

I think that leads on to the question I was going to ask about what legislation do you have coming forward now, particularly we are moving through the safer framework quite rapidly? Let us all hope that we do not have to take any step backwards. So what legislation can we expect from you to have to scrutinise and take our time doing?

The Minister for Home Affairs:

The prejudice law - some people call the hate crime law, which I do not like that phrase, so we are calling it the prejudice law - we are gradually getting back to business as usual. That is at a very advanced stage. We have had the consultation, and I expect that to be lodged before the end of the year. Police governance, the draft legislation is ready to ensure the independence of the States Police. They are drafting. They require some more consultation but again it should be within the next few months, hopefully the next 3 months or so. Domestic abuse we have already spoken about. Youth justice policy has also been ... well, everything has been delayed by COVID but now I think, as Nathan said earlier, there is a full-time resource dedicated to that. I cannot give you a date on that but that is going to be a very major piece of work but we will keep you updated on that. One of the things that we are also doing is the Police Complaints Authority legislation. We have already sent you that last month so we can give you an update on that when you are ready. Hopefully that is going to be lodged later this month. Those are the major things. One thing that we have been working on is firework regulations. That also is going to be brought forward as well. I was hoping to get it in place before November but I do not think that is going to happen now.

Deputy R.J. Ward:

I have one thing to ask. We mentioned about the isolation ... there is an echo going on. I think it is Article 5(6) of the COVID-19 (Screening, Assessment and Isolation) (Jersey) Regulations. It is about the level of fines. Just briefly, how do you determine the level of fine issued in each case of that law? They are between £300 and £500. I think it is about breaching isolation rules, is it not, if somebody ... it may become important, hopefully it does not, with the changes to different countries and so on and so forth that have come through in the red, amber and green level of countries. Is that the law that will be associated with that, for example?

The Minister for Home Affairs:

The law is the Minister for Health and Social Services' law, not Home Affairs, but I understand that the fine for breaching isolation is currently £1,000 maximum. I believe that is going to be increased

but, as I say, it is not under my remit, to £10,000. The actual level of fine incurred will be a decision for the court, obviously not politicians.

Deputy R.J. Ward:

I think I answered my own question, it is the courts that define that, absolutely. Okay. We are just coming to a final couple of minutes. If there is anything else that the panel wants to raise please speak now. You have got a minute or so.

The Deputy of St. John:

I am fine but if the Minister wants to ask us anything.

Deputy R.J. Ward:

That is exactly what I was going to say next.

Deputy L.M.C. Doublet:

Not from me but thank you.

Deputy R.J. Ward:

Minister, anything you want to ask us or talk to us about?

The Minister for Home Affairs:

Yes, if you like, one thing I would just like to reinforce how valuable I find these meetings and Scrutiny hearings. I do find them very valuable indeed. It gives a good feeling to how people are thinking. But what I really would love is for us to meet physically.

Deputy R.J. Ward:

Are you referring to just me there or the whole panel?

The Minister for Home Affairs:

No, seriously. I really think it is a much better interaction when we can meet across a table and I think we are due to meet again in September or October. Even with the physical distancing I would just find it a lot more productive. It is much easier to relate.

Deputy R.J. Ward:

I think we all share the fact that we can do that at a time when we have got a real handle on this COVID-19 and I think we are all hopeful for that. So, yes, we would share that. It is exactly 11.30. It is great to finish everything precisely on time so I just say thank you to the Minister and the officers and thanks to the panel. With that I will call this hearing to an end. Thank you very much.

[11:30]