



# Children, Education and Home Affairs Scrutiny Panel

## Quarterly Hearing

### Witness: The Minister for Home Affairs

Friday, 11th November 2022

**Panel:**

Deputy C.D. Curtis of St. Helier Central (Chair)

Deputy B. Porée of St. Helier South

Connétable M. Labey of Grouville

**Witnesses:**

Deputy H. Miles of St. Brelade, The Minister for Home Affairs

Deputy L.M.C. Doublet of St. Saviour, Assistant Minister for Home Affairs

Ms. K. Briden, Director General, Justice and Home Affairs

Mr. R. Smith, Chief Officer, States of Jersey Police

Mr. N. Fox, Head of Justice Policy

[12:15]

**Deputy C.D. Curtis of St. Helier Central (Chair):**

Welcome to this quarterly hearing of the Children, Education and Home Affairs Scrutiny Panel. Today is Friday, 11th November. I would like to draw everyone's attention to the following. This hearing will be filmed and streamed live. A recording and transcript will be published afterwards on the States Assembly website. All electronic devices, including mobile phones, should be switched to silent. I would ask that any members of the public who have joined us in the room today do not interfere in the proceedings, and as soon as the hearing is closed please leave quietly. For the purposes of the recording and transcript, I would be grateful if everyone who speaks could ensure that you state your name and role. So, we will start as the panel members to introduce ourselves,

followed by the ministerial team. I am Deputy Catherine Curtis, the Chair of the Children, Education and Home Affairs Scrutiny Panel.

**Deputy B. Porée of St. Helier South:**

I am Deputy Porée, Vice-Chair of the same panel.

**Connétable M. Labey of Grouville:**

I am Connétable Mark Labey of Grouville and I am a member of that panel.

**The Minister for Home Affairs:**

I am Deputy Helen Miles and I am Minister for Home Affairs.

**Assistant Minister for Home Affairs:**

Deputy Louise Doublet. I am the Assistant Minister for Home Affairs.

**Director General, Justice and Home Affairs:**

Kate Briden, Director General for Justice and Home Affairs.

**Chief Officer, States of Jersey Police:**

Good morning. Robin Smith, Chief of Police.

**Head of Justice Policy:**

Nathan Fox, Head of Justice Policy.

**Deputy C.D. Curtis:**

Okay, thank you, everyone. So, the first question ... I will be asking the first question and it is to do with the Fire and Rescue Service. The recently released peer report for the Fire and Rescue Service talked about the need for the Minister and Director General to establish an agreed corporate risk appetite in relation to firefighter safety and that of the Island residents. Could you confirm what work you have done to review the fire and rescue sections on the Justice and Home Affairs risk register?

**The Minister for Home Affairs:**

Okay, thank you. Thank you for the question. The nature of the risks for the Fire and Rescue Service are recorded in the Government corporate risk register, and the risk is that they are all associated with statutory duties and relate to public and firefighter safety in operational service delivery. So, to that end, they are not owned or controlled by the wider public service; they are fairly restricted to the service. They fall within the legal competence of my ministry as Minister for Home Affairs and I am, therefore, the corporation sole and for whom specific legal duties apply. So it will

not come as any surprise that I take those duties very, very seriously. The chief fire officer also has a statutory responsibility to me for the effectiveness, efficiency and economy of service delivery. So the main discussion around risk is between the Minister and the chief fire officer, but the register - and that is where the Director General for Justice and Home Affairs comes in - ensures that those risks are recorded and tracked and makes sure that they are treated accordingly. So, although I am new in post, myself and the chief fire officer meet quarterly or we meet more regularly if necessary to discuss the risks and the strategic responses. The chief fire officer keeps the risks under constant review. He obviously reviews the risks outside the standard meeting times. But most of the key risks have been addressed now by the investment that has been proposed in the Government Plan.

**Deputy C.D. Curtis:**

Okay, great. What are the areas classed as extreme risk level?

**The Minister for Home Affairs:**

I am going to refer to the Director General here.

**Director General, Justice and Home Affairs:**

There are 2 key ones, both of which are addressed in the Government Plan business case. The first is around resourcing and succession planning, which is covered in a number of points in the peer review. The second is really around the concerns about the current capacity to deal appropriately with a high-rise residential building fire.

**Deputy C.D. Curtis:**

Okay, yes. We heard this quite a lot about Jersey as well for its size. Minister, could you provide some details about the future development of fire safety and fire precautions legislation?

**The Minister for Home Affairs:**

Development of the fire safety legislation is one of my priorities. Our current fire precautions law was written in 1977 and is, without doubt, in need of review. So what we are working on is to update the law to place the duty of assessing, recording and acting on findings of risk assessments to a responsible person, which will not be the Minister. So the current legislation that we have comes up with all sorts of challenges, predominantly because causing an inspection to be carried out by officers on their behalf and subsequently issuing a fire certificate, I am in effect conducting the risk assessment, the fire risk assessment. Modern legislation should place duties on those who are generating the risk to assess it and manage it so that will be one area of it. We do not have any accredited training in fire certification, although the firefighters doing this work in Jersey are operating within the national fire chief's council competency framework for fire safety regulators, so we need to get that specified. The issue is that the fire safety firefighters, they are also operational

firefighters and in doing this sort of work they are spending far too much time at their desks creating and administering the certificates. This time could be much better spent in the community conducting risk-based audits and inspections. The 1977 law is very narrow for Jersey. It will be for the Assembly to decide on the breadth and scope, but if it does broaden there is already insufficient capacity to conduct the work to certificate all the buildings that are currently in scope. So changing the duty holder balance will reduce the amount of administrative work required of the fire service.

**Deputy C.D. Curtis:**

Okay, thank you. So there is a lot to be done there?

**The Minister for Home Affairs:**

Yes.

**Deputy C.D. Curtis:**

But the published legislative programme for 2023 does not appear to include fire safety legislation, so could you confirm the timeline?

**The Minister for Home Affairs:**

Yes. I think what we will be doing in 2023 is some preparation work and that comes along with the investment monies, doing some preparation work with a view to taking that forward at a later point. Again, we have had to prioritise different pieces of legislation within our portfolio.

**Deputy C.D. Curtis:**

Is there any intention to include further requirements in planning and building laws for fire safety, particularly in relation to multi-occupancy buildings and developments in densely populated areas?

**The Minister for Home Affairs:**

I think, and again I am not an expert in this area because that would be my colleague in either the Environment Department or Planning and Infrastructure, the modern safety standards that are in current building applications and building requirements mitigate the risk for me. What I would say is that sometimes when significant volume of high-rise buildings are considered, there probably needs to be broader consideration of the fire response to meet any of those risks. But we have to bear in mind that certainly from 1977 modern building standards have very, very high standards in terms of fire safety and risk already so that can only be a mitigating factor.

**The Connétable of Grouville:**

A supplementary just as a comment, really. I have noted over certainly the last 5 years or so a lot more concrete modular building which is very much in response to that.

**The Minister for Home Affairs:**

Also the provision of smoke alarms, sprinklers, the use of modern materials, modern fire-retardant materials in building materials all mitigate against the risk of serious fire.

**The Connétable of Grouville:**

Our next question relates to the Ambulance Service. I think we have touched on this already this morning. The independent review of the States of Jersey Ambulance Service highlighted that increasing operational pressures had impacted the health and well-being of front line and control room staff. Aside from the Government Plan investment into the service, which action is being taken to address ambulance staff health and well-being concerns?

**The Minister for Home Affairs:**

As we mentioned in the previous hearing the well-being of staff is of critical importance to the ministerial team. Because of the resource constraints and the capacity restraints people have been working overtime and have been working without taking proper breaks. So ambulance staff receive the same well-being offers as all other Government departments and, as you will know, certainly well-being has been taken very seriously throughout the States of Jersey over the last couple of years. The service users debrief through front line managers post-incident to pick up any issues that are affecting staff well-being and that is fed into the ambulance T.R.i.M. process, which is trauma risk management process. But we have a review under way to improve the current offering with a more structured hot debrief process, and when we talk about “hot” debrief, we talk about that debrief happening quite instantly. If somebody goes to a particularly traumatic job, you would not wait 3 days potentially to talk about it. You would make sure that there was some welfare put into place immediately. In terms of rest breaks, the Government terms and conditions at the moment for ambulance staff mean that the rest breaks are unpaid. Manual workers receive a one-hour lunchbreak and the civil service receive half an hour. The union, emergency service side union, have been approached at the beginning of 2022 and I think they have quite rightly requested that the status quo remains in that they feel that there was sufficient time during the shift to get the necessary breaks without the need for set times for unpaid breaks, but it was again agreed to review that as part of the demand and capacity review. That was highlighted in the recent inspection with a view to having some planning around more formal rest periods. So, hopefully, again with the additional staff and in constant discussion with the unions, that might resolve itself in 2023.

**The Connétable of Grouville:**

My supplementary question was about rest breaks and so on. So we all understand, I am sure, as a panel that I am happy to say that we understand that when you go out on an incident you could

be out there for far longer than your allocated rest break and, of course, we understand that, but it is just glad, Minister, that you are going down that road.

**The Minister for Home Affairs:**

Absolutely.

**The Connétable of Grouville:**

The next question is about the ambulance response programme. Has the introduction of this programme helped the service with capacity issues?

**The Minister for Home Affairs:**

The ambulance response programme has helped somewhat but it is the demand and capacity review that will deliver the real improvements when we have a full understanding of, as it says on the tin, demand and capacity. We are expecting that at the end of this year so it is something that I will be interested to update you at our next quarterly hearing.

**The Connétable of Grouville:**

The supplementary to that is we are aware that a lot of these services around the country have had modifications for local conditions. Has that been applied to our service?

**The Minister for Home Affairs:**

What do you mean by modifications?

**The Connétable of Grouville:**

That the system has been modified for more rural situations perhaps with regard to all sorts of timings.

**The Minister for Home Affairs:**

Oh, with regard to timings?

**The Connétable of Grouville:**

Yes.

**The Minister for Home Affairs:**

Yes, most definitely.

**The Connétable of Grouville:**

Thank you very much.

**Deputy B. Porée:**

Minister, could you please provide an update on the joint work between the police and health and the community services to review and develop a protocol for the transportation of patients in mental health crisis?

**The Minister for Home Affairs:**

Yes, I am happy to provide that update but I think the Police Chief is here and probably has a more in-depth understanding of the challenges that we face around that.

**Chief Officer, States of Jersey Police:**

Thank you, Minister. Crime is down this year and crime was down last year, remarkably, off the back of COVID, but police demand is up. Police demand is up by about 6 per cent, which might surprise the panel and it might surprise Islanders. Round about 15 or 20 per cent of what the police does is crime. The rest is sometimes described as all the other stuff. One area where we have seen significant increases - that word gets overused but it is a significant increase - is mental health related incidents. So far, mental health related incidents as of today are up 27 per cent, nearly 28 per cent, and that is on an increase of last year.

[12:30]

On average, we estimate around about 4 mental health related incidents a day and that is people who are in some form of crisis. That has significant, as you can imagine, demand on policing. We have sometimes described ourselves as being that last social service, if you like, where people are calling us because they need our help. So the numbers are significant. We work very closely with Andy Weir. Andy Weir, as you know, has just been appointed as the permanent director for mental health. We are delighted by that appointment. It is true to say that it is very challenging to get progress. We are very keen, the States of Jersey Police, and I know my very first meeting with the new Minister, she asked me about the mental health suite and my first thought was: "How does she know about the mental health suite?" But the reason is because it has been talked about for so many years. Certainly, when I came here back in 2020 it was discussed then. The mental health suite will help us enormously by being able to put people in a health crisis in a secure place without the need to delay police officers. We have police officers spending sometimes upwards of over 6 hours, the other day 14 hours, while we detain someone under mental health legislation. These are people who are poorly and we spend an enormous amount of time waiting for them to be assessed while we are in the hospital. So, for context, in August we had 159 mental health-related logs, so calls, and we estimate we spent 1,700 hours dealing with that. In September, 132; 800 hours. On average, as it says here, we spend around about 5 hours per mental health issue. Now, quite rightly,

the Island predicted that we would see an increase in mental health-related incidents and colleagues in other jurisdictions are seeing the same thing. We have a triage arrangement where we try with our mental health colleagues to get, if you like, further upstream to be able to deploy, to be able to call and whatever, but that is not always available. Of course, at 3 or 4 o'clock in the morning often really the only service that is available is the control room that the Director General has already referenced. So it is a particular challenge. What we are very keen to do with the support from the Minister is to get a mental health suite and the latest ... it was supposed to be in November, this month. We are now hearing about the spring of next month. We need that because it would stop police time being, frankly, wasted while we hand over that issue. My final point on it is, as I say again, we have and enjoy a particularly strong relationship with Andy Weir, who is very receptive to our issues and concerns but does not always have the ability to solve them, for reasons I am sure you will understand.

**Deputy B. Porée:**

I can see a lot of resource is being used by the police to deal with mental health patients, but from a patient point of view what we hear is that sometimes they suffer stigma when they are picked up in police vehicles to be taken either back to their accommodation or perhaps to hospital. So, on that note, my question goes back again to the Minister. Is there any scope to provide the police with a safe and discreet vehicle for safely transporting patients in mental health crisis at the moment or it could be something that you would consider if the police are going to be taking so much more of those crisis issues as they happen?

**The Minister for Home Affairs:**

That is a very good point but I think there may be significant operational reasons why that is not possible. That might be down to security of the patient. It might be down to the security of the officers and just sheer availability of resources and unmarked vehicles.

**Chief Officer, States of Jersey Police:**

To support the Minister, States of Jersey Police should not be transporting patients because they are patients, and often less so now but certainly was the case that sometimes these patients, because it was the only place to put them was in a police cell, well, the last place to put a sick person is in a police cell. That does not happen very often. The last place to put a sick person, I would suggest, particularly sometimes with mental health illness, is in the back of a police car because they may feel as though they are being arrested. Equally, to argue against myself, that might be the only form of sanctuary people can get and that is a safe place. I would not be wanting to transport patients but what I would be wanting to do is to support others who are transporting patients. My final point is this. We have regular people who contact the police seeking mental health services and it is trying to deal with the causes, not the symptoms. Why do you need to call the police if you

are unwell? That is because of a crisis, so we need to just get further upstream to properly understand that. Often that is a tactical request because they know the police will turn up in crisis or it is because they cannot get access to other services which, working with Andy, we will be keen to provide.

**Deputy C.D. Curtis:**

It sounds like progress there then. I just have a question that comes out of that. Can you tell us something about this mental health suite?

**The Minister for Home Affairs:**

The mental health suite that is proposed for Jersey?

**Deputy C.D. Curtis:**

Mm hmm.

**The Minister for Home Affairs:**

Or a mental health suite in general?

**The Connétable of Grouville:**

Mm hmm.

**The Minister for Home Affairs:**

Okay. A mental health suite in general is a place of safety whereby somebody who has experienced significant mental illness can be taken either by the police or other practitioners, where they are assessed by qualified people who will then make the decision as to where they should be placed. I think it is fair to say that every local hospital in the U.K. (United Kingdom) has what they call a 136 suite in the U.K. Sometimes they are attached to accident and emergency, sometimes they are attached to mental health units. As the Chief Officer rightly says, I have been around a long time. I used to be responsible for custody and the establishment of this type of suite in Jersey has been a running sore. It has been deemed that there is not the capacity to put one next to ... within A. and E. (accident and emergency), and also you have to bear in mind the staffing issues as well because it is not something that would necessarily need to be staffed all of the time. But certainly my priority is reducing the reliance on the States of Jersey Police in dealing with these sorts of cases.

**Deputy C.D. Curtis:**

Which would be better for everyone.

**The Minister for Home Affairs:**

Absolutely, yes.

**The Connétable of Grouville:**

Perhaps that could be included in the new hospital plan.

**The Minister for Home Affairs:**

The provision of that sort of facility is definitely included in the new hospital plans, yes.

**The Connétable of Grouville:**

Moving on to the Moneyval assessment, please can you update the panel on the work being done by the States of Jersey Police to prepare for the next Moneyval assessment?

**Chief Officer, States of Jersey Police:**

Thank you, Constable. It is almost ... I can certainly talk about States of Jersey Police. There is a government-wide, Island-wide effort to prepare ourselves for the Moneyval inspection, which is around about September/October next year. Indeed, that preparation has been going on, in my memory, for the last 2 years. It is an incredibly important inspection. What surprises me is how few people know about the Moneyval inspection. It is important for the future prosperity for the Island and its reputation as well, about how well we protect the Island from money laundering and terrorist financing. The Government have invested an enormous amount of money in preparing for this and I congratulate them for doing that. Only last week we had a mock assessment where Moneyval inspectors carried out a mock assessment of various agencies, including States of Jersey Police, the Law Officers' Department, the Financial Services Commission and others over 2 days, where we were ... grilled would be too melodramatic, but it would be fair to say that we were asked a number of searching questions in readiness for ... bearing in mind it is just about a year away. But it is an enormous amount of work, so from an S.O.J.P. (States of Jersey Police) point of view we have now prepared our technical compliance questions. That is quite an easy thing to say and quite a difficult thing to do, while also keeping the current workload under way as well. There is also a number of other questionnaires, data submissions, all of which have to be in place before the festive break. We have all seen an uplift in resources as well so I have additional resources going into the financial intelligence unit, as well as one of my other units. So against a tough market in terms of recruitment, we have now got many, if not all, of those people in place. So over the next 6 months or so we will continue to do more mock evaluations and work closely with government, who take the lead on this. We are one part of that, one important part of that, in readiness for the inspection real September/October next year.

**Deputy C.D. Curtis:**

Okay. I have a question now about alcohol and drugs testing. So, is the alcohol and drug testing equipment currently used by the States of Jersey Police in line with the standard of equipment deployed in other jurisdictions, such as the U.K.?

**Chief Officer, States of Jersey Police:**

So we have 2 bits of equipment. They are called Lion intoximeters. They have been around for many, many years. They work; they are very good. Officers have to be trained to use that equipment. They are in our custody blocks. We also have roadside testing equipment that you may have seen on the television and so on. So subject to if there is a car crash, a collision, or we have reason to suspect somebody is under the influence of alcohol, there will be a roadside test. That has a series of lights on it. Red is, of course, a bad result in many ways and they will be arrested. When that individual arrives in the police station under arrest they will see a different machine, a Lion intoximeter. It all sounds a bit "Doctor Who" but it has been going for many, many years. You breathe into that and that will provide a reading and tell us whether or not you have too much alcohol in your breath. These are Home Office approved devices. The growing issue not just in this jurisdiction but elsewhere is also driving while impaired through drugs. So if drugs are suspected, blood and urine samples are taken by a force medical examiner in our police custody centres and those samples are sent to a States analyst and that takes around about 6 weeks to get the result back. There are in the U.K. the use of swabs, which I have not seen, or drug wipes, if you like, who can tell us about the immediate influence of drugs. They can tell us that somebody has cannabis and maybe other drugs such as cocaine in their system, but the introduction of these would require changes in legislation. I think that is something that we would wish to consider, accepting that it is often a very crowded legislative landscape. I think that is something that as we progress that will be something that the Island ... something I may put to the Minister when she has all those other laws that she needs to introduce during her period.

**Deputy C.D. Curtis:**

We had heard something ... one of the things we had heard about was on roadside drug testing which would ... I can understand this queue for legislation but it would presumably speed up the process for everyone concerned as well. Another question about the equipment: how regularly is equipment assessed to ensure it is fit for purpose and meets current policing needs? You have sort of explained that a bit.

**Chief Officer, States of Jersey Police:**

Yes. I do not know the exact period but they all have to be calibrated. In fact, they are calibrated, from my memory - it has been a few years - every time just before they are used. So there is some liquid solution that goes through. It swirls around, pushes it through the machine, it calibrates and then it does it.

**Deputy C.D. Curtis:**

Okay. My next question is to do more with community policing. Just before I ask the question, we recently visited St. Brelade's parish hall and heard about how fantastic the community policing is.

**Chief Officer, States of Jersey Police:**

That is a relief.

**The Minister for Home Affairs:**

Good.

**Chief Officer, States of Jersey Police:**

Which parish are you from, Deputy? **[Laughter]**

**The Minister for Home Affairs:**

Exactly.

**Deputy C.D. Curtis:**

So are there any plans to further expand the community policing team?

[12:45]

**Chief Officer, States of Jersey Police:**

I am delighted with our community policing. I will answer the question shortly, but the community policing team are one of the many jewels in the States of Jersey Police's crown. I hardly see a day when I do not see some reference on social media or elsewhere. They are incredibly active and they are dealing with a lot of those things that prevent the crime happening in the first place, which is infinitely better, and I am sure every Islander on this panel would agree. They provide enormous reassurance and they have, frankly, embedded themselves to such an extent that if I ever chose to remove them, then there would be some form of public uproar. I am delighted with what they are doing. The answer to your question is there are no plans to increase the current number of community police officers. Indeed, I believe I have got just about the right number, but where I do see we have got opportunities to develop is more effective problem solving. In fact, we have got problem-solving training this week and a bit next week, too. When I say "problem solving" it almost becomes and sounds a bit like a cliché, but I have already referenced in terms of mental health how we, the police, often deal with symptoms and not causes. Why do we often deal with antisocial behaviour, often associated with young people? Why it is often young people are associated with crime? Last year 10 young people committed 10 per cent of the total crime in the States of Jersey

and a lot of that is generational. What I want our community police officers to do is not just deal with what a lot of my other staff do - dealing with symptoms, for understandable reasons - I want them to get upstream and deal with the causes that generate these sorts of problems. Indeed, I was at a briefing with colleagues this morning and one of the community officers was telling me about a problem in another parish and what he was seeking to do, but that included getting partners in from across government, so that is where I see the real development. The real development is developing a problem-solving ethos, working with partners. My final point: it is too often the police are seen, quite rightly, as enforcers. We have enforcement powers, but enforcement does not always give you a solution. It gives a relatively short-term feel-good fix. I want us to be able to enforce, because that is our role and our duty, but I also want particularly our community officers to be thinking that bit further ahead to solve the problems in the first place.

**The Connétable of Grouville:**

If I may, just a comment, Chief Officer, not only about the comments we had in St. Brelade, but from my own parish's point of view, we find the community policing service exceptional and we hope it will continue for as long as we are all around, because we do need them. Thank you.

**Chief Officer, States of Jersey Police:**

Thank you, Constable. We just finished a survey, the details of which we will publish shortly, where we are asking parishes what is it they want from their community policing teams. We are keen to engage to find out how we can get even better in what we do, so thank you for your comment.

**Deputy C.D. Curtis:**

Thanks. Yes, there is a topic that was brought up to us as we were in town speaking to members of the public recently, which is something that perhaps the community police officers would be dealing with. This was a crime that is not dealt with at all, and this was the issues of cyclists using pavements and pedestrianised areas. This is quite serious, because a lot of people brought this up to us. Of course it is potentially very dangerous, so although we support cycling, it is something that should not be ignored.

**Chief Officer, States of Jersey Police:**

I can probably guess where you were when you were speaking to the residents. I was on patrol one day this week walking down the road - King Street, I think it was - and somebody was coming up to me on their pushbike. They are looking at me and I am looking at them, and they are looking at me and I am looking at them, and I am thinking: "In a minute you are going to get off" and then they got to me and they got off. There was a sort of standoff with a very pleasant person who thought it was okay. There is someone cycling just past there now.

**Deputy C.D. Curtis:**

There is someone cycling there now just behind you, yes.

**Chief Officer, States of Jersey Police:**

I will be back in a short time. It is a community policing issue, but there is also a problem-solving part to that, as I am sure you are aware. Signage has gone up, but the signage is ignored. I have had a number of meetings with Constable Crowcroft, who has also raised similar concerns. Enforcement does happen, because I have seen the town centre community policing team doing it, but we have to find a better way because it cannot just be that police officers are coincidentally there. Enforcement is some of it, but we also have to encourage people to understand why it is not a good idea to do that. That is around public safety and the rest. Finally, I recently met with a group of very interesting individuals who run a company that looks into behavioural insights. They are on the government framework. I met with them and they are coming to my senior leadership away day. In fact, I think we may have invited you, Minister - but we are not too sure how busy you are - on 22nd November. The reason I reference this is I am interested to talk to these individuals about how you, if you like ... some people call it "nudge", in other words, you stop doing that thing because it is not socially acceptable rather than the other element, which is enforcement. One of the things I have asked them to look at, for example, is speeding: how can we encourage Islanders not to speed? Well, I can put up speed cameras and I can get the great help from our honorary colleagues. It is not going to solve the problem, so how do we find ... so that is one question I could give to these individuals about how we can stop it because it should become socially unacceptable.

**The Connétable of Grouville:**

If I may, I will reiterate your feelings, Chief Officer, about speeding. It is largest and most prevalent in the parishes in rural communities and that is the most frequent complaint that we all get in the Comité des Connétables is speeding, so I reiterate everything you have just said.

**Deputy C.D. Curtis:**

Just to move on now to the subject of missing young people, the police annual report for 2021 stated that over £1 million was spent on searching for missing young people. Are the police the right service to send looking for missing young people?

**Chief Officer, States of Jersey Police:**

Would you like me to answer that? This year we have seen a significant difference, and I use that word again, but it is a quite significant difference. Yes, we thought we would spend roughly around £1 million looking for missing young people on an Island 9 by 5. The vast, vast majority of those missing young people were in the care of the Government. They are a relatively small number who regularly go missing and often ... well, Children's Services is powerless to stop it. That has changed

quite significantly this year. We have worked very closely with our colleagues from C.Y.P.E.S. (Children, Young People, Education and Skills) in particular, with some really good support from the interim Director General, Rob Sainsbury, who has been particularly engaged and, frankly, he has a good appreciation of risk. These are young people who have quite significant challenges and issues, often, I have to say, verging on a tragic upbringing. We have seen quite amazing improvements this year. We have seen a 16 per cent decline in the numbers of missing young people reported to the police. Some of that is around some of our policy changes, some of that is working more effectively together with our C.Y.P.E.S. colleagues, but what I would not want to give the panel the impression of is this is fixed because it is far from fixed. There were 2 missing young people last night; it is not unusual. Both of those missing young people I know, not personally, but I know their names because they are regularly missing people. While I have been in here, an email has come in telling me about what we are doing about it. We still have problems and we still have issues and we still have a lack of powers. We still are working hard with Maison around how we will look to divert young people away from crime, particularly when they are reported missing, but the numbers speak for themselves, a 16 per cent decline, which is good, but I am still looking at these numbers very, very carefully.

**Deputy C.D. Curtis:**

Okay, so that is an improvement then. We understand that police officers have a one-month period of notice. Please could you confirm if that period of notice for resignations will be reviewed?

**Chief Officer, States of Jersey Police:**

That is correct, and we are in what some people might see as a slightly bizarre situation, where police officers can give one month's notice and a member of our police staff can give 3 months' notice. The Deputy Chief Officer can give one month's notice and one of our police staff can give 3 months' notice. That strikes everybody as a bit bonkers. That was identified some time ago now. As the panel may know, the Government have introduced a review of ... not terms and conditions. Kate, what is the latest, the ...

**Director General, Justice and Home Affairs:**

It is the uniformed services review, but the police part is specifically about a review of the police terms and conditions.

**Chief Officer, States of Jersey Police:**

Forgive me, because it has had a few iterations over the years. One of the areas that we are specifically looking at is police notice. Even more acute given our jurisdiction, that you simply cannot recruit in a month. The glide path, particularly for a brand new probation officer from starting, is a year, so I have asked that we look to change that from one month to 3 months.

**Deputy B. Porée:**

I am going to ask a question about educational programmes both to the Minister and Assistant Minister for Education, if you want to answer. Please could you provide an update on the joint work between the Home Affairs and Education Departments to create an educational programme that will deter young people from crime? As we know, the police No Way!!! programme has run its course and it has been stopped now, so what other alternatives, if any, are we looking into?

**The Minister for Home Affairs:**

Within Justice and Home Affairs, the planning for the replacement of the Prison! Me! No Way!!!, if you like, has been going ahead for well over a year. I am happy to say that we are fairly well advanced in the preparations for that. There has been close work between colleagues at C.Y.P.E.S. and Justice and Home Affairs and we are looking to pilot sessions in secondary schools, which should commence in January 2023. The intention is that the programme will become embedded within the schools, but obviously continually be able to adapt to current trends around community safety. Again, as with the Prison! Me! No Way!!!, it will be a collaborative approach, so there will be staff from prison, there will be staff from police, staff from ambulance, but also, importantly, other agencies that have not been previously involved. Customs and Immigration, for example, will be providing some of the drugs input and also our colleagues at the Probation and After-Care Service will be joining in as well. It has been a long time in the making. It is regrettable that Prison! Me! No Way!!! folded, but we are where we are with that and we have taken the opportunity to design something else. It was one of my main priorities. It is one of the things that I said when I initially stood as a Deputy, we need to get back to focusing on community safety within our schools because it is critically important that we are able to make those relationships with children at the right point and that we are able to start working with children and young people about the consequences of their behaviour. The whole expected outcome for the programme is children and people are protected and supported and that overall we see some reduction in crime and antisocial behaviour through better decision making. At the moment it is known as the Jersey Home Affairs Community Safety Schools Programme, which hardly trips off the tongue, so I think the first task is trying to find something for it to be called.

**Assistant Minister for Home Affairs:**

The children might be able to come up with something.

**The Minister for Home Affairs:**

I think we will ask the children about that, and one of the things I have said as well is that this has to be a programme that is not just about information giving, it has to be engaging as well, but certainly the outcomes are varied.

**Assistant Minister for Home Affairs:**

Can I answer that? The Minister mentioned that the programme can be adapted to the current trends and kind of topical issues, and I think it is important to mention that it can be adapted to particular schools as well to meet the context of different communities, because of course different demographics and different issues occur in different parishes. It can be a tailored approach for different schools.

**Deputy B. Porée:**

But you will make sure that all schools equally will get that sort of programme?

**The Minister for Home Affairs:**

Core input, yes.

**Deputy B. Porée:**

On that note, will you be covering primary schools as well as secondary schools or are you targeting specific groups?

**The Minister for Home Affairs:**

Historically we have done both. We have done primary schools at year 6 and I think I am right in saying year 8 for the secondary schools.

[13:00]

I think we will adopt that model for now, but we will have a look at how the personal, social, health and economic education (P.S.H.E.) programme delivers certain messages at certain points to make sure that we are streamlining those messages. Also you do not want to frighten children by giving them too much information at an age that they do not need it, so it will be just kind of tailoring the input at the right time.

**Assistant Minister for Home Affairs:**

We are looking at the P.S.H.E. curriculum at the moment, so of course C.Y.P.E.S. and Home Affairs will be co-ordinating.

**The Minister for Home Affairs:**

One thing I did want to say is that it is my wish that this programme is not integrated into the P.S.H.E. programme. I want it to be separate. There is so much going around in P.S.H.E. that it is easy to think: "Well, it is just another session. Let us not deliver it" and the whole idea as well is about

building relationships between staff in the emergency services with young people so that they can see that in the same way that the community policing model works that people are ... you know, they are human, they are part of our community and they are somebody that you can engage with and make relationships and partnerships with.

**Deputy C.D. Curtis:**

That will have more impact, yes.

**The Minister for Home Affairs:**

Absolutely.

**Assistant Minister for Home Affairs:**

Can I add to the question about whether all schools will receive this? I think it is correct to say that this will be offered to every school, but of course while the department can require provided schools to take the programme on, the non-provided schools will have some discretion, but we would be strongly recommending that all schools take advantage of the offering.

**Deputy B. Porée:**

That will be good because we are all capable of crime, regardless, so thank you.

**Assistant Minister for Home Affairs:**

Yes.

**The Connétable of Grouville:**

Okay, moving on, if I may, this is a question to youth justice policy. One of your ministerial priorities is listed as: "Developing and delivering a modern and effective youth justice policy." When will this work commence?

**The Minister for Home Affairs:**

The work has commenced. The work has been going on since 2019, which was the ... well, it has been going on since 2016, which was the conclusion of the first Youth Justice Review we had. We then had a second Youth Justice Review in 2019, so there has been an officer that is dedicated to developing the policies. I think with COVID there has been certain interruptions to that, but also the strategy originally was subject to internal discussion and key stakeholders had very much a spectrum of views about how we should be dealing with young people. I have come in and put this strategy back on track. My instructions have been very clear, that we are to follow the terms of the Youth Justice Review and our vision very much is to have a youth justice system that treats children as children first, uses evidence-based practice and works collaboratively to reduce reoffending, and

by doing so, we have fewer victims and create a safer community for everybody. It is particularly important that we have a system that protects children's rights, that reduces inequalities and promotes their well-being because all children and young people need to flourish, need to reach their full potential and they need to make a positive difference. So the youth justice strategy is going to be largely welfare-based and looking at early intervention and preventative initiatives and that is a very clear direction from me to officers on how to develop that strategy.

**Assistant Minister for Home Affairs:**

I think that is echoed within C.Y.P.E.S. as well, absolutely.

**The Connétable of Grouville:**

Is there a timeline for publishing the new policy?

**The Minister for Home Affairs:**

I think we are hoping to have the strategy ready for consultation in quarter 1, 2023. We have invited the original authors of the Youth Justice Review to come to the Island early next year to deliver workshop sessions and certainly be available for the consultation. As part of that I would also like to implement a number of Knowledge Makes Change sessions next year, where we bring youth justice experts to the Island to be able to talk to us about what has been seen to be effective in other jurisdictions.

**The Connétable of Grouville:**

Do you feel there are any particularly challenging issues with regards to this policy at the moment?

**The Minister for Home Affairs:**

I think some of the challenging issues have been around the desire in some quarters to have measures that are punitive and too punitive. We certainly had been asked to concentrate efforts on developing legislation to provide civil orders, akin to the U.K.'s antisocial behaviour orders, and also to expand the powers of the court to place children and young people in custody. That is not a philosophy that I support. We should be looking at rehabilitation and restoration. We should be putting children first and treating them as children, so that is the very clear direction that I have given, and the focus now of the work is into early intervention and prevention initiatives.

**Assistant Minister for Home Affairs:**

The conversations around this area, I think there has been consensus that depriving a child of their liberty is the absolute last resort.

**Deputy B. Porée:**

Minister, this question is with regards to work permits. Within your ministerial priorities in relation to the Jersey Customs and Immigration Service, there is a reference to: “continuing to monitor and review the work permit policy.” Please could you advise whether there are any future changes planned for the work permit policy?

**The Minister for Home Affairs:**

The work permit policy has had very little use in Jersey since kind of the early 2000s and, of course, it came back into use following Brexit. We can see that, for example, in 2020 we issued 402 work permits, in 2021 it was 1,286, and in 2022 so far we have issued 2,462 permits. There has been a lot of learning to be done around the operation of work permits. We last updated the work permit policy in October 2022 and that is published on gov.je with some additions. We had a frequently asked questions section, which you would think would be obvious, but we have done that, so frequently asked questions about: “How do I get a work permit?” and so on. We have also signposted to the Moving to Jersey webpage and we have also made some clarifications that work permits need to be utilised within 3 months of issue, but importantly, we have stipulated that employers should use best practice under employment law in their dealings with employees. We have made it very clear that zero-hours contracts are not acceptable for staff who are coming in on a work permit. I just really wanted to go back to the stipulation from employers. We have had not only anecdotal but also evidence-based enquiries and concerns from people who are on a permit here that the terms and conditions that they have experienced when they have arrived have not been what had been sold to them when the permit has been first applied for. Certainly, my team at immigration are very alive to that. The employers now have to present a copy of the employment contract to Customs and Immigration to ensure that it is not a zero-hours contract, that they have full-time employment and so on. I have also spent some time with J.A.C.S. (Jersey Advisory and Conciliation Service) to understand what best practice is to make sure that my department is doing everything that we can to protect the rights of workers when they come to us in Jersey.

**Deputy B. Porée:**

I agree with you about best practice. It would be good to have an outline of what exactly best practice means.

**The Minister for Home Affairs:**

That is following employment law in Jersey. Employment law in Jersey is not the same as employment law in the U.K. We have also had some preliminary negotiations with the industry, particularly around the Jersey Hospitality Association. Clearly, people who are coming to Jersey need to be treated fairly, they need to be treated with respect, they need to be paid what we say we are going to pay. We have had some issues around significant deductions. We have also got some issues around whether deductions are made for transport and the permit costs themselves and the

visa costs, so we are going to be clarifying those with employers. There is a more broad piece of work going on about something that we have conceived as kind of an approved employer, so we would potentially only issue work permits to approved employers, and those would be employers who would have an undertaking that the necessary terms and conditions are in place, that they have processes and procedures around grievances, around disciplinary and so on.

**Deputy B. Porée:**

That sounds really positive, thank you for that. Do you have any idea at the moment how long? What is your timeframe for completion of the review?

**The Minister for Home Affairs:**

All of these things are ongoing. It is under constant review. It is not a review that has ... I kind of liken it as a piece of action research. Every time we start reviewing these and something comes up, we will respond to it immediately. We are working very closely with charitable organisations such as Caritas, but also J.A.C.S. What we really want to do is make sure that permit holders have the confidence to come to the Immigration Department and discuss their concerns. I understand how that might be difficult, how it might be intimidating, but we need to know what the issues are in order that we can deal with them. I think that the new cultural centre will clearly be able to have a significant role in welcoming people to Jersey and helping them to understand what their rights and responsibilities are and somehow acting as potentially an intermediary between employers. I also see the associations having a key role in that. Jersey Hospitality, Jersey Farmers Union, Jersey Chamber of Commerce I think could take a bigger role in ensuring that employees are properly looked after.

**Deputy B. Porée:**

I do agree with you immigration has got an important role to play and the fact that you mentioned that it could be a place where people could go for advice, but we need to open the doors for immigration first so people can access the staff and the support if it is going to be available there, but yes, it sounds quite positive. Thank you. You did also talk about quite a few issues that you have come across, but are there any major issues that you have been made aware of with regard to work permits that you have not had an opportunity to talk about?

**The Minister for Home Affairs:**

No. I think from an enforcement perspective, as soon as we become aware of issues ... so a particular issue is a person is issued a work permit for 9 months and then they turn up at immigration in 6 months and say: "Oh, the employer has got no more work for me." That is not acceptable. You have been issued with a 9-month work permit. The employer has to find the work. There has been a couple of those issues. What we are not doing and what I have asked the department to look at

is compliance with work permit policy. It is all very well having a policy for employers. Again, turning the clock back to the late 1980s, we used to do more compliance work, so we are looking at internally how we might find staff to be able to do random visits to employers and say: "Okay, let us meet who you have on work permit. Let us have a look at the contract" and those sorts of matters, so the team are working hard on seeing whether we have got capacity to do that.

**Deputy B. Porée:**

Thank you. Yes, I was in fact just looking at the fact of the vulnerability of the work permit workers, which is one of the things that has been brought up to my attention. Obviously, as time goes on we can talk further about that. Thank you.

**Deputy C.D. Curtis:**

Please can you update us on the plans to create a new Building a Safer Community strategy, to replace the previous Building a Safer Society strategy?

**The Minister for Home Affairs:**

Yes. The Building a Safer Community strategy, again it was an election commitment that I made, and certainly one of my main responsibilities. Work towards that Building a Safer Community has already been undertaken. We have had a very successful workshop with key internal stakeholders and that will be extended to partners moving forward into next year. Again, Building a Safer Community is a community safety strategy. We have not yet decided whether we are going to be pulling in the substance use strategy under that umbrella, but it is an umbrella strategy that will co-ordinate the activities and provide a strategic direction for a lot of the good work that is happening at the moment out in the community and ensuring that we are focusing on outcomes and ensuring that really everybody is moving in a similar direction to avoid duplication and provide a good service.

[13:15]

**Deputy C.D. Curtis:**

Okay, great. That substance use strategy will go ahead whether it is under that or something else?

**The Minister for Home Affairs:**

Yes. Substance use strategy is now in its final stages. We have got a draft. It is going to be presented to the executive leadership team on 30th November, then it will go to the Advisory Council on the Misuse of Drugs at their next meeting in December for final approval, and then we will be making some decisions about how we are going to disseminate that and take some of the recommendations forward.

**Deputy C.D. Curtis:**

Great. I have got one part of this question to ask and then one more question, if you did have a few more minutes.

**The Minister for Home Affairs:**

Yes, of course.

**Deputy C.D. Curtis:**

Okay, great.

**The Minister for Home Affairs:**

Is it that time already?

**Deputy C.D. Curtis:**

Yes. You see, we are enjoying ourselves. The panel understands that approximately one in 5 crimes in Jersey are recorded as involving alcohol in some way. What do you think could be done to deal with this issue?

**The Minister for Home Affairs:**

Again, the substance use strategy has lots of objectives on how to deal with that. We will be obviously taking a public health approach to that. The whole substance use strategy is around harm reduction. Of course, we do have some economic levers whereby we could just make alcohol extremely expensive. We had some discussion around the Council of Ministers' table about freezing alcohol duty. As the Minister for Home Affairs, I was very uncomfortable with that because we know that the link with price and alcohol consumption is well founded, well evidenced, but clearly I have the Minister for Economic Development on my left-hand side saying: "Well, what do we do about hospitality?" So it is always going to be that tension, but there is no doubt that alcohol is a significant driver of offending, less so in young people. We know that young people are less likely to drink alcohol to excess than older people, so it is really the 35s to kind of 55s that we need to be targeting. We know that there are issues around women consuming more alcohol than previously, so again, the strategy picks all of that up and offers constructive solutions.

**Deputy C.D. Curtis:**

That is interesting, yes.

**Deputy B. Porée:**

That is really interesting. I was not aware of that.

**The Connétable of Grouville:**

Yes, so it is just us then. Just one more. Jersey Prison Service: can you provide an update in relation to the status of the prison kitchen after the fire there earlier this year?

**The Minister for Home Affairs:**

Yes. There was a fire in the kitchen. We were at the prison yesterday and I said: "How did that happen?" and it was an accident. It was a bag of tea towels that self-combusted.

**The Connétable of Grouville:**

Yes, we heard that.

**Deputy C.D. Curtis:**

Because they got so hot, yes.

**The Minister for Home Affairs:**

Yes, they got so hot when they came out of the tumble dryer that they self-combusted, so there is a warning there about folding your tea towels and putting them into a plastic bag. The status is that they are still using the temporary kitchen, but we are now stopping using the hospital. The hospital were providing meals to the prison. They are now back up and running, they are cooking and preparing their own meals and we are just waiting for the insurance claim to come through in order to purchase new equipment and finish off the renovation there. I am told that the prisoners are happy that they have returned to having their provision of their own meals.

**Deputy B. Porée:**

That is good.

**The Connétable of Grouville:**

One more?

**Deputy C.D. Curtis:**

Yes. That is it then, that is the last one.

**The Connétable of Grouville:**

Yes. Please can you update the panel on the progress with regards to draft legislation required to create the system of post-custodial supervision in Jersey?

**The Minister for Home Affairs:**

I think again we have spoken about that. Again, this has been around for a very long time. We are quite unusual in that we do not have any statutory supervision of adult offenders. We do for youth offenders. At the moment prisoners are released at the two-thirds point of their sentence and they have no further mandatory requirements to liaise with the Probation Service or any other agency. The current proposals were developed by a group that were set up called the Post-Custodial Supervision Group, unsurprisingly. The first draft of the legislation has been completed, work is continuing into detailed development and I am hoping that we will have a draft for internal consultation in quarter 1 of 2023. It is not going to be called post-custodial supervision, I think it is going to be called end of custody licensing, which just sounds a little bit better. Then what that will do is ensure that prisoners who are released are subject to some kind of statutory licensing regime and statutory supervision.

**Deputy C.D. Curtis:**

I think that is it. That is all our questions done. Thank you for giving us this extra bit of time.

**Assistant Minister for Home Affairs:**

Can I add something? For any members of the public listening, we are running the Violence Against Women and Girls Taskforce consultation at the moment and we would really encourage members of the public who have not done so to contribute to the survey, which closes on 10th December.

**The Minister for Home Affairs:**

Thank you for that reminder.

**Deputy C.D. Curtis:**

Okay, great. Thank you, everyone.

[13:21]