



# Children, Education and Home Affairs Panel

## Quarterly Hearing

### Witness: The Minister for Home Affairs

Monday, 31st January 2022

**Panel:**

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

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

Senator T.A. Vallois

**Witnesses:**

Deputy G.C. Guida of St. Lawrence - The Minister for Home Affairs

Deputy L.B.E. Ash of St. Clement - Assistant Minister for Home Affairs

Mr. N. Fox - Head of Justice Policy, Strategic Policy

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

Mr. R. Smith - Chief of Police

[10:36]

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

Good morning, everybody, and welcome to the quarterly hearing with the Minister for Home Affairs. We will start with introductions. If people could give their title as well as they introduce themselves, that would be very useful for both the transcription and for any members of the public who will be listening or will listen later on. I will start the ball rolling. I am Deputy Rob Ward and I chair the Children, Education and Home Affairs Panel.

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

Good morning, everybody. Deputy Louise Doublet, vice chair of the panel.

**Senator T.A. Vallois:**

Yes, Senator Tracey Vallois, member of the panel.

**The Minister for Home Affairs:**

Gregory Guida, the Minister for Home Affairs.

**Assistant Minister for Home Affairs:**

Deputy Lindsay Ash, the Assistant Minister for Home Affairs.

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

Good morning, Kate Briden, Acting Director General for Justice and Home Affairs.

**Chief of Police:**

Good morning, Robin Smith, Chief of Police.

**Head of Justice Policy, Strategic Policy:**

Nathan Fox, Head of Justice Policy for Strategic Policy.

**Deputy R.J. Ward:**

Thank you everybody. We will start off, Minister, talking about the proposition P.117 that is coming to the Assembly on 29th about tasers. Minister, we understand from your response to our written question that you as well as the States of Jersey Police agreed that the 8 month trial has provided sufficient time to determine that governance arrangements in respect of to the management and deployment of specially trained officers, taser officers, has been successful. Considering the trial period was undertaken during the COVID-19 pandemic, what impact had this had on the evidence gathered?

**The Minister for Home Affairs:**

I will hand over to the Chief of Police but my understanding is that it had very little impact. Police worked pretty much as usual and certainly the cases where a taser would have been needed would not have been different from a non-COVID environment. But I will defer that to the Chief of Police, if you do not mind.

**Deputy R.J. Ward:**

Yes, please do.

**Chief of Police:**

Thank you, Minister. I agree with the Minister, I do not think COVID has had any impact whatsoever on the deployment and the gathering of the information or anything actually. The data should be just as good as it would have been pre-COVID or after COVID.

**Deputy R.J. Ward:**

Thank you for that. Do you think that the trial period reflected normal conditions and circumstances in relation to police operations as well the public presence and behaviour in terms of access to bars and restaurants being restricted at that time? There might not have been as many people out and about, there certainly were not as many large group gatherings for example. Can you truly say it reflected normal circumstances to curtail the trial to 8 months?

**Chief of Police:**

Well, I think, of course, as you have probably alluded to, Chair, COVID was never normal circumstances, was it, and I do understand the premise of the question? I think it is sort of some and some and I will explain what I mean by that. Of course we have not seen the night time economy light up even now and therefore our demand has not been great. Although it does not necessarily mean that we were using a taser or deploying tasers as much as we had done previously. While we may have seen less of that, potentially given people who are intoxicated with alcohol, et cetera, the quid pro quo to that is that we are already seeing incidents of people suffering from mental health crisis. In one way where we might see a reduction in terms of the night time economy and alcohol-related violence and whatever, I am confident that we will see more incidents related to people who are suffering from a mental crisis.

**Deputy R.J. Ward:**

That is why I am asking whether it would be beneficial to extend the trial period for further evidence gathering because you have that shift in demand being made on the police. That leads us on to a question: one of the recommendations within the scrutiny report R.6/2021 is that it would be beneficial to identify instances where taser was not used but would have provided a better tactical option if the option was available. You note in your response that this continues to be challenging to assess given the number of incidents attended by officers over the trial period, which are relatively few. With that in mind, would an extension of the trial perhaps over 2 years make it easier to potentially assess that type of data and, from your answer, the subsequent change in the demand made of the policing during this very difficult time for everybody?

**Chief of Police:**

My judgment would be, Chair, that the trial is not going to illustrate or illuminate anything more than it already has done, largely given the very small numbers that we have. However, I would not recommend to the panel that we extend the review period any further but what I would commit to

the panel, and indeed we would keep this information anyway, is all the data that we have collated and collected not only just for the panel but for our own consideration, we will continue to provide that information and happily continue to provide that information to the panel years into the future. But I would not see that we need to continue with the review for any longer than we have already agreed to.

**Deputy R.J. Ward:**

Why is that? Why would you not need to continue that?

**Chief of Police:**

My view, Chair, is that I do not think the numbers are going to be any different. What one year or, indeed, 8 months will show us would be very similar to the next year largely because the numbers are still very small. I think, picking up on your earlier question, what we will continue to do is gather that data anyway but not necessarily under, if you like, a trial period. I could provide all members with that information at periodic times whenever you should require it.

**Deputy R.J. Ward:**

Okay. In respect of operations, are police officers routinely patrolling on their own? Is that a default position for police officers now?

**Chief of Police:**

Ordinarily they are patrolling together if they are in police cars. Some police officers patrol independently because that means we deliver a greater response time and also that we ... there is no need necessarily for officers to always be patrolling together. We have more officers patrolling in pairs or together in cars during the evening, for reasons I am sure the panel would understand, but it is a question of some and some. Certainly our community policing team, which I am sure many of the panel members will have seen, patrol on their own virtually every single tour of duty.

**Deputy R.J. Ward:**

I suppose I am asking ... that is not clear as to how many officers are patrolling on their own and whether it is routine for them to do that, I have to say. Some and some is an answer ... you mentioned, for example, mental health crises and taser being an option during those situations. We are seeing in some jurisdictions around the world a greater emphasis on officers patrolling, for example, with mental health specialists in order to defuse those situations, whereas we - I suppose I can be devil's advocate to some extent - seem to be heading the other way. We are having more officers patrolling on their own but arming them with taser. Is that a shift that we want to see? Is that a shift that is going to happen? I ask you as the person in charge of operations but I also ask the Minister in terms of the principles behind this from the Home Affairs Department.

[10:45]

**Chief of Police:**

I will happily give you and the panel more information around officers who independently patrol. If I had the data now I would give it to you but I can give you more precise information should you require it. The issue around mental health. There are a number of other jurisdictions which I have worked in where police officers work with mental health nurses patrolling police cars and deploy to incidents of mental health crisis. That is what we describe as an external triage team because we already have a triage team but it does not deploy operationally, but they are available for that person to contact them to receive some, if you like, immediate advice. It is true to say that we would like to extend that facility for ... there are various restrictions in terms of those groups and how often they can be on duty. We would look to increase that because a triage team really does make a difference to people in crisis. Equally I would not want to - and I know you are not - conflate the use of taser to some of those ... the vast majority of our deployment to people with mental health crisis does not involve taser, as I know you understand.

**Deputy R.J. Ward:**

Yes, but it is the increased presence of taser may inevitably increase its use and I think that is what we are trying to get a better understanding of, the possible implications of this long term. Minister, do you have a view on that shift towards more officers having taser and what that might mean in terms of the use of taser?

**The Minister for Home Affairs:**

Yes, we need to remember the foundation of this. Tasers are used when there is a danger to life. So the way that we approach crises is quite important and I agree with the Chief that if we had a larger triage team or if we had access to mental health nurses to be sent to cases ... that is the other thing, you would have to have a specific recognised case and have somebody available to send there. But trying to go in that direction is absolutely logical, it makes a lot of sense. Tasers are there to be used when there is a danger to life. This will even happen when you have a psychiatrist with you talking to a patient. I think they are extremely useful and we need to have access to them.

**Deputy R.J. Ward:**

I can see there is a question from Senator Vallois. I will just ask one quick thing to follow up on that before we go to Senator Vallois. Can you confirm then that of all the examples that we were given within the trial, taser was used in all those examples when there was a danger to life?

**The Minister for Home Affairs:**

As far as I understand, absolutely, there was a danger to life when taser was used. These are the lives of the person or the policeman.

**Deputy R.J. Ward:**

Senator Vallois, do you want to ask your question now? I have seen the chat and remembered to open it.

**Senator T.A. Vallois:**

I would just like to understand and seek feedback, either from the Minister or the Chief of Police, around the use of the data and whether the data is sufficient in order for you to determine, if this does become permanent, whether it is a sufficient amount of data to seek whether there is a tipping point or whether there is a particular concern in which you, as Chief of Police, would consider maybe changing the rules around tasers? I just ask the question that maybe there is other data that you can think of?

**The Minister for Home Affairs:**

I will answer because, of course, I have had to analyse that data myself to make a decision. What we were looking for was the difference in pattern. We already had years of data of use of tasers. Remember that whenever we use the word "use" that means drawing it, just showing it off, it does not mean that you are hitting somebody. We have quite a large amount of data, not only from Jersey but also from around the world. What we wanted to see, and this is quite reasonable for you to ask, was whether there would be a change of pattern by using a different type of officer, you know, non-firearm officers, to use the tasers. It was a small sample. They are small numbers but the pattern is no different. We are not seeing a difference in use and the cases when they have actually been fired were really good cases. I think we have saved 3 people from harming themselves or being harmed by the use of taser. As far as I am concerned it is enough data to go on with it. I will ask the Chief his view on this.

**Chief of Police:**

Thank you, Minister, and thank you, Senator. Of course, we need the data - as has already been alluded to and is probably alluded to in your question, Senator - for me then to react to any changes in demand and whether or not we were using it appropriately, whether or not we see more incidents of violence and therefore protecting officers as well as Islanders. Again, the Minister has referenced this, when they are used - and used is a very wide word as the panel will know ... we deployed taser 22 times since 1st March but of those 22 times it was only fired 3 times. It was deployed 22 times; 13 of those times was using the laser dot and 6 of those times was when it was just drawn. As a preventative measure, 19 out of the 22 times it was not used in the way that we would understand it to mean. However, I am content that the data is where it should be but I will, of course, continue

to monitor it irrespective of what the panel requires because that is something I will need to do to determine whether or not I have got enough officers with taser; do I need to increase the numbers, which I have no desire to do currently because we have used it 22 times. The final point, if I may, is to add to ... because statistics, as they often say, can tell us everything and nothing. That is why the report that we have submitted has also given actual incidents so that you can get an appreciation of what officers have attended as well as having the numbers to back it up as well.

**Deputy R.J. Ward:**

I am conscious of the time that we have, so I want to put a couple of questions together. What impact, if any, do rebalancing measures on civilian roles within the Government Plan have on police operations? During the review in the Government Plan it was noted that the freezing of civilian posts could have a knock-on impact on police officers to undertake the tasks of civilian roles. Will that lead to more officers patrolling on their own and more officers being issued with taser as a protection during that time patrolling on their own? Are we going to inevitably come to a position where more officers will be issued with taser because of the knock-on effect of other things, given that the States of Jersey Police have an autonomy to decide on how many specially trained taser officers there are?

**The Minister for Home Affairs:**

I think I can answer this but of course I will ask for confirmation, but basically we are talking about horses for courses. I do not think the police will send a single officer to any situation that has the possibility of becoming dangerous. Whichever way they are protected, it would be very silly to do so. So single officers spread the use of police officers throughout the Island but of course they would be sent where there is no expectation of danger. When you have an expectation of danger you send a larger team. That makes complete sense. I will ask the Chief of Police to confirm that.

**Deputy R.J. Ward:**

I have got to say that from what we saw in terms of taser and its need when we were given presentations that is not the situation we saw. We saw individual officers where things escalated quickly and one of the reasons that it was said that we may need to increase taser availability is to protect those officers when they are in that situation. It may not be the intention to send single officers to dangerous situations, and we really hope that would not be the case, but it is not that that is the issue. It is the fact that taser becomes routinely carried by all of our officers in case because there are more officers on individual patrol and that protection is the argument that is being used. It is a delicate balance in terms of that argument but the unforeseen consequences are that the perception of the police will change because more officers will be on patrol using taser.

**The Minister for Home Affairs:**

Again, I will have to ask the Chief of Police but we looked at that aspect as well and it does not seem that anybody notices tasers. Sorry, people have not come back to us mentioning tasers. In fact, remarkably Len and I were surprised to see armed officers in the street ... so you have armed officers, and that has been standard for a few years, and nobody has noticed, nobody has made a point of that. I do not think that they are perceived differently because they are armed so I do not think the perception is very important there.

**Deputy R.J. Ward:**

Sorry, Minister, I would question you there because we have had comments from members of the public who were surprised and one that stands out in my mind was when there were armed officers very visible at the last time there was a Battle of Flowers. We had comments to us saying it is ... I cannot remember the wording but it was something like it is a shame that Jersey has got to the position where we have visible armed officers at the Battle of Flowers. That is the type of perception that we are talking about, these subtle changes that over time there is a gradual acceptance of change.

**The Minister for Home Affairs:**

That was not a subtle change, and again I will ask for confirmation but I am pretty sure that this was done visibly on purpose, that the main role of armed officers in the street is dissuasion. Again, nobody wants to get into violence from either side, so when we have a large event and when our tourism level is extremely high, like it was at the last Battle of Flowers, we are going to make a show that we are ready to respond. So I think that was a little bit different. It might have been a voluntary aspect of the teams going out to say: "We are ready to respond to violence if it happens."

**Chief of Police:**

Thank you, Minister. I think the Chair uses a very important word and that is "perception". Public perception is everything and public reassurance is everything. I am aware of the incident or the operation that he referenced because I was also asked. One of my jobs is to strike the right balance. Of course the desire is always to reassure and what we did with some people was not reassure. Police presence in your street because of a series of crimes is there to reassure but when people see lots of cops they say: "What is going on? There seem to be a lot of cops." I think the perception is really important. Picking up on taser, it reminds me of the conversations and discussions that were had a number of years ago now when the police service was looking to introduce PAVA spray and what is the public perception of now having a spray that can incapacitate people. Before that there was use of ASPs that were then being moved on from truncheons. The reason I am saying this, Chair, is the same discussions were being had. I have no plans to routinely deploy every officer with taser. I have no plans to do that because currently the threat and risk does not suggest that is



needed, not only to Islanders but also in the interests of their safety, which of course is vitally important to me. So I have no plans to extend it beyond its current remit.

**Deputy R.J. Ward:**

Okay. Just to say before Deputy Doublet has a question, one might have said that with PAVA spray there would have been no plans for every officer to have it but perhaps they are now deployed with it and gradually over time that becomes the situation. Plus there is also the firearms range that you are looking to develop so the training facility is there and there are no limits on the numbers that you could train because you have an autonomy over that. So I think there is concern in the public and I think for us as a panel it is our role to raise that concern to say in terms of numbers of police officers with tasers being deployed. Deputy Doublet, I will let you ask your question. I have got a couple more and I know we are going on but I think this is really important. Do you want to ask your question quickly, sorry, Deputy?

[11:00]

**Deputy L.M.C. Doublet:**

Yes, please. I just wanted to ask the Chief about with the increased capabilities of officers having things like tasers, what is being done within the police to make sure that that culture of policing by consent rather than by force is really integral throughout the force itself? Also, if the Chief is confident that that culture is there and will remain there, how will that be communicated to the public so that the public are aware of that and reassured by it?

**Chief of Police:**

Thank you, Deputy Doublet. I think this also links to the Chair's comment around perception, public perception, and also recognition that the police have equipment and powers that other Islanders do not have. It is something that I think the police service, and the States of Jersey Police in particular, should cherish but also recognise the importance of having it. Now, as panel members will know, those people that are selected to carry a taser have 5 days of training and you have seen some elements of it when we were looking to reintroduce this about a year or so ago and thankfully a number of Members came to see some of the training. The training is incredibly thorough indeed and I am satisfied, in fact confident, that those issues that you raise are considered. We have had no complaints in the 22 usages of taser, so members of the public where taser has been used have not made a complaint. Equally, and this is the other element that reassures me, for want of a better phrase, those officers who I have given taser to I think we would agree they are not trigger happy. It has been used 22 times but it has only been fired 3, so that provides me with a degree of reassurance. Equally, and the final point is, as you highlighted and as was requested, every one of

those deployments is now reviewed as part of the review of the body-worn video, so I can keep a close eye and my team do that as well.

**Deputy L.M.C. Doublet:**

Can I just press slightly further on the culture side of things? While I appreciate those answers, I did not hear anything specifically about addressing the culture within the police to make sure that there is a level of humility and respect in the police force. If there are not any measures to reinforce that culture in the police at the moment, is that something that could be considered to ensure that the police force is as effective as possible?

**Chief of Police:**

I care deeply about our values. I have been in the police service a long time. Last year States of Jersey Police reintroduced what we described as our policing principles, which was again to reinforce those things that we care most about - that is the police service - which includes issues of honesty and integrity. That was, if you like, a reboot. We also reintroduced what is held for by the College of Policing, our code of ethics. I genuinely would hold up the police service against any other organisation and share our policing principles and our code of ethics, which ensures that we operate in the right way. It is something I continually monitor, because I should because that is one of my jobs, but I can give you recent examples where we have looked to reinforce that in recent months.

**Deputy L.M.C. Doublet:**

Thank you. That sounds really good and I just think perhaps a bit more communication of that to the public is something that I think would be helpful, given the context of the mistrust in the police, I think in the U.K. (United Kingdom) more so than Jersey. I think knowledge and understanding of that by the public would just reinforce the work that is being done there and increase confidence.

**Deputy R.J. Ward:**

Thanks, Deputy. I have got a couple more things in this area and then we will go on to the drugs and alcohol strategy that Deputy Doublet will lead. When a taser is deployed, and particularly on a child or vulnerable person, what type of debrief is undertaken with that person as a precautionary measure with regards any resulting consequences or ongoing support for that incident? If something happens in early life, it could have knock-on consequences. We noted in your response that significant emphasis is placed on after care with an individual who is subject to taser. Could you briefly outline what after care entails and is a log of that after care kept?

**Chief of Police:**

Everything is logged irrespective of whether it is a young person or an adult. You would expect that, of course. The level of scrutiny that goes on with regard to taser is beyond probably anything I have seen in my service, often prompted by you. You will have seen in the information that we provided that the actual usage for people under ... for juveniles is very, very low. In fact, the number of times that a taser has been used on a person under the age of 18 is just 2 of the 20 and there is an example of when it was used. The after care, of course, is the same as we would give with an adult but we would not be able to do this on our own, so this would be with engagement with Children's Services, particularly if it was someone that was already known to us, which is highly likely to be the case, to see how they respond to it. But, yes, it is vitally important that we identify young people but we will provide that level of care whether it is a young person or indeed an adult.

**Deputy R.J. Ward:**

Okay. We have spent quite a lot of time on that. Deputy Doublet, are you okay to lead on the drugs and alcohol strategy stuff and I will step in with some of the questions later?

**Deputy L.M.C. Doublet:**

I thought we were going on to question 38. I am happy to do that one.

**Deputy R.J. Ward:**

That is exactly what I mean, sorry. I have got it written in red here on my desk. Do carry on, I mean question 38, yes, of course, apologies.

**Deputy L.M.C. Doublet:**

Okay, so some questions about actions to improve women's safety. Minister, can you update us on the work being undertaken to improve women's safety, including the timeline for this work, please?

**The Minister for Home Affairs:**

I will try, but it is immense so I will need some help from my Director General and the Chief of Police as well. We will all remember the Government Plan amendment from Constable Stone that requested a budget to look at the calls for evidence and the task force to be specifically directed at violence against women and girls. We are running with this as fast as we can. We are finding it very difficult - and it is something that we will see again today - to hire people for any tasks. We have the same problem as the private sector and it is just very, very difficult to find the right professionals. We are still trying to hire somebody specifically to work on this. We have not stopped. The work is still ongoing and we hope to have all the principles for the calls for evidence extremely soon so that we can have it and have the first meetings of the task force way before the elections. We hope that this will be very, very clearly established and I hope provide the results before the elections. I have made sure, because it was not absolutely clear in the proposition, that as many

bodies were included in the task force as possible, including the Members of the States wanting to participate. So it is going to be quite a large group but everybody will have a voice and will participate in this. So that is one. Of course, before that happens, we are not waiting. Sorry, I am really bad at remembering acronyms but I think I will ask the Chief of Police to help me with the project that was already started by the police before that happened and, of course, the fact that the same study has happened in the U.K. The U.K. has published a work plan to address it and that is something that again before the proposition we had decided to use here in Jersey. I will pass on to the Chief of Police.

**Chief of Police:**

Thank you, Minister. There are far too many full length abbreviations of some things, particularly if the police are involved. First of all, a statement, and I know myself and the Deputy have exchanged some emails on this subject, this is a strategic priority for States of Jersey Police into 2022 and beyond. It now features prominently in our policing plan for 2022, violence against women and girls. Part of that ... and the Minister referenced some of the things that were already going on prior to some of the tragic cases that we have seen more recently with Ashling Murphy. Work has been underway working with the Law Officers' Department as well so that we properly protect women and girls. The introduction of a R.A.S.S.O. action plan. R.A.S.S.O., as panel members will know, is a rape and serious sexual offences action plan where we can not only deal with prevention and supporting witnesses, which are 2 key elements of that strategy, but also pursuing perpetrators. That is one area where we all can improve. So looking at those 3 areas, the final bit that I will just add to is building on ... as the Minister described, clearly there is a lot of work going on on this, not only in Jersey but also elsewhere. I think, Deputy, I may have shared with you the National Police Chiefs' Council policing violence against women and girls national framework. States of Jersey Police have adopted that national framework. It is a very recent first year framework dated December 2021. My personal view is I think it is an excellent document which could really help us in Jersey. We are no different to anywhere else. The demands or the number of instances may be less but it is commensurate with our community. So I think as we progress with the funding that has been achieved, £200,000, for survey work, that collectively under this framework we have got the structure where we can proceed to keep victims, young people and children safer. It is very strategic, I know, but I think we have got a good direction with funding, which I am grateful for.

**Deputy L.M.C. Doublet:**

Thank you, and it is really reassuring to hear that the action has been swift on this and thank you, Minister and Chief, for that. Could you just outline the public engagement side of things? I just wanted to clarify. During question time - this was previous to the Government Plan - in response to a question from myself, Minister, you committed to carrying out a survey. Is that going to be carried out as part of this work?

**The Minister for Home Affairs:**

Yes, it will be a survey but it will be in the same model as the study that happened in the U.K. The idea is that you do not want to send a page with boxes to tick. You want to listen to people. That is going to be quite difficult but that is what we are gearing for. So you will be able to write, you will be able to call, you may be able to go on the internet, but we want it to remain analogue. We want for people to be able to communicate what happened to them in the freest possible way. That is why we are not calling it a survey but rather a call for evidence. We want to know as much as possible everything that happened in Jersey in the past years.

**Deputy L.M.C. Doublet:**

Is that going to give you enough in terms of data in terms of ascertaining the percentages of women and girls that have been victims of specific things?

**The Minister for Home Affairs:**

There are several aspects to that. I think that is where your group came in and changed things is that you do want to know the basic statistics, but I am pretty sure that we have an idea now but you just want to make sure that they are the right ones. So to go as deep as possible, again as open a forum as possible so that you catch as much as possible and see whether those statistics are valued. That is one part. The other part is that you also want to know about individual cases. You want to know about extremes. You want to make sure that you are not forgetting anything because you are making a general statistic about one type of assault. Listening to everybody and not having a formatted entry, not having them talk to a form I think is going to help in that, that we are going to discover specific cases that may be worth working on.

[11:15]

**Deputy L.M.C. Doublet:**

In terms of women and girls disclosing things that have happened, it is logical to assume that there might be an increase in demand for services in terms of after care and women wanting to report. Will the resources be there so that the services can cope with that likely increased demand?

**The Minister for Home Affairs:**

It is interesting because there are again 2 sides to this. One of the most difficult things with creating this review - well, we can call it a review - is anonymity. We still want people to be able to tell us their story and if they do not want any formal thing to happen. So that is one of the difficulties. The other one is that of course if they are willing to ask for help, we absolutely need for it to be provided. Do you mind if I ask Mr. Fox to elaborate on this?

**Deputy L.M.C. Doublet:**

Yes, please do.

**Head of Justice Policy, Strategic Policy:**

Thank you, Minister. To take the 2 questions then about statistical validity and outcome actions and to deal with the outcome actions first. On the task force we have Jersey Action Against Rape, Jersey Refuge, the police service, the health service as well as C.Y.P.E.S. (Children, Young People, Education and Skills) and various others. One of the main things in terms of our first conversations with them has been to try to make sure that we manage any resulting surge in demand because there are quite ... it is not a neutral act to wade out into public and start asking people to make disclosures of this kind. You have got a lot of secondary considerations. What do you do with disclosures of criminal offences? What do you do with disclosures of ongoing harm to individuals? What do you do with the fact that somebody might disclose that a child is being harmed and potentially in danger? What do you say to people when they have just told you something that has gone chronically wrong in their life and it is causing them ongoing suffering now? You cannot just then say: "Well, thank you for the data." So we are talking about how you connect with support services, how you connect with other services to make sure that there is always somebody available to pick up where the survey, the information gathering work leaves off. So that is the first thing to say. We have said to all the people who we have discussed the matter with on the task force, all the services: "This is probably going to generate demand. Talk to us about how you want to moderate that, talk to us about how you want to be able to be assisted in picking that up." To be honest, no one has come back and said: "We need resources." They have just said: "Thanks for the input. We will make sure that we are ready to pick it up if the time comes." In terms of statistical validity, I do not believe that within any reasonable parameter we are going to be able to come out the back of this and say that these are the quantitative figures. The Crime Survey for England and Wales can give you a quantitative analysis - and there is a lot of discussion about how accurate it is but it is very good, it is gold standard - on grey crime, that is unreported crime. Also if you wanted to use it for this purpose you could talk about intimidation incidence, feelings of lack of security that do not constitute crimes and you could say that there is a significant grounding here where we can take a quantitative view but, of course, that is in an interview survey format of quite a significant proportion of the U.K. population. I cannot remember exactly the numbers they do. We have been in touch with the Crime Survey for England and Wales and, not putting any weight on their figures, we have asked them to do us a quick favour, to think about it for an hour or so. We have not asked them to do a piece of work for us or anything but they are keen and helpful people. They have talked to us about the difficulties in scaling this thing down because if you want to ... and I should say that this feeds into early work we have done to try to get a Jersey crime survey, and you will notice we do not have one. As you scale down your population, you scale down your size and you scale down

your sample numbers, you start to get greater and greater risk of getting a single or a couple of erroneous inputs that make the figures go completely wrong. So as your population decreases your sample size decreases much, much more slowly to the point where we would need to do proper in-depth interviews with a very significant amount of Jersey's population in order to be able to say: "Right, to the same standard as other jurisdictions we are now confident in our crime levels", which is far beyond not only the funding available for this amendment but also any reasonable expectation of Government. We do not have exact figures but it would certainly be, we believe, in the millions and then you have to ask: why are you not simply devoting those sums of money to preventative activity, to police and to other things? How much can you evaluate that data? For the £200,000, the single hit survey, the self-selecting inputs we are going to receive because people are going to decide whether or not to call, I do not believe that you are going to be able to get quantitative figures out the back. What we hope we will be able to do is something like a heat map showing issues where they arise, talking about the better diversion of resources to try and police women's safety, raise issues in the public understanding. Perhaps there are groups of people who do not understand that certain behaviours are intimidating and they might need to be educated. We are going to be dealing with the psychs and talking about how this is all brought in the schools so that children grow up with more of an understanding of the issues. It is ultimately a qualitative piece of work, akin to the Irish model, which was given to us as the sort of general structure we should be following.

**Deputy L.M.C. Doublet:**

Thank you for those answers. Has any thought been given to putting questions in the, I think it is, Jersey Social Attitude Survey?

**Head of Justice Policy, Strategic Policy:**

It is J.O.L.S. (Jersey Opinions and Lifestyle Survey) now. That was our original chosen vehicle for some sort of Jersey crime survey. The problem is, J.O.L.S. goes to a household. So the crime survey: find a person in the house and come and talk to them in an interview and that is fine. If they want to disclose something, then the people are trained to be in the room and know what to do. J.O.L.S. goes out by post. So if you land a postal survey saying: "Have you been abused by a partner?" into a group arrangement where you have everyone sat around a table, there are quite serious questions about whether or not you are going to get the data back. It would probably be a disservice if we came back with chronic under-reporting and allow the Government to say: "Well it transpires everything is fine." Slightly facetious but J.O.L.S. is not a great vehicle for it and the J.O.L.S. timing does not work for this piece, so it would have to be something that we did separately and probably on a slightly longer-running basis.

**Deputy L.M.C. Doublet:**

Yes, okay, thank you. In terms of the task force, you mentioned several community groups, and it is great to hear that they are on there. If any such groups or individuals have inadvertently been missed out, is there a way that they can contact you, Minister, and would they be able to get involved? Are you open to further participants?

**The Minister for Home Affairs:**

Absolutely; my point was to make it as open as possible.

**Deputy L.M.C. Doublet:**

Who should they contact?

**The Minister for Home Affairs:**

Nathan.

**Head of Justice Policy, Strategic Policy:**

They can contact me, that is absolutely fine. I might say we started out with a very technocratic approach to the whole thing but the Minister has made it quite clear to us that we need to be much more community engaged and much more engaged with Members who have expressed an interest in the matter. So we are recasting it to be a much more societally-based piece and if any groups are interested in participating, we would be more than happy to read them into the whole thing.

**Deputy L.M.C. Doublet:**

Thank you. Just another follow-up to the Chief, please. I think it was the Minister mentioned about in the call for evidence how people would be able to make a disclosure without that pressure to go ahead and report it and go through that whole process. But I just wanted the Chief to confirm that in fact is that already not something that can be done via the police whereby if somebody has been a victim of a crime, they can report that to the police without having to pursue a conviction and arrest, that they can pass that intelligence on to the police?

**Chief of Police:**

The quick answer is yes but of course our top priority must be the needs of the victim and considerations to the victim despite what is often the case the police service wanting to catch criminals which is one of our other top priorities. But the victim comes first so the answer to your question is yes.

**Deputy L.M.C. Doublet:**



Thank you for that. Would you thus urge women and girls to come forward and report any crimes that they have been a victim of no matter how long ago it was and that they still retain control over what happens after they have given that intelligence to the police?

**Chief of Police:**

As you will know, Deputy, the Island has invested a lot of money into resources over the last few years, including the Sexual Assault Referral Centre and the Jersey Domestic Abuse Service, many hundreds of thousands of pounds, and with new capital funding for a new building to replace Dewberry House. But of course none of that matters if there is not the trust in confidence in the process. The vital thing is, is that any victim of crime, and particularly these crimes, the person telling us that information does so with complete confidence so they will be believed and that is the message. That is the message that I will give to those that are listening to this and how it will be published in the future.

**Deputy L.M.C. Doublet:**

Just to clarify that no matter how long ago the crime occurred, people can still come forward at any point to report it?

**Chief of Police:**

The date is really not relevant.

**Deputy L.M.C. Doublet:**

Thank you. I will move on, unless the panel have follow-ups. I think I can see ... is that Senator Vallois or was that a previous question?

**Deputy R.J. Ward:**

I have a follow-up I want to ask as well before we move on from that.

**Deputy L.M.C. Doublet:**

Yes, go ahead.

**Deputy R.J. Ward:**

Sorry, Senator, were you coming on screen because you are going to do the next question? Can I just ask a quick question? I will just ask the Minister and Chief of Police, one of the things that occurs to me is - and I absolutely support this improvement in women's safety - but one of the things that needs to be addressed is men and their perpetration of an attitude and the crimes themselves. So is part of this strategy going to push towards men recognising that their behaviour, particularly from a young age in school and what they see, needs to be addressed as well because I think that

is a really important part of this process? It is not just about women keeping themselves safe, it is about men acting in an appropriate manner so that women are safe around them. Would that be an integral part of this strategy?

**The Minister for Home Affairs:**

Interestingly, one of the first people who raised their hand to participate in the task force was the headmaster of Jersey College for Girls. You know how they were quite involved in their first survey for harassment and violence against their own pupils, so I think that was quite good. Of course, the headteacher of Victoria College had an immediate response and started working on their own pupils. I hope that we will have as many of those as possible on the task force because I do expect that what they do in the schools will be a major part of how we can solve the problem.

**Chief of Police:**

Chair, if I could add to the Minister's comments there. I, too, met with the principal of J.C.G. (Jersey College for Girls) last week and we touched upon these issues. Just going back to the framework I mentioned in one of my earlier answers, it is divided into 3 areas, as I mentioned: prevention, supporting victims and pursuing perpetrators. Under the prevention strand, I will read from here so I am absolutely clear: "It is addressing the attitudes and behaviour that underpin these crimes; education in schools focusing also on online abuse, safety in places in key public places and awareness-raising campaigns." That is one of the key strands of the framework.

**Deputy R.J. Ward:**

Okay, that is good. I just raised that because I think it is an important part of what we are talking about here. Senator Vallois, do you want to lead some of the questions now on the Building a Safer Society?

**Deputy L.M.C. Doublet:**

Sorry, I think there are a couple of more follow-ups that we have got on the legislation just on this area before we move on, Chair, if that is okay.

**Deputy R.J. Ward:**

Yes, sorry, it is the old hands up there. Carry on, yes, please do.

**Deputy L.M.C. Doublet:**

I will do my best to be quick. Just in this area specifically on legislation, is there any update on harassment legislation, Minister, please? In your answer also, could you address the other legislation in terms of the domestic abuse, the police complaints and Conduct Law? Also we were informed that the Prejudice Crime and Public Disorder Law would not be going ahead which would

of course have had criminalised misogyny. Could you update us on the rationale for that decision, please, and whether it is a final decision or whether there is potential to review that?

[11:30]

**The Minister for Home Affairs:**

Yes, so police complaints I think we are going to lodge this week or the next at the most. We are almost done on domestic violence which of course is the number one item on our list, so that is pretty much there and will be debated in March. I was really upset when it happened but it is a good thing, our Prejudice Law was based on the British law that is more than 10 years old and it was what we had at the time. We were pretty much ready to lodge it and then the Scottish came up with a much updated law that took much more account of the new landscape with social media. That was something that we did not have, that was not very well taken care of in our law. In seeing that, we saw how much our law would be outdated on entry which would have been really, really silly. So, it was hard for me to let it go because it was pretty much ready to be lodged but, on the other hand, I can see that it makes much more sense to try to include the place where most of the harassment takes place nowadays and it would have been remiss to not do that. So, again, very upset to not have it as one of our achievements but, on the other hand, I completely recognise that it needs rewriting from scratch to include this.

**Deputy L.M.C. Doublet:**

The Scottish version that you will be basing the new version on, does that address gender-based crimes?

**The Minister for Home Affairs:**

This will remain. If you remember, we had agreed to put misogyny as one of the hate crimes, so this will absolutely remain in the new legislation, there is no reason to take it out. We are not copying other people's legislation word by word but when they have a good idea it would be really silly not to take it into account.

**Deputy L.M.C. Doublet:**

I appreciate that commitment, Minister, thank you.

**Deputy R.J. Ward:**

I was going to ask a question about this. So are we saying that this has been delayed and will not be lodged now because there is a better version available? Have I got that right?

**The Minister for Home Affairs:**

Yes, absolutely. We can ask Nathan for a better timeline but I understand that it might be the end of 2022. Nathan?

**Head of Justice Policy, Strategic Policy:**

Well the hope is, Minister, as the piece of work has been effectively agreed and completed, and as there is a low expectation that any future Council of Ministers might turn around and refuse to take it forward at all, we can make the argument that we can use drafting resources otherwise unused through purdah and through the Government transition period to prepare something very early for the next government. Just to say on that, I think it is quite a brave decision because the Law Officers came back and they said in terms of final review, the final tweaks we need to make to the legislation to improve it would look something like this. You may know that in Scotland legislation that came out, I think, in 2019 does all of the things we need to do to finalise the law considerably better using fewer offences in a much more modernised way that deals better with online activity than simply calling it a “publication” or “words”. The 1986 approach the U.K. took which has been bent as social media has evolved to try to follow it mostly by judicial decision, I think it was quite a courageous decision because the Minister did have the opportunity to try and push the old legislation through even though he had been advised that it was not enormously suitable for the modern era now. The L.O.D. (Law Officers’ Department) advised us in 2019 on that.

**Deputy R.J. Ward:**

Sorry, Nathan, that is a really useful answer and I am glad we asked these questions today and it gives us some clarity on what is happening. Sorry, I did not mean to cut you off there but we have got so much to cover but that is a really useful answer and thanks for that. I think that covers something we would have written to you about anyway, to be quite frank, so that is a very useful use of this public hearing. Can we move on, Senator Vallois, to your questions regards the process referred to as B.A.S.S. (Building a Safer Society) Strategy so that people know what we are talking about. We can use that acronym now and hopefully people will know what we are talking about. Senator, I will hand over to you.

**Senator T.A. Vallois:**

Thank you, Chair. Minister, it is our understanding that work on a long-term Drug and Alcohol Strategy is being led by Health and Community Services. Are you able to provide us with an update on this workstream, please?

**The Minister for Home Affairs:**

Yes, I am sorry to say that it has been delayed again by recruitment problems, and it is a little bit outside of my hands. So, if you want much more detail, we can ask the Director General. Sorry, would you like much more detail? Kate, please?

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

Thank you, Minister. So I think it makes sense to make clear that the Health and Community Services team will have plans in place to have an active strategy around treatment for drug and alcohol issues. The piece of work that we have commissioned in Justice and Home Affairs which will be carried out by officers in S.P.P.P. (Strategic Policy, Planning and Performance) is about a broader strategy, about the effective drug and alcohol issues on the community under the auspices of the previous Building a Safer Society Strategy. That has been commissioned by us moving a sum of money from B.A.S.S. into S.P.P.P. for them to recruit a dedicated policy officer. That has not yet taken place which is the point the Minister makes about recruitment being delayed. I am meeting with the senior policy officer who will oversee it alongside a number of other issues in a couple of weeks with the relevant heads of service, including the Chief of Police, the head of Customs and Immigration, the prison governor and also the Chief Probation Officer to get some early input. I appreciate it might not feel like early, given we have been talking about it for a while, but as the work kicks off, early input from us into the policy officers' approach to it and then once they have got someone in post, we would expect the work to take off in its entirety. We are looking at about 12 to 18 months' worth of work to fully develop the strategy. That will give us the Drug and Alcohol Strategy and that will in time give us the basis for a new Building a Safer Society Strategy as well.

**Senator T.A. Vallois:**

Thank you very much for that. So you mentioned that Health are doing a piece of work on the treatment of drugs and as Home Affairs Department you have commissioned Strategic Planning, Performance and whatever the other P is, sorry.

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

Policy.

**Senator T.A. Vallois:**

Policy, in order to look at the wider scope of drugs and alcohol in terms of the effect of drugs. How will the 2 complement or work with each other? How do you expect that to come about?

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

So that is one of the key things that needs to be explored. We have of course wanted to make sure that we are focusing on the strategy in terms of the wider community but of course Health and Community Services work is really important too. I have to say I only have a basic understanding of what they are undertaking at the moment. Of course, one of the first tasks for the policy officer when appointed will be to work very closely with colleagues in Health and Community Services and

also their public health colleagues and make sure that we really explore that and do as you say and ensure that they are fully co-ordinated. So, it is our commitment to ensure that we will do that that I can give you today rather than the answer on how we are doing it but that will come in due course.

**Senator T.A. Vallois:**

So, just to clarify, will that process be carried out during the 12 to 18 months of work or will it be carried out after the 12 to 18 months of work?

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

No, it will absolutely be during and that will be a core part of the terms of reference not yet written and informed by this for the work.

**Senator T.A. Vallois:**

The intention is still a harm-reduction strategy?

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

Yes, that is subject to that discussion, as I say, on those really key principles and the terms of reference but I would expect that to feature strongly. I am sure Robin and other senior colleagues would agree.

**Senator T.A. Vallois:**

In terms of the leadership of this piece of work, is it in conjunction with Home Affairs, Health and C.Y.P.E.S. or is it led by the Minister for Home Affairs and then joining with those other areas?

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

I think ministerial responsibility for this aspect remains with the Minister for Home Affairs because of that element of harm reduction and the broader community aspects in terms of how our services and others interact with the strategy or are led by the strategy, but it will be a very collaborative piece of work across government, as you would expect. C.Y.P.E.S. also of course, very important in a number of ways and parts of their broader service to be fully engaged. We will draw up, as I say, terms of reference or something similar and perhaps sensibly bring it back to you either at the next hearing or in fact hopefully before that as an update to the panel. I think that would be very sensible.

**Senator T.A. Vallois:**

That is fantastic, thank you very much. We are aware that Guernsey has done a particularly big review around the interaction of health and the justice system, is that what you are deeming this commissioned piece of work to be similar to or are you looking at it a little bit wider than that or less than that?

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

Again, I think that needs some work around the definition. We were aware of Guernsey's work. I looked at in a bit of detail quite some time ago but I have to say I have not refreshed my mind on it. We had other interests in the interaction there as well but we will pick up on that and ensure that we look at it as part of the scoping of this work. I think we are looking slightly more broadly for Jersey because, as we have already discussed, the work needs to have a very wide collaborative approach across the justice system as a whole, not all of which is in Justice and Home Affairs of course, and Health and Community Services and C.Y.P.E.S. and possibly also other departments like Customer and Local Services who will be seeing individuals with drug and alcohol dependency issues as well. So, we will make sure it is as collaborative as possible.

**Senator T.A. Vallois:**

Can I just clarify, in terms of scoping and terms of reference, do you have a rough timeline on when you will expect to see your terms of reference for this commissioned review to be done? I know that you have got a delay in recruitment but is there an expectation when that T.O.R. (Terms of Reference) will be finalised?

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

It will be slightly dependent on the recruitment because what we are seeking to do of course is to recruit someone who is an experienced policy officer who has potentially also got some background in this area and they will have valuable input into it. The senior policy officer who will oversee it has got a detailed background in drug and alcohol issues and they are sort of desperate to get started on this but needs the support and the horsepower to do it. So, I need to check the recruitment timetable because of course S.P.P.P. are leading on that for us but I understand it will be out for advert or imminently out for advert very soon. The meeting that I have referred to is in the middle of February, so I would be hoping that everything would come together by no later than the end of March to have defined terms of reference to be able to update the panel, given your interest, and for the work to start in earnest. But, as I say, very happy to update you as soon as we can, be more firm on that.

**Senator T.A. Vallois:**

No, that is brilliant, thank you. Just finally from me before I pass back to the Chair, in terms of inclusion of the third sector, I do not like that word, our partners, in terms of delivering appropriate strategies, what involvement will they have and is it expected that because it has been commissioned by S.P.P.P. that it will ensure the kind of co-ordination and communication with other departments?

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

Yes, there are a couple of important points there. So that is exactly why S.P.P.P. are doing it as the policy experts rather than us trying to do it as a more operational department. But that said, we do have some of those operational links so of course Robin's team in particular will have links across the wider justice system. I had some time ago some initial discussions with Silkworth Lodge because clearly they and others have got a very important part to play in delivery both across the H.C.S. (Health and Community Services) space and the strategy space as we have outlined today in the future of our drug and alcohol and there will be other partners of course that we will engage with. Again, that all needs to be defined in terms of the way that the policy officer, when appointed, approaches their task and will be influenced, obviously by the Minister, but by me and other senior officers in the J.H.A. (Justice and Home Affairs) and S.P.P.P. teams as well.

**Senator T.A. Vallois:**

That is brilliant. Thank you very much, I will pass back to the Chair.

**Deputy R.J. Ward:**

Yes, from all of those answers, I suppose the question I am going to ask for the purpose of clarity, while working to develop a new long-term drug and alcohol strategy, is Jersey absent of a workable strategy considering at best the Building a Safer Society Strategy covered 2016 to 2019 or is that strategy still being implemented now? If not, how are its objectives being addressed currently? Because I can see all of the things that are happening in terms of trying to find someone ... and I thought the policy was going to be in place by the end of this year, that is what we were told in July 2021, because I have got the transcript up in front of me, to be quite frank. Where are we now, what is happening now and how are those ... what I just said, to be quite frank. Yes?

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

So I have not got the transcript up in front of me, Chair, but of course I do recall that. I think that was on the basis that we would be able to recruit to the officer post very much more quickly but equally once the very initial scoping of the work in order to do the recruitment has been done, we realised that it needs a longer period of time as we have just covered with the Senator. There are a lot of issues to cover and to ensure that we are engaging in. As I said, we are very keen to come back and update the panel with firmer timings around the work, when it can start in earnest as soon as we can.

[11:45]

**Deputy R.J. Ward:**



So, current strategy, what is happening now? Is the current strategy still being funded and what is it?

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

So the Building a Safer Society Strategy which existed, as you said, from 2016 to 2019, did end at the end of 2019. But we still operate the principles of it in terms of how we award money from the Building a Safer Society Fund to allow a smaller number of organisations and priorities as a holding position effectively. We wanted to create a whole new Building a Safer Society Strategy much more quickly than we have been able to but for various reasons, including resourcing and COVID, have meant that we have not been able to do that. We are now keen to ensure that while 2022 will be another holding position year for B.A.S.S., and perhaps we can come to questions about that more broadly shortly, I suspect you will want to, we want to make sure that by the beginning of 2023 we have a clear new position around a Building a Safer Society Strategy. I think that has got to start with a question of do we need a new Building a Safer Society Strategy or have the principles been replaced by other strategies, so the Drug and Alcohol Strategy standing in its own right, the work that we are doing on youth justice and the work that we have just discussed around violence against women and girls, domestic abuse and other legislative priorities in this space. It may be that once we evaluate all of that, the conclusion of the policy team that obviously recommend to the Minister and for him or her in due course to make a decision, is that we do not need a separate Building a Safer Society Strategy and that the principles are in fact covered by everything else. But we are open to both options; we just need to get the resource and to start the work on it.

**Deputy R.J. Ward:**

Yes, and, again, I suppose the difficulty I am having is just where we are now and what is happening now? You said there are some commissioning from the old strategy which ended in 2019 but I think the panel really got the impression from the previous Director General that that would be ongoing until something was put in its place. There does seem to be a gap now because we do not really know what is going to be put in its place and huge areas of public policy are now being conflated and put together without anyone really to lead it. I can see why there are concerns for those who look at the Building a Safer Society Strategy that it is all going to be lost in the middle here. So, when will we see a joined-up understandable policy and approach that has real clarity for both the users of its services, Ministers and departments? Are we talking 2023, are we talking ... it does look like it is going to be 2023.

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

I think in reality for there to be a clearly defined position as to whether we do have a new Building a Safer Society Strategy or not and, if we do, for it to be implemented, we are looking at the beginning of 2023. I think what we have not yet had a chance to do is do something that would look like a gap

analysis in the absence of the Building a Safer Society Strategy having been replaced and being active: are there gaps and are we missing things? My gut feel at the moment is that we are probably or hopefully not because we do have attention focused on all of the issues that the B.A.S.S. Strategy covered in its key principles in other ways. So the development of the Drug and Alcohol Strategy, youth justice and the focus on domestic abuse and the re-provision of Dewberry House, just as examples. But certainly it is something that we need to do and obviously this discussion is helpful to focus our minds on it and we will take that away and analyse are there any gaps because of not having the B.A.S.S. Strategy having been refreshed and fully active and is the holding position causing a problem or is it an acceptable way of operating while we make sure that we have a refreshed strategy approach? So, that is absolutely a set of issues that we will take away and accelerate the work on so that we can at least have the appraisal before we then start the work in earnest to determine what should happen in the future.

**Deputy R.J. Ward:**

Yes, again, I do not mean to make your life difficult, I would say to the Minister, what we have got is a holding strategy but an absence of a policy and an absence of something joined-up. Again, we have said it is because of COVID and so on but we are coming to the end of that clearly from the Government action. Have any organisations lost funding due to the absence of policy so that it leaves gaps in the provision?

**The Minister for Home Affairs:**

The budget has not changed, so the money that was available to B.A.S.S. before is the same now. The source of the funds has changed a little bit, so some providers are now funded by other departments but the funding has continued. I am trying to catch up because I did not see B.A.S.S. as a completely separate strategy. I think it is part of everything that we do every day and the most important part was to be able to fund external providers to help with the general strategy. So, we are trying to change that, we are not going to take the money away, but we are trying to integrate the strategy with the rest of what we do. One item that was getting out of place was the Prison! Me! No Way!!!. It was not doing what we would have wanted it to do and that is why this is being replaced. One item that has been added is the Drug and Alcohol Strategy because that had been suspended and it needs to be done again. I think that we were not going to have a B.A.S.S. Strategy but what we are going to have is to continue insisting on the major principles which are youth justice, drug and alcohol and victim support and continue pushing with those. I know there is no indication that we have stopped so far but our work on victim support, I think, has been enormous and shows that we have not slowed down in that aspect.

**Deputy R.J. Ward:**

Yes, and I think we understand that there are things in place, and we have talked about those, but an example is the Prison! Me! No Way!!! Strategy. That has gone, what has replaced it?

**The Minister for Home Affairs:**

Kate?

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

So, we have got a piece of work underway now to devise a new bespoke programme working across Justice and Home Affairs and Children, Young People, Education and Skills to provide us with the opportunity to create something more modern that works well and is done in conjunction with the Youth Service as well to enable Justice and Home Affairs Services to deliver into the P.S.H.E. (Personal, Social, Health Education) curriculum in schools and ...

**Deputy R.J. Ward:**

Sorry, Kate, to interrupt, it is just I am conscious of time. So in the interim there is nothing in place until something else has been developed?

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

There is not in relation to Prison! Me! No Way!!!, no.

**Deputy R.J. Ward:**

There is not? Then what is the timescale for something being in place?

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

Starting before the September 2022 new school year.

**Deputy R.J. Ward:**

It looks like the Youth Service will be delivering that which is still not a statutory provision?

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

That is one option. They will certainly be involved in the delivery. The intention is that the main part of the delivery is done by J.H.A. uniformed services colleagues so that that substantively replaces the interaction that prison and police colleagues had in schools through the Prison! Me! No Way!!! programme but that it is not as restricted as that programme and that we can also include the Fire and Rescue, Ambulance and Customs and Immigration Services for them to be able to deliver ...

**Deputy R.J. Ward:**

Again, sorry, I do apologise, I do not mean to be rude and interrupt. It is this format, it is because we have not got those nuances of me nodding and saying I want to get in.

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

Of course, yes.

**Deputy R.J. Ward:**

But, again, it seems to me, you have mentioned P.S.H.E. So this is going to be a whole strategy that existed independent and then was put into schools for a day which is now going to be a much wider strategy but being delivered in a P.S.H.E. curriculum, which is already a curriculum in schools, but we do not know how yet and that is the concern I think the panel has. We cannot see what this is going to look like and I think that is the question we would always ask, what will this look like, and we do not seem to know. I have got a question from Deputy Doublet after, as I have seen it.

**Deputy L.M.C. Doublet:**

Yes, it is related to the ... sorry, did you want to answer before I ask my question?

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

It might assist, Deputy, with the question. So just very briefly, we have been working very closely with C.Y.P.E.S. to ensure that the offer into their curriculum is what they want and what they think they need. So it is not just us saying: "We are coming into your curriculum" it is absolutely being done in partnership to help replace the gap that Prison! Me! No Way!!! leaves where teachers really value the input that our uniformed services colleagues can give but also to amplify that, hopefully improve it and ensure that we almost have a sort of menu of sessions that can be chosen by the teachers that are overseeing the P.S.H.E. curriculum in that school, make it appropriate for that school, that year, that cohort and possibly also for us to be able to deliver some more targeted sessions if there are particular problems or concerns in that school or year group or class using our resource to best effect in a co-ordinated way. We will appoint a co-ordinator to sit in J.H.A. and interact between us and C.Y.P.E.S. to get it all to work. We will have some transparency and some clarity around what we are offering, when we are able to offer it. We will also build in a review and evaluation methodology so that we can get feedback from the teachers, the students and young people and also the Youth Service will be intrinsically involved. Whether that would be that they are delivering it in partnership with us we have not worked through yet but Mark Capern who is head of the Youth Service is very keen to be involved and to make sure that we have a co-ordinated approach. Hopefully that helps but there is clearly more to do.

**Deputy L.M.C. Doublet:**

Yes, my question was about kind of the other end of things when there are problems; obviously Hope House is that facility that is not available and what is being done to plug the gap in that respect?

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

So Hope House, I am aware of the issues, but that sits between C.Y.P.E.S. and Health and Community Services in terms of operational oversight and a resolution to that issue, so I am not aware of the detail, I am afraid.

**Deputy L.M.C. Doublet:**

Well perhaps, Minister, what services are provided for young people who are affected by drug and alcohol misuse?

**The Minister for Home Affairs:**

Again, that is not something that I am privy to.

**Deputy L.M.C. Doublet:**

Is that not part of the B.A.S.S. Strategy?

**Deputy R.J. Ward:**

Yes, can I ask who is and who can let us know because ... sorry, Deputy Doublet, I had to step in because I think we are ... you can see our concern. We had a strategy, we were told last July there would be something in place and something is not in place for whatever reason. We cannot see where gaps in service are being provided and where even those gaps in service are and I think it is important that we do know what is coming out.

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

So specifically in relation to that issue, if there are children and young people affected by drug and alcohol issues, they will be under the care of Health and Community Services and/or Children and Young People, Education and Skills. So that is a care responsibility that would not operationally sit under Justice and Home Affairs.

**Deputy R.J. Ward:**

Okay. I am not entirely sure where to go with this now. Sorry, Deputy Doublet, had you finished your questions there?

**Deputy L.M.C. Doublet:**

Yes, I have got some related questions specifically on medicinal cannabis and ...

**Deputy R.J. Ward:**

Yes, let us do those now; that is a good idea. Go on, sorry.

**Deputy L.M.C. Doublet:**

Is any consideration being given to introducing a licensing scheme for medicinal cannabis users and what would the implications of such a scheme be?

**The Minister for Home Affairs:**

I think we have a problem with what is considered medicinal cannabis. So far, as I understand it here, the law in Jersey allows the use of medicine containing cannabis or T.H.C. (tetrahydrocannabinol) and they have to be approved. So there is this vague notion that your doctor might prescribe you to smoke cannabis and because it is not an approved medicine, that is just not the case. So right now, as far as we are concerned in Jersey, medicinal cannabis is approved medicines obtained under a prescription at your chemist. So you do not need a card or you do not need anything, a license for that. Health approves a medicine usually by just copying what had been done in the U.K. and that becomes available to prescribers in Jersey.

**Deputy L.M.C. Doublet:**

Yes, I did not mention smoking cannabis and indeed smoking medicinal cannabis is still prohibited under the law. Is that a fact, Minister? Do you believe that the public are aware of this part of the law that even if they have been prescribed medicinal cannabis it is still illegal to smoke it? Further to your previous responses on the licensing then, if a medicinal cannabis user has a prescription with them, is that sufficient to demonstrate the validity of their medicinal cannabis possession and use?

[12:00]

**The Minister for Home Affairs:**

Again, that is getting very, very far from Home Affairs. We could ask the Chief of Police what their attitude to that would be but I think it is going to be very, very close to what I just said.

**Deputy L.M.C. Doublet:**

Probably it is best for the Chief to answer that one, I think.

**Deputy R.J. Ward:**

Before you do, could I just point out we are coming very close to the end of the hearing and there are a couple of things we will have to send you some questions in writing, but please carry on and try and be brief in your answer if you can be.

**Chief of Police:**

Thank you, Chair; thank you, Deputy; thank you, Minister. First of all to say that States of Jersey Police is supportive of course of people in need of medicinal cannabis. I think that speaks on behalf of the Police Service. But correspondence that I had with Len Norman over a year ago was me raising issues around people who are using drugs illicitly and, of course, cannabis is still an illicit drug, and we have had a number of seizures in recent weeks, that they are very entrepreneurial and people will seek to, if you like, deal medicinal cannabis in an illicit way. I do know that Mike Cutland, head of Probation Service is chair of a group that is looking at how we can better, if you like, police the use of medicinal cannabis and he is the chair of M.E.D.I.C. (Medical Education in Cannabinoids) Drug Advisory Council and I have exchanged correspondence with him in recent days. They are still looking at how we can better ensure that those people that are legally - and I will keep it brief, sorry, Chair - in possession of medicinal cannabis are protected in the law but also there will be people that may be in possession of medicinal cannabis who should not have it and that is where the current gap exists.

**Deputy L.M.C. Doublet:**

Presenting their prescription, is that enough to validate that in the eyes of a police officer?

**Chief of Police:**

That is what is currently happening and I understand that a photograph is being taken of the prescription. That is far from failsafe, in my view, although with the exception of one call I had from a licensee many months ago, we are not aware of any particular complaints or any concerns thus far but I think it is inevitable we will get them.

**Deputy L.M.C. Doublet:**

So when you are policing, how do you distinguish between those who are using cannabis legally and illegally?

**Chief of Police:**

Well, first of all, obviously the medicinal cannabis is different to what might be seen in the streets that is illicit. It will be the usual way of questioning people and I do not think it is necessarily going to be too difficult as to whether or not you should be in possession of it or not. But currently, as an example, Deputy, you may know that in the U.K. they have adopted in some places something called a Cancard, a cannabis card, so you can sort of effectively say: "This is it." That is under consideration by M.E.D.I.C. judging by the correspondence. But what I do think is we still have a gap and police officers could be in an awkward position where they could be asked to deploy to a

certain case or job and not be too sure. My job, with Mike Cutland and his group, is to make sure we are all clear about what is what.

**Deputy L.M.C. Doublet:**

Thank you. We would be grateful for an update on that work, please, as it progresses.

**Chief of Police:**

Thank you, Deputy.

**Deputy L.M.C. Doublet:**

Thank you.

**Deputy R.J. Ward:**

Thank you. I am conscious that we are really at the end of the hearing so, Minister, can I just finish off by asking you, we will shortly commence consideration of our Legacy report, what legacy areas do you believe would be pertinent to highlight?

**The Minister for Home Affairs:**

I am always extremely involved in it but from a completely different area but I think one of the biggest changes that we have had is of course Brexit. It is difficult to realise how much work needed to be done in Customs and Immigration because of Brexit, so their work has changed completely. Everything they did was changed completely, so I think managing that without too much trouble was really brilliant of them. They did not take much more resources and they managed to let us go through that without too much disruption, so I think that was quite important. Like the rest of the Government, it is quite important to remind everybody else that we went through the Target Operating Model and that almost everything was thrown in the air and then repositioned. That took 3 years, that was done in the middle of COVID with all sorts of problems, and now we have almost finished throughout the department. There is just the prison, but the prison is doing it in quite a different way - we would not call it a Target Operating Model - but that is an achievement. One thing that is quite discrete unless you are involved is the collaboration between probation and the prison. It is something that was not working very well before Len arrived and something that we have really insisted upon. To be fair to them, they have done it by themselves and now they consider it business as usual. Probation and prison work much, much better together and it gives us a lot of hope for the most important part of the programme which is going to be post-custodial supervision where Probation Services will catch people coming out of prison and help with their reinsertion, so that is something that we are looking forward to. I think the capital programme was also quite extraordinary. COVID delayed many of our projects but the phase 6 of the prison is almost done now and was changed by this team quite significantly. They especially did the idea again of offender



management, post-custodial supervision and progressive release. So, one of the things that the previous governor added was the provision of apartments, facilities just outside of the prison, so that you could release people into civilian life, have them work and then come back to the prison at night. So that is something that we will be able to implement reasonably soon and a very, very big change in the way we deal with prisoners. We have a full business case for the fire and ambulance station, the new one, so it is funded, it is in the agenda, we are ready to build it. It might not happen in Rouge Bouillon depending on whether the site is needed by schools or not but it is ready. It is something that is absolutely ready to go. Of course another project that was slightly delayed but is now on rails is the S.A.R.C. (Sexual Assault Referral Centre) and that was really important to us. So this will be a completely custom-built, victims-oriented facility and we are eager to see it being built. Also, one of Len's bugbears, the sea cadets, and now we are going to put the army cadets as well in a new site, and that is also going forward quite well. Finally, the firearms range for which we will need planning permission; once again, something that we are working for but fully budgeted and pretty much on rails. I am going to have to leave a few things for my successor. So of course we have talked about the Crimes and Prejudice Law and I hope that they will take it on, like we have taken on the Sexual Offences Law and managed it to pass it through the States. I hope that by the end of 2022 this will have been done. Of course, custodial supervision is another item that was almost ready to go but that will be done by my successor. Another few things, we have re-signed the Armed Forces Covenant. This had slowed down a little bit. They were still services provided but we lost some of the people who were taking care of it. It has restarted, there is a lot of enthusiasm and what we are going to do is to leave a "to do" list for the next Minister. They are small things, for example, the military in the U.K. give a budget to service leavers for reconversion, for training, and no companies that deliver training in Jersey are accredited so they cannot take advantage of that. They are trying to seek accreditation for some of them. It would not be very difficult and it is a way that the Government can help in having those services provided in Jersey. So, that will be progressed while I am still here and left in the "to do" list for the next Minister. You have had some context with the Divorce Reform, which is a very important piece of work, and that also will be for my successor to deal with. Finally, last but not least, we have the violence against women work, but this is meant to continue for ever and as much as I am going to leave some of it to my successor, I really hope that we can give it a very good start while I am still in post.

**Deputy R.J. Ward:**

Thank you very much for that. I am conscious that we have gone over time, so I would just like to thank everybody for their time today in the hearing and the answers given. There are some things that we did not cover, so we will send you those in writing. Unless there are any other questions from panel members or any questions from yourselves, please speak now.

**Deputy L.M.C. Doublet:**

No. Thanks, everybody.

**Deputy R.J. Ward:**

Then I say thank you to everybody and call the hearing to an end. Thank you very much.

**Chief of Police:**

Thank you, Chair; thank you, Deputy Chair.

[12:11]