



Children, Education and Home Affairs Scrutiny

Panel

Quarterly Review Hearing

Witness: The Minister for Justice and Home Affairs

Thursday, 26th October 2023

Panel:

Deputy C.D. Curtis of St. Helier Central

Connétable M.O'D. Troy of St. Clement

Deputy B.B. de S.DV.M Porée of St. Helier South

Witnesses:

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

Ms. K. Briden, Chief Officer, Justice and Home Affairs

Mr. R. Smith, Chief of Police

[14:28]

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

Today is 26th October 2023, I would like to draw everyone's attention to the following. This hearing will be filmed and streamed live, the recording and transcript will be published afterwards on the States Assembly website. All electronic devices, including mobile phones, should be switched to silent. If we begin the introductions, I am Deputy Catherine Curtis, the Chair of the Children, Education and Home Affairs Scrutiny Panel.

Deputy B.B. de S.DV.M Porée of St. Helier South:

I am Beatriz Porée and I am a St. Helier South Deputy as well as a member of this panel.

Connétable M.O'D Troy of St. Clement:

I am Constable Marcus Troy of St Clement and I am a panel member.

The Minister for Justice and Home Affairs:

I am Helen Miles, I am Deputy of St. Brelade and Minister for Justice and Home Affairs.

Chief Officer, Justice and Home Affairs:

Kate Briden, Chief Officer for Justice and Home Affairs.

Chief of Police:

Good afternoon, Robert Smith, Chief of Police.

Deputy C.D. Curtis:

Okay, thank you, everyone. Our panel member Connétable Labey cannot join us today, unfortunately. If I start with the questions, our first ones are about the recent gas outage. Minister, with reference to the gas outage at the beginning of October, it was reported that the Government has pledged to commission a review to identify what went wrong and what lessons could be learnt. As the competent authority for gas, please could you tell us how you will be approaching that review?

The Minister for Justice and Home Affairs:

Okay. I think the first thing to say is that the gas company is a private company and always has been. In terms of the review, what we have asked so far of Island Energy is for a root cause analysis, so that we have some level of understanding of actually the ingredients of what went wrong in this particular arena. So I think until we have the information that we have requested by letter from Island Energy, it is difficult to say what form that review will take.

[14:30]

Deputy C.D. Curtis:

But what are your initial reflections on what happened?

The Minister for Justice and Home Affairs:

My initial reflection is that, you know, very many customers, both domestic and commercial, have been horribly inconvenienced by the outage of gas. In my role as competent authority, under the Emergency Powers and Planning Law, I have powers that are available, whether or not we have a state of emergency, to ensure whether there is a threat and to take appropriate action.

Deputy C.D. Curtis:

What sort of powers could does that include?

The Minister for Justice and Home Affairs:

What we have done in the first instance is, first of all, I have met the C.E.O. (Chief Executive Officer) of Island Energy and asked for an explanation and an understanding of the events that that took place. Secondly, I have written to Island Energy Group requesting certain information that will allow the Government to put in place robust contingency plans in case it was happening before. If that request is not forthcoming, I do have a power under Article 7 of the Emergency Powers and Planning Law to compel the gas company to provide that information. Also, as I said in the Assembly, we have done some work and it is very likely that we will be bringing forward some amendment to the Gas Law, but that will not actually be in my jurisdiction. That will be for the jurisdiction of the Minister for Infrastructure.

Deputy C.D. Curtis:

Okay, yes, that leads on to my next question, which is would you clarify why the Minister for Justice and Home Affairs is the competent authority, for example, rather than the Minister for Infrastructure?

The Minister for Justice and Home Affairs:

It is as a result of the Emergency Powers and Planning Law in 1990 when it was the Defence Committee that was competent authority for the provision of fuel. So that was fuel, electricity and gas. Clearly when ministerial Government came in that power automatically transferred to the Minister for Justice and Home Affairs.

Deputy C.D. Curtis:

Right. So, just looking at what role the Government took during the outage, the Government took a position of supporting Island Energy with communications and Islanders were encouraged to get in touch with their parish halls if they needed any help. It seemed to be that the message was that the customer welfare sat with the private company and not central government. Do you think that was the appropriate approach to take looking back on it now?

The Minister for Justice and Home Affairs:

I think it comes back to the main point that Island Energy are a private company and they have individual contracts with their customers. At the outset of the event, we were assured that this would be lasting for a fairly short time. I mean, it became rapidly apparent that this was going to take more time than the Government had been first told. So, from a comms perspective, we felt that we could offer that sort of support but we certainly were not able to offer any other sort of support. We did

look at setting up the emergency helpline in the way that we had done with COVID. But if we had done that all we would have been able to do is signpost back into Island Energy because this was most definitely a problem that they were required to solve. If you think about the welfare provision that we put in place, as well as that of the others and the parishes ... I mean, the Connétable will know the parishes are extremely good at supporting their parishioners in times of need, which is why I said during any interviews that I did: "If you have any welfare issues, please contact your parish because those are the people that would be able to help you." From a practical perspective, we had the States of Jersey Police offer to support engineers in their house to house visits if that was required. We had the fire service providing safety messages to the public and they accompanied Island Energy on their visits to key gas supply points around the Island. As I have said, we were ready to stand up the Government helpline. We asked I.E.G. (Island Energy Group) if that would be acceptable, they said they did not need it because they had 14 call handlers on their line and that they were not busy. We also phoned around several charities to see whether they had been under pressure and they had told us that they will not ... that they would not be. We offered Les Quennevais Sports Centre to the public and non-members who needed who needed access to hot water and showers, and a number of hospitality establishments, hotels, and the like in the parishes also offered the same thing. But I think in the main, most of the welfare support was offered by friends and family, neighbours and the parishes. I think that was probably proportionate in these circumstances given the private standing of the company.

Deputy C.D. Curtis:

Thank you for that. But when you do your review, will you be looking at how the Government maybe could have played a bigger role? Would that be part of the review?

The Minister for Justice and Home Affairs:

It will be potentially part of the review. What we need from Island Energy is an understanding of their business continuity plan, of their risk assessments, we need to understand their customer base, all things that we have asked for previously and have not been forthcoming so have asked again for Island Energy. This is not about any ... you know, I understand that some of that information would be commercially sensitive and we would keep that information in the utmost confidentiality, but from a contingency planning perspective we need to know that should an incident like this happen again how many people we are dealing with, how many of those people are vulnerable and what type of support the community may need if we find that I.E.G. are unable to provide it.

Deputy C.D. Curtis:

Okay. You said that you do have the power to compel power them to provide the information?

The Minister for Justice and Home Affairs:

I have the power to issue an Article 7 order under the Emergency Planning Law to compel them to provide that information.

Deputy C.D. Curtis:

Okay, thank you. You have mentioned before about ... I think you said something about changes to the Gas Law. Could you clarify which law that is exactly and any details about the proposed legislative changes?

The Minister for Justice and Home Affairs:

There is a couple of ... there is a couple of other issues that are pertinent to this. So we have for some time been working on our crisis resilience. We have got a Crisis Resilience Improvement Plan that was published in July. In that plan it was clearly articulated that all public utilities should be providing Government with the necessary information for Government to affect contingency planning. That will lead to a ... either we will call it a civil contingencies law but more likely to being a resilience law. But that will not be in the Assembly for debate probably for about 18 months. So one of the mechanisms that we could use, just to plug that gap, with this particular utility is a change to the Gas Law.

Deputy C.D. Curtis:

Okay. There are a few more questions about this. Did the Government have an existing plan before this happened for an Island-wide utility outage?

The Minister for Justice and Home Affairs:

Well, we have major incident plans in place and I think we have shown really over the last 12 months how well those plans actually do work but that is generally when a major incident has been declared. Although I understand how major this would feel to customers and commercials, actually it was a very small percentage of the population that had been affected and there was no danger to life or limb. So it did not tip us into the situation of declaring a major incident and standing up some of the protocols that we have done for previous operations.

Deputy C.D. Curtis:

Okay, I mean, that that was just an interesting point that brings up about the risk because potentially there could be a danger to life in them, I suppose, even if it is a small number of people.

The Minister for Justice and Home Affairs:

In this particular occasion it was a gas outage. There was no question ... you know, nobody had been injured as a result of this. There are some fairly strict protocols in place already about when a major incident is declared and this would not have hit that level.

Deputy C.D. Curtis:

Okay. I suppose I am just thinking of like particularly vulnerable people who might be alone at home and not feel able to contact anyone else. Have no heating, no hot water and no ...

The Minister for Justice and Home Affairs:

Which is why the media messaging that was going out was please reach out to the parish, reach out to neighbours and reach out to charities, after you have reached out to Island Energy +for them to provide you support because they are your provider and they should have plans in place.

Deputy C.D. Curtis:

Okay. A member of the public contacted us to suggest there should be an energy ombudsman in Jersey. Bearing in mind there has also been power cuts as well as the gas outage, is the establishment of an energy ombudsman something the Government might support in the future?

The Minister for Justice and Home Affairs:

It is absolutely not within my remit. That would be something to ask the Minister for the Environment or the Minister for Infrastructure. But, clearly, that is something that will have ... it is not particularly about an ombudsman but, clearly, that will have come into discussions around the Crisis Resilience Improvement Plan and moving forward on to the Resilience Law and Civil Contingencies Law.

Deputy C.D. Curtis:

Okay. Do you have like a particular opinion on this yourself at the moment or you would not at the moment?

The Minister for Justice and Home Affairs:

I am not sure that an ombudsman, just the existence of an ombudsman would have helped with this particular set of circumstances. I think the ombudsman generally comes in later when there are disputes that appear to be insolvable between energy companies and customers.

Deputy C.D. Curtis:

Okay. What safeguards could be put in place to ensure that Islanders relying on gas do not face similar problems in future? I know you have already said few things around this but is there anything else you could add to that?

The Minister for Justice and Home Affairs:

As I mentioned in the Assembly, the Government have very few powers to deal with Island Energy. We are not able to fine them in the same way that other entities that are, for example, regulated by the J.C.R.A. (Jersey Competition Regulatory Authority) are. From our perspective, we have asked for the information but until we get the information we cannot really make an effective assessment of how we may act in the case of future outages.

Deputy C.D. Curtis:

Okay. Thank you. I think our next questions are from Deputy Porée.

Deputy B. Porée:

Are going to fall on to me. So, Minister, I am going to ask a few questions about the Crisis Resilience Improvement Plan. I know you touched on it before but I will ask the questions as they are, just for the panel's purposes, okay? So, Minister, the Government's Crisis Resilience Improvement Plan was published in July of this year. Please could you provide us with some background about the plan?

The Minister for Justice and Home Affairs:

The creation and publication of it was one of the recommendations that came out of the independent COVID review, which reported back in October 2022. There was 18 recommendations in that review and the last of them was actually the publication of a Crisis Resilience Improvement Plan itself. It covers a wide range of areas, some of which have a long term effect, some of which is shorter and some of them which were more directly relevant to COVID. So 3 key areas in that report: one is about preparation, making sure that we are well prepared, using the experience that we gained over the COVID-19 pandemic and also from the major incidents that we experienced at the end of 2022 and into 2023 to embed some of the lessons that we learned from these. That was things around governance, training, risk assessment, planning, so quite wide-ranging. The second area was about leading better. I think it touches on the previous question there, understanding and embedding response arrangements across the Government and the other people within the resilience ecosystem, if you like, who are required to prepare for and respond to emergencies and major incidents. So that would cover the public utilities. Again, ensuring that we equip those leaders with the proper structures and the tools so that they can do the job that they are required to do and also to have some clarity on lines of reporting during a particular incident. Again, that is entirely pertinent to the situation that we faced with I.E.G. The third one, I guess, we always say this, do we not, it is about collaborating better, actually developing those partnerships, understanding how they work and being mutually supportive. Again, that is about working holistically to identify and prioritize the risks that Jersey faces now and in the future, making sure that all our departments and the outside agencies, partner agencies, are working together to reduce the risks and respond in the right manner when something happens.

Deputy B. Porée:

Have you had an opportunity to use this plan during the recent gas shortage?

The Minister for Justice and Home Affairs:

I mean, the plan ... there was a ... every day, there was a strategic co-ordinating group and, latterly, a tactical group as well. Those people ... I think, you were meeting every day, daily, with the Government and the gas company and other relevant agencies to make sure that everything that could be done was being done. Obviously, that links into the crisis resilience improvement plan.

[14:45]

Deputy B. Porée:

Thank you for that, Minister. So the resilience plan also makes reference to case studies and rehearsals for emergency planning, how will those rehearsals and case studies be selected and what is the decision-making process of that selection?

The Minister for Justice and Home Affairs:

This is just based on my previous knowledge - and I am pleased if the Chief or Kate would like to step in - we have an emergency planning response that predicts the likely emergencies that would take place in Jersey and the multiple agencies come together at regular intervals to exercise those plans. One plan we have had, for example, that the community have been a part of going back a few years now, would be an overtopping of the Grand Vaux reservoir. That in involved the police, fire, the school, the community, Jersey Water, et cetera. Those sorts of things are ongoing but they will be enshrined, I suppose, a little bit more once we get the Resilience Law. I do not know if either of you want to add to that.

Chief Officer, Justice and Home Affairs:

Yes, thank you, Minister. I think the key thing is that that activity is overseen by the Jersey Resilience Forum Executive Group, which is a small function at the strategic and executive level, currently chaired by the Chief Executive Officer of the Government of Jersey but need not necessarily be. Also membership of that is the 3 emergency services chiefs, Ports of Jersey, and cyber emergency response team and public health. So the main areas at that strategic level where something would likely happen. Then there is a delivery group, which is much, much broader, currently chaired by Pete Gavey, the Chief Ambulance Officer, but rotates around the emergency services chiefs. Robin was sitting in the chair for its first 18 months and that is the broad group that does include the public utilities, topical for today, and they have a learning, training and exercising subgroup. That is where the heart of the planning for what we are going to use as case studies - we call it table topping,

where you sit around and work through the scenario - that is where that that planning takes place. That is linked to the Community Risk Register, which I think we have mentioned before. There is a new one in development which we are aiming to publish early next year and that is saying, well, that is the most risky things and therefore they are the things we should be focusing on and training and exercise.

Deputy B. Porée:

You say it is like a combined multi-agency effort but would you still say that the plan is mainly led by ... you know, who would you say would be leading the process in itself?

The Minister for Justice and Home Affairs:

So that work is facilitated by the emergency planning team, which currently sits under, Paul Brown as the Chief Fire Officer.

Deputy B. Porée:

Not Jersey Resilience Forum?

The Minister for Justice and Home Affairs:

The Resilience Forum is the collective body that meets together but the actual facilitation of exercises, et cetera, is done by that emergency planning team on behalf of the Resilience Forum. It is a very small team now, it is 1½ people at the moment and we are just about to recruit to increase that because the world has changed anyway. There is a lot more operational stuff in this space as well as the COVID learning, the major incident learning and underneath to implement the new law, so that team needs to be slightly bigger.

Deputy B. Porée:

Thank you very much for that. Could you, at this moment in time, tell us or advise us when rehearsals for emergency plannings are scheduled to take place next year? Have you got an approximate date or not at this moment in time?

The Minister for Justice and Home Affairs:

I do not, unless Robin commands it from the last meeting more easily than I do but we can write to you.

Chief of Police:

No. There was one plan to have one later this year, or during this year, but quite frankly, given the events of 8th and 10th December last year, we had practised quite hard and there was an awful lot of other things to do. The pragmatic decision, the sensible decision, is we will have another major

incident exercise next year. We had one previously at the airport. The scenario was a coach going over with fatalities airside, which makes things really tricky, and that involved all the emergency services as well as Government, et cetera. So if we have learned anything from the last year is you frankly cannot practice enough for this and you cannot debrief enough for this. I recall the Minister asking me, the back end of last year, you know, are we ready? We were doing, training with officers and staff, and Government staff, at the fire station, the Western Fire Station, to get ready for what we call our interoperability, how we work together, a day long training on that over 3 days. So we were planning for any event and, of course, we had to respond to that. The short answer to the question is we will have another major incident exercise sometime next year, which will go from the delivery group that Kate has mentioned and now chaired by Pete Gavey.

Deputy B. Porée:

Perhaps you could let us know ... when you have got an approximate date in terms of month, if you could let the panel know so we have that understanding of timescale. Thank you for that. Another question in relation to that is, how will the public be informed about major incident or emergency rehearsals and exercises? Have you planned on what sort of signal people will be receiving, how they will be made aware?

Chief of Police:

Historically, when we have done the major incident training we will certainly publicise it but there has not necessarily been a desire to inform all Islanders about that other than, of course, the key people that need to know. I think there is the opportunity to say to Islanders it is a major incident but it is an exercise. It is important because I think Islanders, given the events of the last year, will be certainly concerned if they see lots of emergency service vehicles heading towards an airport or whatever. There is a communications plan that would feature with that. Certainly, we would want to communicate that to Islanders and, indeed, to elected officials, et cetera.

Deputy B. Porée:

I was asking this question more in terms of the direct communication to the public. Say, for instance, when we had COVID in the island, very much the digital government side was able to develop a text messaging device where people were made aware if they had ... after being vaccinated, if they were found to be negative or positive, how long they should be staying at home. So although people were not able to leave their houses, they were able to receive that sort of communication through that phone messaging. So that was very much along those lines.

Chief of Police:

I am with you.

Deputy B. Porée:

How would you be planning to do that?

Chief of Police:

Indeed, the U.K. (United Kingdom) have tried that in recent months, have they not, an alert, which I do not think was necessarily completely successful at the first grab? If I may, the French Government response through Government comms and Government tech?

Chief Officer, Justice and Home Affairs:

Yes. The communications team are working with the emergency planning team on what a more embedded and resilient warning and informing system looks like. I am getting it to be proportionate tools to use at the right time for the right thing. Some of what you are referring to, Deputy, is the agreement that we had with J.T. (Jersey Telecoms) during COVID where they would send mass texts out to everyone on a mobile phone in the Island. Now, that obviously has to be used with great care and caution and in a limited way in order to maintain its impact, also to protect the use of the network, essentially, and credibility. So that is a tool but there are a number of other tools as well. Robin has referred to the test that was done in the U.K. earlier this year through a whole mobile network warning through the mobile cell sites, which had some pros and cons. We are looking at whether something similar could happen here. It is a very expensive system to maintain. Between those 2 things there are other options that we are exploring. What we benefit from here is a comparatively small, very well-connected community. We have high readership of a local newspaper, we have high audience figures for the local radio stations, but that is not enough. How do we make use of full broadband, good mobile phone connectivity to get that communication right is absolutely ... it is part of one of the recommendations of the Crisis Resilience Improvement Plan in terms of a crisis communications plan and also a recovery communications plan, but there is also a broader sort of warning and informing piece of work as well.

Deputy B. Porée:

Thank you for that update. Thank you. On that note, could you please describe the relationship between the Emergency Planning Crisis Resilience Plan and the Community Risk Register presently?

Chief Officer, Justice and Home Affairs:

Yes. As the Minister described it, the Crisis Resilience Improvement Plan was that 18th recommendation from the COVID inquiry, the independent COVID report. So it is quite focused ... some of the recommendations are really quite focused on COVID and some of them are much broader than that. The broader work of the emergency planning team is thinking as broadly as possible about all the risks that might potentially occur for the Island and that is what the Community

Risk Register is evaluating. The last published version of it is now some 3 or 4 years old so it is a very hefty piece of work to update the Community Risk Register using the National Risk Register that has been published in the U.K. about 8 or 9 months ago from which we are taking great benefit and then being realistic about how it applies to the local context. So some of the risks in there are obviously not going to apply to us, like a train crash, for example, but most of them do. Then what we work through is an evaluation of that risk scoring, the impact and the likelihood. That tells us what to focus on for things like exercises but also draws us out on what is the reasonable worst-case scenario. That is what you plan for, that is what you train and exercise for, and resource for. The Crisis Resilience Plan gives us a bit of a focus on some of the stuff that is in the Community Risk Register but that is much broader and it is the role of the Jersey Resilience Forum to make that digestible and actionable. That will all come to fruition and be clearer in the new year and, obviously, very happy to come back and brief the panel on the Community Risk Register. I would invite you to invite us, if you see what I mean, so that we can get into that in more detail with you.

Deputy B. Porée:

Thank you. Yes, that is really good to know. Obviously lessons need to be learned and you will be taking that into consideration. On that note, how are you presently capturing and monitoring on those lessons to be learned for future emergency plans?

Chief Officer, Justice and Home Affairs:

That is a real focus of the recovery work from the major incidents. As we have moved more from the immediate recovery phase into a recovery programme the governance of that has changed, been formalised and strengthened. One of the key strands of that programme is future incident management, which for I am the Senior Responsible Officer supported by a programme manager and a project manager.

Deputy B. Porée:

Future?

Chief Officer, Justice and Home Affairs:

Future incident management, I think we have called it, but me just double check that because we have only just signed that off.

Deputy B. Porée:

Okay. No problem, incident management.

Chief Officer, Justice and Home Affairs:

Yes. That whole piece of how do we how do we make sure that we do not just identify the lessons and learn them but we are actually embedding them. So that extra resource in the emergency planning team that I mentioned will help with that as we are working towards a new resilience law, about which I think you have a question next.

Deputy B. Porée:

Thank you. In terms of communication channels that may have been established to co-ordinate key emergency services and Government departments and other organisations, they have been established through the Jersey Resilience Forum, the communication channels?

Chief Officer, Justice and Home Affairs:

In terms of communicating to the members of the forum, the idea of the delivery group is that it sets in a planning and preparedness formula for most of the time and then if we have a sudden issue, like we did with the gas outage, we use the connections we already have with that network to quickly stand up a strategic co-ordination group. That is what happened in the event of the gas outage. It obviously also happened with the major incidents last year. So it is that principle of working together and practising when it is ... I hesitate to use the word "quiet" but sort of fairly quiet. It gives you that situation awareness that when you work in an incident you know who to contact and you are ready to work with them. Hopefully that answers your question.

Deputy B. Porée:

Okay, thank you for that. I would like to ask the Minister if you can, at the moment, provide the panel with an update on the work to progress with the Civil Contingencies Law, please?

The Minister for Justice and Home Affairs:

I think as we said at the last hearing, our officers have been working very closely with 2 eminent experts in the field of civil contingencies and resilience. They were respectively previously, I think, the Director and Deputy Director of the Civil Contingency Secretariat in the U.K. and they have conducted a very comprehensive review of the Civil Contingencies Act in the U.K., so they really do know what they are doing. We have received the first draft of the review of the proposed new Jersey Civil Contingencies Law. We received that in August and that is now being reviewed and critiqued by Justice and Home Affairs, Emergency Planning, and also the Law Officers' Department. The authors at this stage are incorporating those changes and comments and we should be receiving the finished report, the final report, at the end of this month.

[15:00]

Deputy B. Porée:

That is really good. So when would you expect to be in a position to lodge the legislation?

The Minister for Justice and Home Affairs:

I would have said probably 12 to 18 months, if we are going to be realistic, given competing pressures and the like.

Deputy B. Porée:

Thank you, Minister. That is it for me now.

The Connétable of St. Clement:

Over to me, Minister. My question is about the ambulance service. Could you please provide us with an update on the recruitment to the base ... I am sorry, beg your pardon, to the frontline ambulance service posts we heard about at our last hearing.

The Minister for Justice and Home Affairs:

Yes. As you know, the Government Plan has provided incremental investment into the ambulance service and the investment coupled with the independent capacity review has presented the opportunity for the ambulance service to completely review its structure and to reorganise and invest. Aligning that to the organisational change programme, we are now ... I think I have a table here, we have now got a total vacancy of 7 ... we have got a total establishment of 78 F.T.E. (Full-Time Equivalent) and we have 9 vacancies but only 3 of those are at an operational level. The other vacancies are around support functions. I also wanted to say, I think something that we talked about last time and I know it is something that C.Y.P.E.S. (Children, Young People, Education and Skills) are ... the skills element of C.Y.P.E.S. are keen on, as you shared as a panel, is the paramedic recruitment positions. We have put 3 into substantive positions and one on a fixed term contract, but the important thing to note is 2 of those 4 are newly qualified paramedics who are returning to the Island. So the policy about making sure that people who are off Island training to be paramedics, of keeping in touch with them, offering them in internships and experiences is paying off. One of the issues about bringing in the newly qualified paramedics is the same with the newly qualified teachers, you have to have that supervision framework in place for them. You cannot just, you know, cast them adrift. They require extra support and guidance, so we have put that in place for them. Recent recruitment as well for the frontline, we filled some of the substantive vacancies in the intermediate and patient transport services. Things are moving along. I am satisfied they are moving as long as ... as quickly as we can make them move along. It is a challenging area to recruit in.

The Connétable of St. Clement:

You have answered my next 2 questions.

The Minister for Justice and Home Affairs:

I am sorry.

The Connétable of St. Clement:

No, that is quite okay. So you have 78 full-time staff, 9 vacancies and more are coming on through training. So you are happy with the way things are going?

The Minister for Justice and Home Affairs:

Happy with the direction of travel.

The Connétable of St. Clement:

The direction of travel, yes. Can you provide us with an update on feedback from the ambulance service in relation to the Be Heard survey?

The Minister for Justice and Home Affairs:

Yes. I think as with all States departments, you know, we are in partnership with the central organisational development team, Chief Ambulance Officer, and the leadership team to review and improve upon key elements of the findings. Key elements there were around communication, leadership and a fair deal. Some of the workstreams have included the tabling of staff-wide meetings. The first of those took place at the end of last month and effective communication staff involvement and a full awareness of the key strategic plans has taken place. We have also got a States of Jersey Ambulance Service People and Culture Plan, again aimed at addressing some of the findings from the Be Heard survey. There has been a creation of staff working groups to try and understand what would support the staff to have a voice in the direction of service and station initiatives. We have created a staff garden and a well-being area as a couple of examples of that. One of the key areas, you know, is the state of the ambulance station. It is not a pleasant place to work. We all know that we have got challenges around where a future station might be and when that might be. I have considerable sympathy with the staff for the physical conditions that we are requiring them to work in. So some of these small actions that we are taking only are ... you know, they only are small actions but, hopefully, it will address and allay some of the staff concerns and help them feel that they are included in the direction of the service.

The Connétable of St. Clement:

So a work in progress. Because my next question is going to be what progress has been made in relation to the development of action plans for the ambulance service following the Be Heard survey. Communication is the key?

The Minister for Justice and Home Affairs:

Yes, and the action plans are there and they have been created in full co-operation with the staff or led by the staff.

The Connétable of St. Clement:

Fabulous. Thank you. There were media reports in September about significant strain on the ambulance service. Please can you update the panel on the current capacity of service to respond to 999 calls?

The Minister for Justice and Home Affairs:

The capacity to respond to 999 calls was examined during the ambulance response report and the ambulance response programme. A review of that efficiency and effectiveness has been commissioned by the Chief Ambulance Officer. The current performance figures highlight a slight increase outside of the 7-minute response time set for category 1, so that is the highest level of calls. Our average response time for September is 7 point ... or 7½ minutes and the benchmark is 7 minutes, so we are 30 seconds out, if you like. We are continuing to monitor the trends and take action to improve those responses, to try and get them back within the 7 minutes. All of the other categories, of course, sit within of the benchmarks and all of the categories, of course, fall within the benchmarks at the 90th percentile. So even though we are 30 seconds behind, we are still up within the 90th percentile, which I think I have to say is considerably better than a comparative service in the United Kingdom.

The Connétable of St. Clement:

The ambulance response programme has been in place for a year now, what is the assessment of its success in helping to triage patient calls and help the service cope during peak times in demand?

The Minister for Justice and Home Affairs:

I think the independent report on that A.R.P. (Ambulance Response Programme) is expected to be finalised, I think, by the end of this month and that will allow us to make any amendments or actions, as determined by the reviewing team. So it is still a work in progress. One of the challenges that we have had over response times is managing public expectations. In the past, if you phoned an ambulance for ... you know, we do get calls for cut fingers and headaches. In the past, you know, the people ... we have responded to as much as we possibly can and now that the calls are being prioritised, people will not get an ambulance at the speed that they would have done previously.

The Connétable of St. Clement:

We understand the response programme questions are designed to assess the seriousness of an incident, but does this take into account factors like the age of the patient?

The Minister for Justice and Home Affairs:

The Chief Ambulance Officer is not here today so I would not want to comment on any kind of clinical input but these are standard procedures and processes. We would not be doing anything different from the U.K., and it would be about clinical judgment.

Chief Officer, Justice and Home Affairs:

There are vulnerability factors in terms of age, whether the patient is outside, whether they are in some sort of compromised location and that is taken into account as part of the triage tool but, as the Minister says, it is the clinical information that is critical.

The Connétable of St. Clement:

Mental ability, is that kind is that a factor?

The Minister for Justice and Home Affairs:

All of that would be part of the triage process and part of the clinical judgment process.

Deputy C.D. Curtis:

There was a something reported in the media recently for a lady who was ... I think she was 100 or something like that, who was left at the side of the road for many hours after calling the ambulance. I have been told about other incidents recently with some very elderly people who were left for a very long period of time and families wanting to make complaints. I am just wondering if there is something slightly not working very well over ... any changes made recently to this triaging? It is a concern, because we do not want to think of very elderly people, who are very frail, being left for long periods of time.

The Minister for Justice and Home Affairs:

I completely understand. I completely understand that view but, you know, without referencing individual cases it is very difficult to make comment. Kate, anything to add?

Chief Officer, Justice and Home Affairs:

I think the only thing I would add is that each time an incident like that is identified either by the crew themselves or control or through the patient or family member complaint, it is fully investigated by the ambulance team and the control team to understand what the root cause was. The A.R.P. review team will be looking at those complaints that we have received in the years since implementation and taking into account whether there is any linked factors. The case you are referring to, I think, was investigated ... was fully investigated and we understand what happened on that day.

Deputy C.D. Curtis:

Perhaps we can see some data about complaints? Is there data about that?

Chief Officer, Justice and Home Affairs:

Yes.

Deputy C.D. Curtis:

Thank you. Sorry, Marcus.

The Connétable of St. Clement:

That is all right. Just going on on the ambulance, what changes, if any, has the ambulance service made to respond to future large scale increases in 999 calls?

The Minister for Justice and Home Affairs:

Again, we have had a demand and capacity review, which takes into consideration the size of our population, the size of our ambulance service and I guess that is always going to be dynamic. We are very conscious of the ageing demographic that we have got which is our early intervention investment in public health, helping people to help themselves, to keep more healthy, et cetera, et cetera. It is constantly under review.

The Connétable of St. Clement:

Thank you, Minister. We will move on to the fire service now, if that is okay. At the last quarterly hearing, the panel was informed that the fire service had 7 vacancies. Could you please provide an update of recruitment campaign for the fire service and how many of the 7 vacant positions have been filled since the last quarterly hearing?

The Minister for Justice and Home Affairs:

Do you have the up-to-date information about those vacancies?

Chief Officer, Justice and Home Affairs:

I am not sure I have so, apologies, we need to check.

The Minister for Justice and Home Affairs:

Obviously, we have got planned investment, again an incremental investment, in the same way that was had with ambulance, over the period of the Government Plan, that is 2023-2026. The fund establishment increases year on year and the aim is to increase the headcount accordingly using whole times, that is full-time firefighters as well as retained firefighters. We have had ... in early

2024 - so January - that number of whole time firefighters will increase by 4 and the number of retained firefighters will increase by 8 following the recruitment campaign and process that we have just had in 2023. We have not been able to recruit as many retained firefighters as we wanted. In fact, we have been quite disappointed by the response. It just did not result in the number of appointees that we hoped for. We think there is a couple of reasons for that. I think recruitment to anything is challenging in Jersey at the moment but there is a certain commitment required to being a retained firefighter and there is an inevitable tension between people working day jobs and seeking to balance those commitments across the community. One of the things that we have done is extend the response time for the Western Fire Station out to St. Peter to try and attract more people. That really has not worked so we are still looking at other ways of particularly encouraging retained firefighters to join us, and we will also be offering the usual contracts for full-time firefighters to have retained contracts as well to try and keep up our numbers.

The Connétable of St. Clement:

At the quarterly hearing in July the panel heard that the uniform services review has an outcome with regards to the fire service, and that this will be made public in short order. Please could you provide an overview of the process followed as part of the uniform services review?

The Minister for Justice and Home Affairs:

The work to develop the modernised job descriptions - they were all independently evaluated and aligned to the new pay and conditions - is ongoing with representatives of the States Employment Board working closely with officials from the Jersey Fire and Rescue Service Association. The Fire and Rescue Service Association have put the proposal to their members, so that proposal is now being balloted and we expect an update on the situation in mid-November when that ballot is closed. So once again that is ongoing. That part of the review is complete, we are just waiting to see what the association have got to say about it and then that will be handled through the States Employment Board in the usual way.

The Connétable of St. Clement:

The timescale for that?

The Minister for Justice and Home Affairs:

It is entirely dependent on when the ballot closes. I think the Fire Service Association have said mid-November by the time they have balloted their members to see whether they are in agreement with it.

[15:15]

The Connétable of St. Clement:

There is significant investment proposed in the Government Plan for the Fire and Rescue Service pay, terms and conditions review of approximately £1.4 million per year. Could you confirm how or if this funding has been influenced by the outcomes of the uniform services review for the fire service?

The Minister for Justice and Home Affairs:

I think I am right in saying it has been entirely influenced by that. Again, I would want to say that this kind of predates my arrival in this role. It is something that has been ongoing for a number of years.

The Connétable of St. Clement:

If it has influenced that revenue funding increase why has the report findings not already been made public or shared with the panel?

The Minister for Justice and Home Affairs:

We have had to put in a sum pending agreement. If it is a disagreement we will have to have a look at that particular sum. I did make it quite clear that although this is showing under the J.H.A. (Justice and Home Affairs) budget, if you like, it is nothing that I as Minister have instigated as part of my plan. This is a hangover, if that is the right word, from decisions that were taken by the States Employment Board some years ago. I have been quite clear that its funding has to be considered outwith the priorities of Justice and Home Affairs.

The Connétable of St. Clement:

The panel was advised in July that you would receive an update about the delivery of the new aerial ladder platform in August. Could you provide an update on that?

The Minister for Justice and Home Affairs:

Apparently it is coming in November.

The Connétable of St. Clement:

November?

The Minister for Justice and Home Affairs:

Yes.

Chief Officer, Justice and Home Affairs:

It is all happening in November.

The Minister for Justice and Home Affairs:

It is all happening in November, and of course November is next week so I cannot commit to when in November. But obviously it is a bespoke piece of ...

The Connétable of St. Clement:

Equipment, yes.

The Minister for Justice and Home Affairs:

Equipment, that is the word, yes.

The Connétable of St. Clement:

In August the fire service was raising awareness of the best charging practices for e-bikes and e-scooters due to the fire risks from lithium batteries. Can you confirm whether any cross-ministerial or cross-departmental work has been undertaken to co-ordinate this fire safety work with the Government's commitment to promoting sustainable transport and its e-bike grant scheme?

The Minister for Justice and Home Affairs:

Yes, we have had some meetings across the departments. We have met with Infrastructure, we have met with Environment, and obviously Justice and Home Affairs, because it is important that the people who are using e-bikes and the like are using them safely and that the fire service are giving out appropriate safety messages. I raised this with the Chief Police Officer last week. The fire service are clear in saying do not use this form of transport but if you are going to use this form of transport it needs to be done safely. So making sure that you are not charging them in your bedroom, you are charging them outside during waking hours, et cetera.

The Connétable of St. Clement:

Do we know how many fires have been caused by these machines?

The Minister for Justice and Home Affairs:

Three fires in Jersey since the beginning of 2021 have been attributed to the batteries from the e-bike or scooters as the most probable cause.

The Connétable of St. Clement:

Were they all inside domestic curtilages?

The Minister for Justice and Home Affairs:

I do not know. I cannot comment on that.

The Connétable of St. Clement:

Thank you, Minister.

Deputy C.D. Curtis:

I have got some questions about the Health and Safety Inspectorate. The panel notes that the Health and Safety Inspectorate sits with Justice and Home Affairs but the Minister for Social Security has political responsibility for this. Please could you outline how the priorities and responsibilities of the inspectorate are coordinated between your department and the Minister for Social Security?

The Minister for Justice and Home Affairs:

As you say, the Minister responsible for Health and Safety Inspectorate, so that is the inspectorate function, is the Minister for Social Security. We talked about this at the beginning of the electoral cycle. We were briefed by the then Director of Health and Safety not long after the Government was formed, and it was concluded then that it was best to continue this arrangement to give some separation between the enforcement activity conducted by the Health and Safety Inspectorate and the Jersey Home Affairs services obviously which I am responsible for. So the Director of Health and Safety, so the person that is responsible for the operational activities, reports for line management purposes to the Chief Officer of Justice and Home Affairs and she is part of the Justice and Home Affairs senior leadership team.

Deputy C.D. Curtis:

I am just trying to think then if that is the operational part. I will ask these questions. Please can you provide an overview of the initial priorities set by the Justice and Home Affairs Department for the inspectorate following the appointment of its new director.

Chief Officer, Justice and Home Affairs:

So, as you say, the new director started I think at the beginning of June, had a good handover from her predecessor and in doing so between the 3 of us we identified her key objectives for the remainder of this calendar year from that point. It was clear of course that one of them must be the continued joint investigation with the States of Jersey Police into the Haut du Mont incident and that is rightly taking up a significant proportion of her time. Recruitment to complete her team is also a key objective that is nearly complete, where they have appointed 2 new inspectors and 2 new trainees which completes her complement. Also one of the key objectives is re-engaging with industry, so the construction industry but others as well, hospitality and others equally important, including public sector organisations, which had dropped as a result of COVID and then further dropped as a result of the response to the Haut du Mont incident. So the director is picking up that and now she has got a full team it is obviously easier, the objectives are interlinked, she is picking up that more proactive work that the inspectorate can do and taking that forward.

Deputy C.D. Curtis:

Great. My next question was about the additional resources, so you have said about the inspectors and so that would cover all the additional resources I suppose, the inspectors and 2 new trainees; there would not be anything else?

Chief Officer, Justice and Home Affairs:

I would just add that of course the resources of the inspectorate are being supplemented in relation to the specific expertise they need in relation to the Haut du Mont investigation, just as has been the case with the police.

Deputy C.D. Curtis:

Also about building safety, so have there been some actions and priorities established following the meeting that took place in September, I think, regarding building safety in Jersey?

The Minister for Justice and Home Affairs:

Yes, all of that has been taken forwards in the initial stages of work in the hope that the building safety team and the fire safety team will be working together more closely. They are not collocated but we are looking for them to be working far more in partnership as we work through the new Fire Precautions Law.

Deputy C.D. Curtis:

So they will share all their ideas. Do you have any future meetings planned with this group of Government officials regarding building safety in Jersey? You said they are working together?

The Minister for Justice and Home Affairs:

It is an ongoing piece of work as we review the Fire Precautions Law and also look at the building bylaws and how they intercept with the Fire Precautions Law.

Deputy C.D. Curtis:

Okay, thanks.

Deputy B. Porée:

Minister, I am going to ask you a few questions about Jersey Customs and Immigration funding. The panel notes that the previous Government Plan 2023-2026 made provisions for the recruitment of 3 Customs and Immigration service officers, but also notes that this is not included in the 2023 Ministerial and Delivery Plans. Has the funding allocated to this project been used for the recruitment of 3 Customs and Immigration services officers?

The Minister for Justice and Home Affairs:

Yes, it has. So it was allocated to J.C.I.S. (Jersey Customs and Immigration Service) to cope with the increased demands around Brexit, so that was the increased controls around the movement of passengers, so in and out of the common travel area and also the goods side of things in and out of the U.K. and the Crown Dependencies Customs Union. So they have been recruited but they have received both custom and immigration training so you have got that multifunctionality. All of that training was delivered locally and those officers have since been deployed across the border teams. We have completed our recruitment for all vacant posts. We have got 2 recruits that are about to start due to their notice periods from previous employers, but we will be at full complement across J.C.I.S. by the end of January 2024.

Deputy B. Porée:

My next question was to ask you on top of the 3 officers that we have already mentioned if any other officers will be recruited. Did you just say maybe 2 extra officers who will be ...

The Minister for Justice and Home Affairs:

The 2, yes.

Deputy B. Porée:

... recruited to become part of that team?

The Minister for Justice and Home Affairs:

We should have a full complement by the end of January 2024, which gives us the necessary capacity for the borders, the customs, and also the immigration case work.

Deputy B. Porée:

About the funding allocated, how is the funding allocated to the Customs and Immigration Service prioritised?

The Minister for Justice and Home Affairs:

The Chief Officer of Justice and Home Affairs is the accountable officer for J.C.I.S. and in usual terms a budget assessment takes place where funding is allocated, taking into account the efficiencies and any cost saving measures that can be applied. That takes place annually between the head of service and obviously the finance business partners prior to any annual budget allocation. So that will feed through the department into the Chief Officer if there is a particular requirement for more staff for a particular area, for example.

Deputy B. Porée:

Are you feeling confident at the moment that the numbers you are recruiting are enough for what you need?

The Minister for Justice and Home Affairs:

I think you can never have enough because we could always do more. We could always do far, far more compliance work but for the nature of the role as it stands at the moment, given the movements that we have around ports and the like, and given the sharing that we have across Justice and Home Affairs when it comes to intelligence functions and the like, I think at the moment we are okay.

Deputy B. Porée:

Yes, the extra 5 recruitments would make a good difference. Thank you for that, Minister. In relation to export strategy for 2023 to 2026 what involvement, if any, will the Jersey Customs and Immigration Services have with other operators of the export strategy?

The Minister for Justice and Home Affairs:

Over the last 12 to 18 months our officers have been engaging with the economy in relation to the export strategy. I think it is the first time we have had an export strategy. So that has included meetings in respect of export procedures and the scope of our data gathering. Any of that data has already been shared by Customs with the economy team to assist with the drafting of the strategy. We are an important stakeholder in the oversight group in relation to the export support service and we are available to answer any queries that come into the export support service in relation to customs procedures. Usually those initial queries are triaged by Jersey Business who will then signpost them to J.C.I.S. if it is relevant. We have got a really good relationship with all the freight handlers on the Island, including Jersey Post, and we meet regularly to discuss issues but you need to remember that we are an enforcement agency, we are not a customs agent in terms of offering advice. There has to be quite a clear delineation but we are always happy to discuss the procedures with any organisation involved in import, particularly coming on from third countries, and export, and we will assist with providing any U.K. contact such as H.M.R.C. (His Majesty's Revenue and Customs) as and when it is necessary.

Deputy B. Porée:

As well as the meetings you have mentioned, that data gathering, involvement with stakeholders such as Jersey Business, what other resource implications will this work have for the Custom and Immigration Services?

The Minister for Justice and Home Affairs:

It should not really have any other impact at all because there are very set procedures for export, whether that is licensing or excise or all of those, so it should not cause it. The fact that we have got a strategy should improve matters hugely.

Deputy B. Porée:

Thank you for that, Minister. To what extent have Customs and Immigration been involved with the strategy consultation process? Have they been the main drivers of this particular process?

The Minister for Justice and Home Affairs:

They have not been the main drivers because that has come from the Economy Department, but they have been the key stakeholder because obviously they are the guardians of what gets exported from the Island, and there are some complicated relationships between us and H.M.R.C. in the U.K. Made more complicated by Brexit obviously.

[15:30]

Deputy B. Porée:

What discussions have taken place between Customs and Immigration Services that are likely to be affected by changes to export activities, such as those provided for instance by Jersey Post?

The Minister for Justice and Home Affairs:

Once again, they are a key stakeholder in the oversight group and J.C.I.S. has always had a good working relationship with all of the freight handlers because the freight handlers in Jersey are in day to day contact with J.C.I.S.

Deputy B. Porée:

Thank you, Minister.

The Connétable of St. Clement:

Over to me, Minister. Firearms, which relevant to what us Constables do. Minister, following the quarterly public hearing on 23rd February 2023 where you spoke about identifying some quick wins, please can you provide an update on the status of measures to improve firearms risk and safety?

The Minister for Justice and Home Affairs:

All I can really say is that the work is in progress. It is there in the priority list but it is not at the top of the priority list and I am seriously hoping that we can get to it next year. I need policy support on that, we will need drafting support on that, we will need law officers' support on that, so 2024.

The Connétable of St. Clement:

Policy support would come from where?

The Minister for Justice and Home Affairs:

That would come from within S.P.P.P. (Strategic Policy, Planning and Performance) and at the moment we have plenty of other things with the police complaints and public order.

The Connétable of St. Clement:

So it is in the queue?

The Minister for Justice and Home Affairs:

It is in the queue, yes.

The Connétable of St. Clement:

Have you received feedback from parishes and Islanders about any new measures to improve firearms risk and safety?

The Minister for Justice and Home Affairs:

Yes, I went to see the Comité des Connétables to just discuss what we were thinking of and the approach that we were going to take. We are in the process at the moment of reregistering all the shooting clubs and the associations. It is a very, very cumbersome process and I am acutely aware that we need to do things differently but, again, it is just about finding the time to squeeze in those resources.

The Connétable of St. Clement:

My last question on this you have answered because it asks can you give an update on the timeline for progressing updates to firearms legislation, so 2024 we will expect something?

The Minister for Justice and Home Affairs:

2024, yes. I would like it much, much quicker than that.

The Connétable of St. Clement:

Can you provide an update on the status of the Draft Crime (Prejudice) Law?

The Minister for Justice and Home Affairs:

The actual crimes of prejudice, so the hate crime law as opposed to the public order, that is what you are asking, is it not?

The Connétable of St. Clement:

Yes.

The Minister for Justice and Home Affairs:

Again this predates me so I will outline what has gone before. The public consultation for the then Crimes of Prejudice and Public Disorder Law was launched in October 2019 and extended out to 2020 because we did not really get many submissions. The consultation was based on the Draft Crime (Prejudice) Law which contained mostly laws to regulate hate crime. But since the public consultation the previous Minister decided to remove the hate crime aspects which will be addressed following the publication of the *V.A.W.G. (Violence against Women and Girls) Report*. Most comments received were about hate crime and very few related to the draft public order or the drugs aspects that are now the mainstay within the new Draft Public Order Law which I believe you have had a briefing on. Comments from the consultation about the Crime (Prejudice) Law was about the impact of legislation on free speech generally, specifically in relation to where the line is drawn between reasonable expression and criminal activity. It lacked detailed definition of some of the terms in the law. There was some issues of intent and thought crime. There was queries about human rights compliance, queries around protected characteristics in general and specifically the treatment of sex, and the implications of managing minor drug offences at the parish hall. So basically that piece of work is on hold at this point and I have yet to see the new draft of that. All of those conflicting positions have to be looked at in light of what is happening with the U.K. Law Commission - and I do not think they have reported as yet - and once they have we need to appraise what they are saying before we bring that law back.

The Connétable of St. Clement:

Have representatives of L.G.B.T.Q.+ (Lesbian, Gay, Bisexual, Transgender, Queer or Questioning, or Another Diverse Gender Identity) groups been consulted?

Deputy C.D. Curtis:

We were asked about this as well by the public.

The Minister for Justice and Home Affairs:

In the previous consultation, which took place in 2019, yes, most certainly. Again it will be a case of how we consult on any new provisions of a new law, but of course they will be included, yes.

The Connétable of St. Clement:

What about consultation with other groups?

The Minister for Justice and Home Affairs:

I envisage that the whole consultation will take place again.

The Connétable of St. Clement:

Repeat.

The Minister for Justice and Home Affairs:

Yes.

Deputy C.D. Curtis:

So basically it is waiting firstly on the U.K. Law Commission and what happens there, okay. I have some questions now more about police matters. I was going to ask something about the police complaints draft regulations but we are due to have a briefing on that so we will leave that for now. I have some questions about littering. Please can you explain how police determine whether a littering offence should be recorded officially?

Chief of Police:

If you would like me to answer that, Minister?

The Minister for Justice and Home Affairs:

Yes.

Chief of Police:

First of all in context, I often speak to particularly the Connétable of St. Helier who expresses his concerns about littering in the town, and I agree with his concerns. We deal with such offences in several different ways. Very often littering can be dealt with by words of advice and I think indeed I have even done that in the town. That is for low level type issues. Of course fly tipping, which is part of your question, is something more serious, not only the impact it has on the environment. However, we get very few, if any, complaints of fly tipping. Those complaints could of course go into Government but do not necessarily come into police, and they can be dealt with by a different agency. So, for example, for the benefit of the panel, offences that we have dealt with over 2021, 2022 and 2023; in 2021 we had 2, 4 in 2022 and none so far this year. So in terms of it being a significant issue, certainly in other jurisdictions that I have worked in it is an infinitely bigger problem, particularly for local authority areas, but it is not necessarily something that we are picking up a lot of concern about. But we will be keen to respond if indeed that problem occurs.

Deputy C.D. Curtis:

So that is the figures for fly tipping complaints?

Chief of Police:

Yes. We do not have any figures necessarily for littering.

Deputy C.D. Curtis:

On the subject of littering generally, the previous panel recommended the introduction of fixed penalties for littering. Could you provide an overview of the current system of penalties for littering offences and whether they are used at all?

Chief of Police:

Fixed penalty notices, certainly that is a tricky one. I am looking to the Minister because she can read my mind. I think there are opportunities to use fixed penalty notices but of course that begins to impact upon the parish hall enquiry system which I know we are all particularly committed to. We have talked previously about fixed penalty notices for speeding type offences. I, for one, am a supporter of a fixed penalty notice but it is not as easy as simply saying we will issue a notice because of the impact again it has on the parish hall enquiry system but also the infrastructure that is required behind it. So, accepting that this is not necessarily about littering or fly tipping but purely from a speeding point of view, as I think I may have already said to the panel; we will very quickly get overwhelmed with the numbers because it is easy to send the ticket, it is what you do in the back office which would need to be automated. So I think there is options to use fixed penalty notices but it is how that would link into the parish hall enquiry system because we would not want to necessarily interrupt that system, and I know the Minister may feel similarly about that.

Deputy C.D. Curtis:

So with littering is there anything apart from words of advice?

Chief of Police:

There is the ability to report and send to parish hall enquiry, we can do that, and indeed I have recently asked my staff to be more observant of that as the result of a meeting that I had with the Connétable of St. Helier where there is a particular problem. Indeed, I have had a look for myself. So we can report to parish hall enquiry but we deal with very, very few of those. While it is an impact I get, you can imagine there are a number of other priorities that currently are more important than that, but I have certainly committed to the Connétable via our community policing team that we will do what we can.

Deputy C.D. Curtis:

Okay, thank you. Now on to parking. The panel understands that parking violations are typically dealt with by a parking official. Under what circumstances could a parking violation involve a police presence?

Chief of Police:

Well, not many, to be frank. As you already know, the States of Jersey Police do not issue parking tickets and nor do we oversee parking violations within the Island. Parking Control of course have responsibility for the policing of parking violations, alongside parish wardens and the honorary police in the parish of St. Helier. Within the remainder of the Island the parish wardens and honorary police have a task of issuing parking tickets for parking violations again within their respective parishes. At times of course, because our relationship with our honorary police colleagues is very close, we will always if appropriate assist not only our honorary police colleagues but also if we are called to any, if you like, disgruntled motorists who may have an issue with one of our parking colleagues we will of course attend that too.

Deputy C.D. Curtis:

We have had this problem raised with us as well particularly about disabled parking spaces, so do incidents related to violations of disabled parking spaces get recorded officially by the police?

Chief of Police:

Very few. The numbers are tiny in fact across the board for various different types of parking, very few, and I suspect that is not the reality of the situation, far from it, but the numbers are often in single figures. Very few complaints about people parking in disabled bays, which I personally find deeply frustrating, but it is not something that is often brought to our attention necessarily but I suspect it may go somewhere else.

Deputy C.D. Curtis:

Do you want to add any comments about the disabled parking? You do not?

The Minister for Justice and Home Affairs:

No. I mean, other than that, it is not an issue for States of Jersey Police. Most of the parishes have got parking wardens and I think, as Chief Officer said, the States Police would stand up to support the traffic wardens but they would be expected to issue the tickets for people parking in disabled bays.

The Connétable of St. Clement:

I have a special one, Minister, if you do not mind. We have been lobbied by some members of the public and also some taxi drivers, which might give you a hint. Is the Minister concerned about the safety of those running and using Jersey Home Lifts?

The Minister for Justice and Home Affairs:

I think I am going to turn that on to the Chief of Police.

Chief of Police:

I have been made aware on a number of occasions indeed. Your predecessor, Len Norman, God bless him, he raised this issue with me regarding what I understand to be Jersey Lifts on 2 or 3 different occasions. Certainly the Head of Roads Policing which is, as you know, Inspector Callum O'Connor, is responsible to working with our cab drivers in the Island to find out how best to resolve that. But I would describe it as a wicked problem.

Deputy B. Porée:

Wicked?

Chief of Police:

A wicked problem, in other words a difficult one to solve. I think that is probably the better description. It is a very difficult one to solve because it is a very popular, if you like, service and I am sure those taxi drivers who are listening to that would not describe it as a service but it is very popular.

[15:45]

I have been asked in the past what enforcement activity we can take. Well, that has happened in previous years which predates me. That is not the best way of doing it; putting covert officers into the back of cabs is not the most sensible way of using police resources, nor could you necessarily get the authority to do it. So we have written previously to that association that is representing the cab drivers. I am very happy to do that again. I certainly have not had any recent correspondence, none that I can remember. This question will probably prompt it again and I will very happily, with Callum, engage with the taxi drivers to find out what the solution is, but it is not as simple and straightforward as we would like.

The Connétable of St. Clement:

I am not supposed to say this but I tend to agree with you, but there is a concept to this which perhaps needs reenforcing. How is insurance suited to this sort of venture, would anybody know on your side?

Chief of Police:

It may be a bit dated now but there is a written brief from a lawyer looking at all the various different issues with this, and I would have to remind myself because it has been some time. But everything in this - hence the reason why it is a difficult problem - is nuanced. It is nuanced. If this was black

and white this would be easy. It is just not. It seems to me that we sort of have this unhappy coexistence because it is a difficult challenge to fix. I do not offer any solutions but I will happily engage with the cab driver association with one of my inspectors to try and see how best we can do that. We have written to people in the past but from an enforcement activity, enforcement will not fix this. It will not.

The Minister for Justice and Home Affairs:

From a community safety and a public safety perspective it is incumbent on people ... they do not know whose car they are getting into and from a safeguarding perspective potentially there are worries around that. But that is a very different issue from an enforcement one.

Chief of Police:

You have reminded me, thank you, Minister, the complaints are hardly any. It is less than one hand, very, very few complaints last time we looked anyway.

Deputy B. Porée:

It is quite underground, is it not, in a way? Some of these connections are done by people who know each other already so, yes, I can understand why you find it a difficult one to make people accountable. It is not easy.

The Connétable of St. Clement:

Would you say that there are potential overriding benefits to this situation continuing?

Chief of Police:

You are tempting me into trespassing into areas where I know I am going to get lots of correspondence. I would never say that to you, Connétable, but I think there are arguments on more than one side.

The Connétable of St. Clement:

That is fair enough, Chief Officer, thank you.

Deputy C.D. Curtis:

I have a question about the school liaison police officers. Some members of the public said that they were no longer in schools and so I am just wondering what has happened there. Could you confirm whether there are still police officers assigned to go into schools, school liaison police officers?

Chief of Police:

That is broadly speaking right, and there is a bit more information to add to that in terms of what was previously known as schools liaison officers being in our schools. We are looking to have in the new year what we are calling 2 youth focused officers who will be predominantly parish-based, so part of our community policing team, who will have additional responsibility for working with our partners also covering youth related matters. That is colleagues in C.Y.P.E.S. That will include schools, youth clubs, community projects et cetera, especially focused at young people. As part of their role they will of course liaise with head teachers, safeguarding leads and managers and those leading in or in charge of clubs and projects, and of course children in care homes. However, the fact has been that a lot of our community policing team, and indeed the previously assigned schools liaisons officers as was, have been dedicated to the major operations that we have been dealing with over the last year. The Chief Officer for C.Y.P.E.S. is aware of that and that is an inevitable fact that we have moved resources around. But I am pleased to say that we hope to be able to deal with some of that into the new year. But of course we have a number of community police officers across a number of our parishes and they also make contact with local schools as well, so there is that community contact even though their primary responsibility may not be schools liaison as was.

Deputy C.D. Curtis:

Okay, thanks, because the community police are such an important part of things, are they not?

Chief of Police:

Yes.

Deputy C.D. Curtis:

So we have just got a few more questions put to us by the public and some of those are about speeding. Please could you provide an update on the establishment of a roads policing unit to respond to speeding?

Chief of Police:

The Minister a few minutes ago said that from a J.C.I.S. perspective would we like to have more staff. I am certainly not asking that question here at the panel, and certainly not in front of the Minister, but there is no Chief Police Officer who would say no when asked: "Would you like more staff?" Currently we are looking at and have plans around a roads policing unit which will significantly enhance our roads management procedures across the Island. I would say that of the top 5 items that come into my inbox, to use that sort of phrase, speeding and roads policing is one of them, hence the reason why we introduced Operation Canvas. We have seen a 26 per cent increase in drunk in charge so far this year and you may have seen some media only a few weeks ago where we were updating Islanders with that. However, given the current demands there is no capacity to introduce another unit but that does not mean to say that we are not still policing our roads. You

may have seen, certainly they were out this morning doing road checks, speed checks on the avenue and elsewhere, which we will continue to do because our shift teams will do that. Inspector Callum O'Connor, who I have mentioned a number of times already, has been working with the Minister for Infrastructure and his team and we are increasingly confident where we are getting closer to mobile speed cameras to be trialled in the Island in the first quarter of 2024. These are very specialist pieces of equipment. I have seen and had a presentation on them. They will change very significantly the enforcement arrangements in the Island, particularly those who drive persistently at speed, and they can be overt and covert. But of course we are still faced with the challenge of how we deal with it because there will be hundreds and hundreds of people who will be part of that process. So, again, that is for the first quarter of next year and that is a trial, so that is proof of concept. Do not expect to see lots and lots of these things around because I think there is more consultation to be had as well as some of the other back office things. Operation Canvas is, if you like, the branded operation that we have had now going for a number of years. In particular we are patrolling the northern parishes using marked and unmarked vehicles, so we are covert on occasions when we conduct speed checks, particularly those who choose to what I describe as drive in an antisocial way, particularly those in the early hours of the day and particularly in the northern parishes, who frankly use this Island as a racetrack which is entirely unacceptable. We have had some success with that. We are also overt with that; we have written to dozens and dozens of drivers who have come to our attention and if I can use this opportunity in the minutes we have left, there is an opportunity on the States of Jersey website to report that activity. I really do encourage people to do that because it is looked at regularly.

Deputy B. Porée:

Can I just ask something, Chair? Why the north of the Island? Is it because maybe it is less patrolled by police, the roads seem to be wider and more empty? Why is that sort of behaviour in that side of the Island?

Chief of Police:

Currently it is the north but it could be the west.

Deputy B. Porée:

I thought Five Mile Road was the road where most people are wanting to speed ...

Chief of Police:

Five Mile Road is probably not bendy enough and exciting enough, so it moves from place to place but there are what some people have described as enthusiasts who like to think that this Island is a racetrack. We will deal with them.

Deputy C.D. Curtis:

Ideally then a roads policing unit in the ideal world would need a few extra staff?

Chief of Police:

The breadth of policing, as indeed in other departments as well, is wide and certainly I have been presented with a case for a roads policing unit at the States of Jersey Police, but for reasons I think this panel is well informed of, now is not the time for a roads policing unit while we currently deal with the pressing matters that you are aware of. So we have just put that on pause but our aspiration would be to have a very specialist unit that is going out day to day. I would like it but at the moment that is just not feasible.

Deputy C.D. Curtis:

Okay, thank you for that. I know we have only got a few minutes left and we have a few more questions. Can I just ask about the proposed in committee debate on the potential decriminalisation of illicit substances; is there a planned date for that?

The Minister for Justice and Home Affairs:

Yes, I had a meeting with the Minister for Health earlier on this week and policy officers, and I think we will be lodging the briefing paper at the end of this year with a view to a debate in January. It will be an in committee debate about the decriminalisation of cannabis.

Deputy C.D. Curtis:

Then we have a few questions about the Sexual Assault Referral Centre. We have got a few minutes so I will start on that. The panel has sent some letters to you as part of the Government Plan review about this as we are concerned about potential shortfalls of funding. Can you provide an update for us now on that topic?

The Minister for Justice and Home Affairs:

We are waiting for the outcome of the planning application and in the meantime the project team are working on refining the design and preparing the tender documents for the works in the hope that planning permission is granted and that we can proceed. So until we go out to tender we will not be aware of the actual cost of the building. We have got a provision of £4.29 million for the project in the Government Plan. We are fairly sure that due to inflation and the necessary changes to the design the expected costs are likely to be higher than the current provision. I am certainly working with officers in my department but also in Treasury to ensure that we can resolve the position and make sure that we have got the full funding that we need for the project, but we are not sure of what the quantum is going to be until it has been out to tender and we understand what the costs will be.

Deputy C.D. Curtis:

I was going to ask about the timeline for the building but you said you are waiting for the planning application?

The Minister for Justice and Home Affairs:

We are waiting for the outcome of the planning application.

Deputy C.D. Curtis:

Okay. Just another question on this; do you think the current structure of support services for people requiring assistance following instances of sexual assault are clear enough? Is there a distinction in between the service available from Victims First, Jersey Domestic Abuse Services, and the Sexual Assault Referral Centre? Do you think there needs to be more signposting?

The Minister for Justice and Home Affairs:

I think that is quite a difficult one for me to answer. I mean, certainly we are going to be launching ... the independent taskforce are launching their violence against women and girls report next week. I have not had the opportunity to see that report and I am sure that if any clarification is needed around signposting to services that would have been highlighted in that report. What I would say is we have excellent services and we have moved an awful long way in the last kind of 5 years really for provision of support to victims and witnesses. I think I would like to be able to sit here and say that, yes, the routes are clear as a result of the training that we have put into all the agencies, not just the police but probation services and our charitable partners, Jersey Action Against Rape. Clearly you have got the Jersey Domestic Advice Service, the role of the Sexual Assault Referral Centre, but that is why I think the outcome of the *V.A.W.G. Report* will be interesting because clearly they have done some more in depth research and survey work around that.

Deputy C.D. Curtis:

That would highlight anything, I expect, if there is anything.

The Minister for Justice and Home Affairs:

Yes, I think that would highlight if there was any issues. As I say, it is not being brought to my attention that there are issues with signposting to services, but that does not mean to say that some people feel that they are not clearly signposted.

Deputy C.D. Curtis:

Okay, well at this exact moment we have finished our questions. Exactly on the dot. Thank you everyone, thank you very much. So I think that brings us to an end. Thank you.

[16:00]