



STATES OF JERSEY

Education and Home Affairs Scrutiny Panel Medium-Term Financial Plan Review

MONDAY, 23rd JULY 2012

Panel:

Deputy J.M. Maçon of St. Saviour (Chairman)
Connétable S.W. Pallett of St. Brelade
Connétable M.P.S. Le Troquer of St. Martin

Witnesses:

The Minister for Home Affairs
Chief Officer, Home Affairs
Chief of Police
Finance Director

Also present:

Mr. M. Robbins (Scrutiny Officer)

[15:03]

Deputy J.M. Maçon of St. Saviour (Chairman):

Good afternoon, gentlemen and lady. Thank you for attending this hearing on the medium-term financial plan of the Education and Home Affairs Scrutiny Panel. For the transcript, I will ask if everyone could introduce themselves and also if the witnesses could make themselves aware of the statement which provides them with a protection in front of this Scrutiny hearing. So I will start by introducing myself, the Chairman of the Panel, Deputy Jeremy Maçon.

Connétable M.P.S. Le Troquer of St. Martin:

Michel Le Troquer, Connétable of St. Martin.

Connétable S.W. Pallett of St. Brelade:

Steve Pallett, Connétable of St. Brelade.

Mr. M. Robbins (Scrutiny Officer):

Mick Robbins, Scrutiny Officer.

The Minister for Home Affairs:

Senator Ian Le Marquand, Minister for Home Affairs.

Chief of Police:

Mike Bowron, Chief Officer, States of Jersey Police.

Chief Officer, Home Affairs:

Steven Austin-Vautier, Chief Officer, Home Affairs.

Finance Director:

Liz Middleton, Finance Director, Home Affairs.

Deputy J.M. Maçon:

Welcome to you all and thank you for being here today. First of all, can I begin by thanking the department and officers for answering the questions that we received from the Corporate Affairs Sub-Panel in order to help us with our work looking at the medium-term financial plan. That was turned around and given back to us in quite a speedy manner, and we are very grateful for that. We have a few supplementary questions; if we can go through that format to ask so that we have a better understanding, and that is the method which we would like to adopt, just so everyone is clear. The first question which we would like to put: we are aware that when the States adopts the medium-term financial plan, in reality, what they are adopting is overall spending limits and what is presented to us is a will of intent, how each department intends to spend the money, though there is not anything, apart from goodwill, to bind a Minister to what is in the plan. The first question which we would like to put, Minister, is given that a lot of time and effort has been put into sorting the budget and the growth bids, et cetera, for the Home Affairs Department, what confidence do you have that what has been put in here will be delivered or spent in the way that has been presented?

The Minister for Home Affairs:

Well, in order to balance our books over the 3-year period, if things go in the middle line of where I think the C.S.R. (Comprehensive Spending Review) savings are going to go in that period, then we need to underspend by £200,000 each year in order to balance the situation. We currently have approaching £1.5 million ... it has come down from that to £1.4 million of

items which potentially would not succeed fully in relation to the C.S.R. The evaluation that was dealt with by officers of that is we think the level of failure of that is going to be of the order of £600,000 a year. We had at the end of the year available for pushing forward to future years just under £1 million. We need to arrive at a figure of £1.2 million in carry forwards by the end of this year, and then we need to save £200,000 out of each year in order to balance the expected £600,000 per year of the C.S.R. process, if that makes sense to you: 3 times £600,000 equals £1.8 million, and £1.2 million plus 3 times £200,000 equals £1.8 million. So you will see that we are massively juggling the figures. This is the sort of exercise that happens in practice in the budgetary process with every department. It is particularly unusual because Home Affairs is committed to particular levels of savings within the C.S.R. process. What we have been doing - and I am very grateful for the work done by my chief officers and the section heads who are below them, in the case of Steven Austin-Vautier - is accelerating forward savings in order to build up a pot to offset the degree to which we do not think we will make the savings as per the C.S.R. process. So I have given you the global figure, and I think I have sort of obliquely answered your question, but what I am saying is I have got to the point where we will be able to deliver our current levels of service and anticipated levels of service within these global figures over the 3-year period, but we will not deliver it precisely in the format that is required, because we need to save £200,000 to put towards other things.

Deputy J.M. Maçon:

We will be asking about that in a minute. If I can just move on. Looking at question 2, looking at your growth commitments, some have perhaps slightly shifted to other areas. I note the Sex Offenders' legislation is going to be transferred to the Judicial Greffe and Probation and Health and Social Services. What my concern is is sometimes when things get handed from one department to another, the correct follow-up in ensuring that these things are delivered may not necessarily occur, and that is not a criticism of any one in particular, it is just what happens in the States system now and again. Can you just explain what kind of mechanism has been put in place?

The Minister for Home Affairs:

Well, I think Probation and Health and Social Services is straightforward, because they have more staff requirements as a result of the Sex Offenders' legislation. The Judicial Greffe figure is to a degree a little bit ... perhaps that is too strong, but it is an estimate. Because at

the time when the proposition was taken to the States, we made an estimate of what the cost would be out of court and case costs in relation to legal representation on appeals and things of that nature. Now, that figure is inherently uncertain; it could be more, it could be less. These figures, I think, are still based on the best estimate. I am looking at Steven to see if we are still working on the same figures.

Chief Officer, Home Affairs:

We are, but while I am speaking, it is not that the responsibility for the legislation has been transferred, it is merely a budgetary transfer, and the lion's share of that figure was to do with legal costs and the claims that would be put in. The responsibility for paying the claims lies with the Judicial Greffe, so it is an administrative matter rather than a transfer of responsibility, if that helps.

The Minister for Home Affairs:

Yes. But I think the point that the Chairman would be making is what guarantees are there that the Greffe will not spend it on something else, because this was designed for a specific purpose; in fact, they should not spend it on something else.

Chief Officer, Home Affairs:

They should not, but unlike a couple of years ago, there are now court and case costs review meetings; before it was "fire and forget" where court and case costs provision was concerned; once you had the budget, there was not an awful lot of oversight. But now, in fact, the Police Chief is probably more involved in that than I, because an element of court and case costs goes to the Police and Customs, for example. So there are regular meetings with the Treasury now in order to scrutinise how the money has been spent, all with the aim of staying within a budget rather than letting it free flow.

Deputy J.M. Maçon:

So will this then just be part of that overall pot; it is not going to divide into anything else?

Chief Officer, Home Affairs:

It is part of an overall annual court and case costs provision.

Finance Director:

If I could perhaps help there, because I sit on the review group with one of the guys from the Treasury; we meet quarterly. There are people there from the Bailiff's Office, the Greffe, the Law Officers, and we go through case by case anything that is outstanding, the forecasts of what the actual court and case costs are going to be, and that is recorded and reported on quarterly. As for looking back to the court and case costs, part of this figure was £700,000. As far as I am aware, there is not a process to track that figure, but it is certainly a question that could have been asked following the adoption of the report and proposition by the States because, as the Minister said, the original figures for court and case costs were based on estimates, whereas the other departments: Home Affairs, Health and Probation, were based on actual posts, so we do not ... there are people in posts there. The court and case costs is more of a rounded estimate.

[15:15]

Chief Officer, Home Affairs:

A guesstimate of what costs claims might come forward.

Deputy J.M. Maçon:

Thank you. We note your answer to question 3, talking about the staffing levels. If you could just possibly talk about that a little bit more because we do understand that, for example, the civilianisation of certain police posts must fall into this category as well.

Finance Director:

If I could perhaps start and then someone else can then interrupt me. Basically, what we are saying is that the overall manpower figures for Home Affairs over the next 3 years are only impacted by the changes to the C.S.R. programme, and we have built in set reductions detailed in the 2012 Business Plan. Part of the proposals over the next 3 years, as you say, for the police modernisation, we probably will not lose posts, but we will be replacing the uniformed officer with a civilian, so there will be a cash saving, but not necessarily a post saving. Over the 3-year period for Home Affairs, we were losing - I have not brought my spectacles - 23.8 F.T.E.s (Full-Time Equivalents) between 11 and 13, and those figures tie in with our C.S.R. proposals.

Chief of Police:

The headcount will be the same.

The Minister for Home Affairs:

We have answered your question very literally because we have assumed that when you said you had not allowed for it in the 2012 Annual Business Plan, that that included anticipated things in the 2013 C.S.R. savings. I think that is right. So if it was in the 2013 predicted C.S.R. savings, we have not put it in here because we assumed that was caught up in the 2012 Annual Business Plan. If that was not your intention, then we will need to tell you what is in the 2013 plan.

Deputy J.M. Maçon:

Well, why not ask that question as we are being invited to.

The Minister for Home Affairs:

I do not know the answer to that in terms of staff numbers.

Chief Officer, Home Affairs:

Yes. Do you want the number of posts next year, do you?

Deputy J.M. Maçon:

Yes, please.

Chief Officer, Home Affairs:

8 and a half.

Deputy J.M. Maçon:

In addition or a reduction, sorry?

Finance Director:

It is a reduction.

Chief Officer, Home Affairs:

Across the whole of Home Affairs.

Chief of Police:

Yes. That is not just police.

Finance Director:

No, that is everybody.

Chief of Police:

Our head count will be, by and large, the same as it is now, it is just that some people will be doing different things in different forms, but the overall 321, or whatever it is, including cops and support staff, will remain the same.

Finance Director:

In terms of the 3-year period of the medium-term financial plan, the Home Affairs F.T.E(full-time) figure will be less at the end than it was at the start, and that ties in with all our C.S.R. projects. Other changes could be managed within our bottom line head count and F.T.E figure.

Deputy J.M. Maçon:

Just for the record can I ask, those 6 or 8 posts you have highlighted, where will they be going from?

Chief Officer, Home Affairs:

Yes. I will give you some examples. There is one at the field squadron; there is a maintenance post there. There is one at the Prison, which is a change in the way that forensic psychology is delivered, so we have reduced the posts there. There is one in the prison education side. It was going to be a Deputy Head of Learning and Skills, but it is from another area there now, because we ran that light for a while as a trial but found we needed that post. But we are taking one out of Learning and Skills. We have had one in my area over there in Community Safety, we have gone down to half a post there, but we have topped up by half for a project manager for the C.S.R. programme, so we have had an offset there. There are 2 projected for the Young Offenders' Institution saving, as was projected for the prison. We will probably lose the post, but we will still have to maintain the Young Offenders' Institution, as it happens, that will not be going as a saving as such, but the head count will come down. The biggest one is in repatriation of prisoners. This is one where there will be

some slippage, through probably to 2014 at least, and that is one reason why we are asking to carry forward money to cover the slippage. We need at least another year, 18 months in order to reduce the prison population because, as I think I have said before at other hearings, the saving is in reducing the staff complement and not necessarily the number of prisoners, because you need to reduce the size of the overall prison facilities. So that is most of them I have mentioned, I think.

Deputy J.M. Maçon:

Thank you. We also note, and again just for the record, that the proposal for the Fire and Rescue and Ambulance Service is now not going to be progressed. I know we have been here before, but can you, Mr. Minister, please just explain why this is not going ahead?

The Minister for Home Affairs:

Well, Health and Social Services wanted to retain control of the Ambulance Service as a part of their services; that is the simple reason. What has happened, in fact though, is we have been credited as if we have made the saving within the medium-term financial plan, so we have not suffered any loss by virtue of that saving not being made; it has been credited to us.

Deputy J.M. Maçon:

What was the process, how did that happen?

The Minister for Home Affairs:

We have been given another £114,000.

Chief Officer, Home Affairs:

Yes. We have had our cash limit for next year readjusted and credited with £114,000, I think it is reflected in the M.T.F.P (medium-term financial plan).

Finance Director:

It is.

Chief Officer, Home Affairs:

Yes. It has already been done.

The Minister for Home Affairs:

As if we had made the saving, which we have not.

Deputy J.M. Maçon:

Thank you. Turning to point 4, and we thank you for attachment A, one question which we just wanted to ask is: going forward, the figures for the baseline of the department, we believe they have been, but just to check that they have been adjusted in the way of inflation.

Finance Director:

Yes.

Deputy J.M. Maçon:

Thank you.

The Minister for Home Affairs:

And anticipated salary increases, I think.

Finance Director:

No, not yet. There is no adjustment in departmental cash limits for any salary changes over the period. The provision is being held centrally until a new pay deal has been agreed and departments' budgets will be enhanced, says she, hopefully.

The Minister for Home Affairs:

But the provision exists?

Finance Director:

The provision does exist, but not at this stage ...

The Minister for Home Affairs:

And the anticipation is we will get compensating money provided the deals that are done are within the final offer range.

Deputy J.M. Maçon:

Then the costings that have been provided here, are they from the department or are they from Treasury?

Finance Director:

They are from the department. We get the overall figure from the Treasury, the top-line figure, and then we base the departmental breakdown on historical data and up-rating, as you mentioned, with the price inflation both applying to income and to expenditure. We know where the C.S.R. commitments are for each service area, so they have been adjusted, and that is the same with the growth that has been proposed in the medium-term financial plan and also procurement savings that we have split up over the service areas to give the indicative cash limits here. As you are aware with the 2 accounting officers, once the States has agreed the medium-term financial plan, then the Minister will formally allocate the budget between the 2 accounting officers for them to manage.

Deputy J.M. Maçon:

Thank you.

The Minister for Home Affairs:

I think I am right in saying these figures do not take into account the carry forwards.

Finance Director:

No, they do not.

The Minister for Home Affairs:

So the carry forward sum, the £1.2 million by the end of the year, will be in addition to these figures.

Deputy J.M. Maçon:

Right, I see. Where would they show up then in the document?

Finance Director:

In terms of the medium-term financial plan, we are looking backward to last year's carry forward, but then in terms of reporting, the way that the information will be presented is the original budget, as per the medium-term financial plan, and then the carry forward is

additional to that which, when it comes to the financial report and accounts, are shown separately. But our final results at the year end take every amount of budget we have had, be it through original budgets, budget transfer, or carry forward.

Deputy J.M. Maçon:

Thank you. Moving on to part 5, looking at the services and how they are going to change. We note that passport printing seems to be a *fait accompli* now, though we do wonder what service level agreement has been put in place, because we note things like delays, et cetera.

The Minister for Home Affairs:

It has not, I am afraid. The timing with the negotiations has been held up, as I understand it, because of negotiations taking place at the same time as the U.K. (United Kingdom) negotiation ... or am I talking nonsense? I know there was a reason when I broached it today at the monthly ministerial meeting, but nominally I have been saying since September, I think, we need to start negotiations.

Chief Officer, Home Affairs:

Yes, that is right. We are just not that far advanced yet, it is just a decision in principle that they will be produced, printed off-Island, but we are just not that far ahead in the negotiations to have reached any agreements yet.

Deputy J.M. Maçon:

When, then, is the printing supposed to commence in the U.K.? Because presumably it was tied into a saving in Jersey.

Chief Officer, Home Affairs:

It is as loose as some time next year, but there are no dates that you can put any certainty to that we have been given to us, I think I am right in saying that.

Deputy J.M. Maçon:

So what is the implication for things like having the books here and the resourcing in order to do that?

Chief Officer, Home Affairs:

We did buy in a larger consignment of books that we currently use in order to cover delays, so we do have a large stock so that we can print passports on Island until this programme is put together, so that was part of our risk management of the situation, if you like.

Deputy J.M. Maçon:

Thank you. We also note the zero-hours tutors at the prison. Obviously, we had had the annual report from the prison showing that many educational courses had been taken up, and it was something which we praised. What will be the impact of moving to this different system?

The Minister for Home Affairs:

Essentially, it will be a narrowing of ... I will call them non-core educational activities. With the reduction in overall numbers that we are anticipating, you would not expect to be able to offer as wide a range of what I call non-core educational activities, and so we would expect a reduction in terms of the types of such activities that were available as a result of the reduction in the numbers. Curiously enough, we are already seeing this year a reduction in numbers in the prison, of about 20, which is not caused by the repatriation of prisoners, so we are more confident in terms of the overall savings than we were 6 months ago, simply because our prison numbers are already dropping. But I think I am right in saying ... I have called it the non-core activities ...

Chief Officer, Home Affairs:

Yes. There would be a reduction of about £10,000 in that, about half, I think, if I remember rightly. But yes, as the Minister says, if the population is planned to go down, you would reduce those anyway, but the Governor just intends to target the budget to where it is most needed.

Deputy J.M. Maçon:

What analysis has there been on looking at, for example, the success or employability of inmates after their partaking of the non-core courses as compared to the core courses, as it were?

The Minister for Home Affairs:

I think it is too early to say because normally you do analysis based upon performance over a period of time after people have left prison. Certainly, we have discussed before, I am pretty sure, that the present Governor announced it has not yet been done because the changeover of systems took place during 2008 for the new schemes. We have still got a lot of people still serving their sentence, and so you need people to have left prison and then you can start to judge.

Chief of Police:

If they start repatriating, we will never know.

The Minister for Home Affairs:

That is right because if you repatriate, you are not trying to ...

Chief Officer, Home Affairs:

But a lot of effort goes into trying to place people leaving the prison, and the success rate is pretty good. The trouble is, the longer they are out, you lose track. You could put a lot of effort into placing somebody and they would have a job for 4 or 5 weeks and for some reason they lose it, but if you are not in regular contact, it is very difficult to capture those changes that take place.

Chief of Police:

They have tried this in the U.K. many times, and it is the tracking and the resource. It is probably easier in Jersey, but certainly in the U.K. it has been tried and failed many times.

[15:30]

Deputy J.M. Maçon:

I suppose the issue is if one is reducing the amount of core courses offered, which is effectively the point ...

The Minister for Home Affairs:

I do not think it is the core courses, I have called them "non-core." I think I am right, am I not?

Chief Officer, Home Affairs:

That is right. I mean the zero-hours tutors fulfil a specialist need, so you buy in a particular thing; if you have got somebody who wants to do something particular, or a small group of people. But by far and away the biggest learning and skills provision is all the carpentry, building skills, horticultural work, plus the placements that take place outside when somebody is at an advanced stage in their sentence.

The Minister for Home Affairs:

And the basic education programmes.

Chief Officer, Home Affairs:

And that, yes. That is by far and away the lion's share of education. This is a tiny top-up, really.

The Connétable of St. Brelade:

You have sort of answered my question I was going to ask about what is the rationale for going down the zero-hours tutor route? Obviously, it is specialised, but is there not a danger or is there not an opportunity, or maybe a risk to some degree, that you can use zero-hours-type tutors or zero-hours type labour in other services within the prison or other services within Home Affairs? Is that an option that you are looking to make savings on in the future, or can you see any savings that can be made by offering zero-hours contracts for other types of staff?

The Minister for Home Affairs:

In people within the police force.

Chief of Police:

Yes. I have been speaking to the Senior HR manager, Home Affairs about this; similar opportunities in the police, short-term stuff.

The Connétable of St. Brelade:

Because it has been a fairly controversial subject within the States in terms of whether it is the right route to go, if it fits the States.

Chief of Police:

As a part of our overall workforce modernisation programme, it should be one of the tools, I think, in appropriate places. Of course, conversely, also, we have realised that we have always got people on restricted duties, cops who have been injured on duty, and I am looking at a number of our full-time posts, which are not necessarily high-skilled posts but behind the scenes, that we will not fill now because we know we are always going to have 5 per cent to 10 per cent of people on restricted duties who can slot into those, and that will save us quite a bit of money in terms of temporary contracts, and things like that.

The Connétable of St. Brelade:

I can see the value behind zero-hours contracts as long as they are used in the right way and they are not used for people that are doing regular work week-by-week, month-by-month. Again, I think it has been misused at times and is there not a risk that that could happen within those types of contracts within Home Affairs?

The Minister for Home Affairs:

I think that only really could happen where you had a specialist task which had massively variable hours and you wanted to retain someone to do that. Otherwise, if you did not retain them on that sort of basis, you would end up having to train up somebody else who was already doing a full-time job to do this as an additional specialisation.

Chief of Police:

For example, if we recruit say a former detective to be called in when I need them on a zero-hours contract, when we have got a particular rush or a particularly large job, and say: "Will you come in for ..." and that would be an ideal example of a zero-hours contract to fill organisational needs, and it meets the needs of the individual because they are flexible and probably retired.

The Minister for Home Affairs:

It is not unusual in organisations; the Judicial Greffe sometimes uses people like this if it could have a particularly lengthy case, and they have got someone with skills who is retired, that they will bring them in, shall we say, to do a 2-week case, and it creates a situation in which you have got more flexibility.

Chief of Police:

A perfect example would be in policing cold case reviews, because obviously with scientific developments in D.N.A. (desoxyribosenucleic acid) you suddenly realise that a case that had been filed 10 years ago because the science was not there, the science now is there, and you can dig the papers out and call somebody in for 2 months, whatever, and say: "Look, please can you take this, there is new evidence. Let us see whether we can get the offender." That would be a perfect example of a zero-hours contract.

The Minister for Home Affairs:

You would not want to use it wider than these few areas, especially with police, where police officers have got to work interchangeably, and there is a huge element of flexibility. You do not want to use it where you have particular specialist areas, it seems to me, that had a great fluctuation of hours; I do not think it would work anywhere else.

Deputy J.M. Maçon:

So then, if I understand it, from the Home Affairs Department there is no intention that a zero-hours policy would become a significant part of how Home Affairs functions?

The Minister for Home Affairs:

No. Particularly for core activities, you need people who are there on a core basis.

Chief of Police:

Yes. Probably less than 2 per cent, I would think, at the most.

Deputy J.M. Maçon:

Then again, I suppose part of that issue is always the relationship with the statutory commitment that Home Affairs has to make. How much does that restrict the flexibility?

Chief Officer, Home Affairs:

I think virtually everything we do is done by statute so we do have to be careful. We know that because a while ago we looked at prioritising our services and when we looked at that criteria everybody was virtually the same, you could not separate anybody based on what is a legal responsibility.

The Minister for Home Affairs:

But the degree to which you fulfil your function will vary. There is nothing statutory that says we have to provide educational courses within the prison; we choose to do so because it is part of a modern regime of prison, not because there is anything which says we have to. We have to run a prison, that is statutory, we have to run a police force. But there is a responsibility.

Deputy J.M. Maçon:

If I can move on then to the carry forwards, and you talked about how some of it is going to be used from the 2012 amounts, but we know you have got some other figures here in the C.S.R.. Of the ones that we have not discussed, can you just flesh out what is left?

The Minister for Home Affairs:

That is the almost £1 million from previous years, which I am sure you recall, which we have to top up in this year to reach £1.2 million, and then we have to carry on making a £200,000 underspend to balance the anticipated £600,000 value of the C.S.R.

Chief of Police:

Shall I explain first what we are doing on the basis of the ...?

The Minister for Home Affairs:

Yes.

Chief of Police:

Obviously, we saw this coming and we have been running light for some time and accruing savings in salaries to build up a cash pot to see us through the next 2 years, which are fairly tough. So in terms of C.S.R. savings, for example, it is just about 46 per cent of the non-staff budget for policing has gone in 2 years, in 2 tranches. It is not negotiable, it goes on 1st January. So what I have done since I have been here is built up, accrued, a little pot by saving at the moment things like Constables posts and some others, and doing some workforce modernisation. So we are looking for another carry forward at the end of this year to see us into 2013, and then subsequently into 2014, because it is not recurring, it will come down. What I want to do is to match my natural wastage line with my recruiting line, always running slightly lower than that, use the cash that I have accrued. The target is mid-2014, we

will hit a flatline, which is our baseline budget, and we will be at the right number of people, workforce modernised, and there will not be any further carry forward because we will have spent it on salaries, because I think it is 86 per cent of my budget goes on salaries. I cannot make people redundant, therefore, I cannot do any big bang approach, it has got to be a measured approach, taking us through to fitting the medium-term financial plan middle of 2014, and then we will know we have flatlined, and I am pretty confident we can do that.

Deputy J.M. Maçon:

Can you just explain how you managed to do that with Treasury in that I know when there are carry forwards there is a slight battle in between what the Treasury wants to keep and what the department wants to ...

Chief of Police:

Well, by explaining that very process, and that there is a science behind it and that it is planned, it is not just accruing money for the sake of it, it is planned, and we are looking at the numbers. The difficulty is, I have never made anyone redundant, but when you cannot make people redundant, and you have got a £1.5 million cut in your budget over 2 years and 86 per cent of your budget is people, it is fairly obvious, you are cutting into people. So by doing that in advance and accruing some money I do not get a big bang in 2014.

Chief Officer, Home Affairs:

But the Treasury always accepted the argument that the C.S.R. was 3 years, but there was no science behind how that would play out in practice, and so they have always accepted that if we have got difficult and novel savings to make, they might take another 2 years. So we have not said we will not produce the money, what we have said is: "We will manage it ourselves" so that those savings are sustainable in the longer run.

Chief of Police:

There are certain elements for me, Chairman, of the C.S.R. that, while you may understand them on the paper, they are simply impossible to achieve because there may be terms and conditions: it might be negotiating with the Bailiff in terms of prioritising certain elements of the criminal justice process, which takes time. But the money has gone from the budget; we have got to find it from somewhere.

Finance Director:

I think also, as the Police Chief said, we do keep an ongoing dialogue with Treasury; we have got a very good relationship with the officers there. I meet on a quarterly basis with the Treasurer now and each accounting officer - tomorrow, in fact - and we go through the quarterly figures. I also meet on a monthly basis with senior officers of the Treasury. We keep them up to speed with what our plans are, what our projections are so that they understand the context rather than just saying on 31 December: "Oh, by the way, we have not spent this money, we need it for next year." We keep them in the loop as to all the decision-making processes, and so far that has worked very well.

Chief of Police:

It is measured, it is pragmatic, it is scientific, and there are no tensions.

The Minister for Home Affairs:

I have to say that it is a great credit to the current Treasurer, who has taken a very pragmatic approach to these things, and to the Minister for Treasury, but all departments have basically had an understanding with the Minister for Treasury and the Treasurer for a number of years that if we have started making our savings earlier by talking about: "We should cut 5 posts earlier" that we would be able to keep that carry forward in order to support the overall process, and that has been incredibly helpful, and enabled us to have the sort the planning, which I have given you today, in terms of how much we need to put away and how much to cover the future.

The Connétable of St. Brelade:

You have got an extremely well-run department and obviously you have had carry forwards. Could you, just for the record, if you had not been able to carry these funds forward, what would that have meant to the department? What would that have meant to the police?

Chief of Police:

Huge difference ...

The Minister for Home Affairs:

It would be £600,000 short.

Chief of Police:

For £600,000, I would have to get rid of 12 cops: experienced, £50,000 with bells and whistles and training, a 12-year police officer, they would have had to go. But again, natural wastage, you cannot guarantee we are going to lose 12 in a year, so I would be then forced with: "Can I have some more, please, to make redundant?"

The Minister for Home Affairs:

I think that we have pretty well run out of options other than the police force. At the end of the day, if we were forced to produce the C.S.R. savings which I had indicated we could do and submitted by departments too, it was going to be policemen, because we had nowhere else to go. You know that it was a push with Customs and Immigration and they made their savings early, as with the Fire and Rescue Service. Prison made immense strides in a whole number of ways, and is still in the process of delivering. It would either have been that or I would have to go back to my colleagues at the Council of Ministers and say: "Well, look, I am sorry chaps, we have done our very best but we have not succeeded in producing the figures." There was always, curiously enough, a figure of £614,000 which was in the calculations of which was unclear. I described it as "nebulous." When we started the process I was being asked to make £1.6 million of what I described as "nebulosity" (if there is such a word) and I haggled my colleagues down to £600,000 on the basis of that is what I thought we could do. In fact, it is ironical, we would be short by exactly that £600,000, apart from the fact that we have been able to accelerate the process forward.

The Connétable of St. Brelade:

By retaining those carry forwards, what else have you been able to do with that money? Obviously some of it has gone into ...

The Minister for Home Affairs:

The other things are things we are already committed to. One of the strange aspects of the budgetary system is if you know they need some windows to be done up at the T.A. (Territorial Army) Centre, for example from a previous year, but you are not able to do the work in the year, you then need to carry that forward. That is different to the system when I was a Chief Officer, whereby you could place an order at the end of the year and keep the money, provided you placed an order. Now you cannot do that, you have to do that out of underspends, you have to carry it forward. So it is kind of just technical, really, because you

had this money to do certain things in a particular year, you have not done them, and I think the whole of the remaining items fall within that category.

Chief of Police:

Mine is certainly salary savings, there are no capital projects or anything, it was simply planned salary savings to mitigate the 2-step drop as a consequence of the C.S.R. beginning to cut in.

[15:45]

The Connétable of St. Martin:

The new officers you take on now, are they on different terms and conditions?

Chief of Police:

New police officers?

The Connétable of St. Martin:

Yes, police officers.

Chief of Police:

No, they will be on the same terms and conditions, but ...

The Connétable of St. Martin:

Same pension as well?

Chief of Police:

Over time that does change, does it not? I think the ...

The Connétable of St. Martin:

You see, I was on an older scheme ...

Chief of Police:

One-forty-fifth; it is not one-sixtieth, and I think the proposal is one-eightieth? I do not know. But they do change every time.

The Minister for Home Affairs:

It is still one-sixtieth.

Chief of Police:

It is one-sixtieth now. I think in your day it would have been one-forty-fifth.

The Minister for Home Affairs:

It shows how long you were in business.

Chief of Police:

In fact, there are changes to terms and conditions so, for example, the C.S.R.: C.I.D. (Criminal Investigation Department) allowance, plain clothes allowance, on-call allowances. Medical went in 2006. I do not get those allowances; I came in 2 months ago.

The Connétable of St. Martin:

Is there still optical?

The Minister for Home Affairs:

We are at a sensitive point here because the negotiations are done by the S.E.B. (States Employment Board). Now, I understand that we are very close; I am looking at Steven to see what I can properly say at this point. I understand that it is very close to a settlement between the police and the S.E.B.

Chief Officer, Home Affairs:

Yes. That is right. On police pay.

The Minister for Home Affairs:

We will have to see whether ...

Chief of Police:

By point of fact, medical and optical, it was negotiated down in 2006 for new members.

Finance Director:

This ties in with what we discussed earlier about going into camera for, so everything is linked, so it might be worth it.

Deputy J.M. Maçon:

Yes. Okay. We shall come back to that.

The Connétable of St. Brelade:

You did say before that you would need to underspend, make further savings of £200,000 to balance the books at the end of this year, is that correct?

The Minister for Home Affairs:

That is correct if my guesstimate is correct that the C.S.R. savings would fail by £600,000 a year. If I was wrong and they failed by £700,000 a year, then we would need to save £300,000 a year. It is in all departments within this.

The Connétable of St. Brelade:

Is there anything within your budget that you can use for contingencies; if you had another Haut de la Garenne, for example?

The Minister for Home Affairs:

No, that could be dealt with within the wider contingencies provision, it is not a departmental contingencies provision. Steven has historically had his own methodology for creating an internal contingency fund.

Chief Officer, Home Affairs:

Yes. I think any accounting officer who wants to be an accounting officer with any longevity keeps a small contingency in the department. I will give you an example, the fire at the gasometer, the Fire and Rescue Service budget will not stand that because it is not catered for. That is the sort of thing where you would like to think that, within the Home Affairs budget, you could fund it without going cap in hand to the Treasury every 5 minutes, so we do try and manage that.

The Connétable of St. Brelade:

I am only interested in one part of the contingency, where they look forward to it, is that it does say that departments are encouraged to build up their own contingencies. Where do you see those contingencies coming from, because you have got a very tight budget?

Chief Officer, Home Affairs:

It is called a “departmental unallocated provision” and we started planning for it 3 years ago, I think, by keeping back some non-staff inflation each year, not giving it to the chaps who run the Fire Service and the Prison, but they did not feel the pain, and we have built that up to the point where we now can carry that forward each year and hope it is not eaten into in its entirety.

The Connétable of St. Brelade:

How do you account for that in terms of ...

Chief Officer, Home Affairs:

It is transparent in the books.

Deputy J.M. Maçon:

One concern is although while there is the main contingency fund, what is becoming apparent is that lots of that is being allocated year-on-year and our concern is, if there was an issue which the department might have to find itself facing, if they do not manage to retain some sort of internal contingency plan, where that would lead the department or the Island or whatever. But can I just ask what discussion has taken place with the Treasury around the contingency fund to choose however they would need access, the process they would need to go through,? Just so that we have a better understanding.

Chief Officer, Home Affairs:

Yes. I think if there was something major that clearly was outside of our means, we would open a dialogue with the Treasury and they themselves have central contingencies which can be tapped into which are bigger.

Finance Director:

I think, as Steven said, in terms of the Home Affairs figures, we have managed to build up a small contingency over the last couple of years. In terms of the police as well, clearly they

have budgets for police operations which are ongoing and vary from year to year but are set at a certain level. The court and case costs forecasting group that I mentioned earlier, part of that project is to look at the overall spend on court and case costs across the States and within the notion of a smoothing-type fund again. So there are different procedures in place for different types of expenditure and, as Steven said, with our monthly and quarterly meeting with Treasury, we would make them aware if we had any significant concerns of areas that we thought we would have problems with.

The Connétable of St. Brelade:

Could I just ask the Minister: do you not think it is dangerous to lower the level of central contingencies to the level of being “maybe” in terms of protecting ourselves against a major ...

The Minister for Home Affairs:

You are talking about in terms of the whole.

The Connétable of St. Brelade:

In terms of the whole.

The Minister for Home Affairs:

Clearly, this is one of the issues we have discussed in our discussions with the Council of Ministers as to the extent of that. Now, firstly, if something did happen which was really major, then the provisions of the Finance Law could be triggered, because although they limit the occasions upon which the Treasurer can come back to the States and say: “Look, we really do need some more money” there are some provisions in there, but we would need to study those in detail to see what they are and how extreme the thing has got to be, but they do exist. Secondly, there are certain funds available which potentially could become available to Home Affairs in relation to extreme cases of police costs, or whatever, and these are the Drugs Confiscation Fund and the Criminal Offences Confiscation Fund. Now, those are statutory and those state what they can be used for. The problem that we had historically was that certain items were being used each year to finance some of our activities, including court and case costs, including Building a Safer Society, if I remember correctly. Then one year they simply ran out, which caused embarrassment. So what was then decided was that they should not be used in order to fund things on a regular basis, because that was hiding

the total cost of running the public organisation. But, of course, they are still potentially available for topping up, as it were; it would then be the remit of the statutory thing. If I can give you an example of how that might work: if we were really pressed you would have a potential situation where you could find that the whole of Building a Safer Society funding fell within the remit of those funds. Therefore you could theoretically then get a situation in which Home Affairs would go to that fund and say: "Look, we really need some more money because something has happened which we have to pay, please could these costs be covered out of that for this year?"

The Connétable of St. Brelade:

So generally speaking, it is not a major worry to you that central contingencies are going to be run fairly low?

The Minister for Home Affairs:

No. I think there is enough flexibility. The other thing that has happened is that the degree of detail that has been done over the 3-year period has led to a situation that whereas you might have expected unexpected things arising over a 3-year period, we are more clear as to what those things are. Now, where the debate lies - and this was interestingly highlighted by Senator Ferguson in a question she asked - is to what extent some of the items which have been funded should be stated as growth bids, and how they are categorised. There is an interesting ongoing discussion in relation to that. But perhaps as a presentation to States Members, because we were starting to work within a particular envelope, and that envelope had assumed that there would be contingency funds ...

The Connétable of St. Brelade:

Could you give us an example of what you mean by some of these things that could be included within a growth bid or should have been considered?

The Minister for Home Affairs:

Well, it is a question of presentation, I think, in relation to that. If you look at ...

Deputy J.M. Maçon:

Shall we say if Senator Ferguson was presenting it, how would it look?

The Minister for Home Affairs:

Well, I think Senator Ferguson would want to present enormous growth rather than as coming out of contingencies. In my view, she is right, it is growth, and where it is growth it is growth, and we should ultimately say: "That is growth." But the methodology of justifying the expenditure increase means that we have applied, as it were, some of the contingency funds to the growth, because we have predicted the growth is going to happen in advance.

Deputy J.M. Maçon:

Is that how you have managed to manage some of your growth bids, by keeping it within the departmental budget and therefore not requiring extra funding, as it were? Is that what you are saying?

The Minister for Home Affairs:

It does not really apply to us because we have got virtually nothing in growth bids which we are not already doing. But where the big growth bids are in Health, training and Back to Work, things of that nature, I think that politically there is a debate as to how ultimately figures will be presented.

Deputy J.M. Maçon:

Just before we go, you were talking about how Building a Safer Society could fit in with the criteria, you could go for those funds, what I would like to ask is, if that is a statutory fund and the department were able to submit a scheme to that fund, what is the dialogue that happens? What I am trying to ask is, if you have got something which ticks all the boxes is it a very easy process and out goes the money, or is there some type of dialogue to say: "Well, the department still has this which it can use" or how does that work?

The Minister for Home Affairs:

We should not be asking for it if we have got enough money to balance our budget. There are 2 different scenarios, I think here. The first scenario would be one where there is some massive additional expenditure anticipated in Home Affairs or a massive failure of our C.S.R. process way above what we anticipate. Then we might be needing to go to these funds to keep our current levels of service going within the 3-year period for ourselves. But there is an alternative scenario where there is pressure elsewhere in a States department, and the way that would work then is we would go to take money out of these funds, which would then

release monies within our budget which could potentially then be transferred to other departments.

The Connétable of St. Brelade:

Just while we are on funds and contingencies, what is your view: do you think it is the right place that ... obviously there is a possible inquiry into child abuse still to come up, is the Criminal Offences Confiscation Fund the right place to resource that?

The Minister for Home Affairs:

I have got a feeling there was some advice on that before when it was first mooted by ... I think it was Senator Le Gresley that the funding come out of that, and I think, if my memory is right, there was a problem in relation to that, but I am only going from memory.

The Connétable of St. Brelade:

So it is not something that has been discussed at the Council of Ministers at this time?

The Minister for Home Affairs:

Well, the Council of Ministers recently sought advice as to the precise ambit of what these funds could properly be used for, for clarification of that.

The Connétable of St. Brelade:

Same thing again, I suppose, funding of any claims, is that a possibility of that out of that fund?

The Minister for Home Affairs:

Sorry, without the actual text ... if I had the text in front of me ...

The Connétable of St. Brelade:

No, it is all right.

The Minister for Home Affairs:

... as an experienced lawyer I could give you an opinion, but without the text in front of me, I cannot. I could guess.

Deputy J.M. Maçon:

Then on to part 7, just looking at the pressures that the department is facing, is it correct that, under the current levels, best practice by all the departments will be able to be observed and there will not be any slippage?

The Minister for Home Affairs:

Sorry, slippage in ...?

Deputy J.M. Maçon:

Not being able to meet best practice. For example, historically, there have been problems that the facilities at the prison have not been able to stack up, or a lack of funding may cause the standards to drop. What I am asking is whether, because there have not been that many growth bids, therefore the best practice, apart from the various services, will be able to be observed?

[16:00]

The Minister for Home Affairs:

I think politically, I believe that we are able to maintain our current levels of service in general terms within this budget. That does not mean ...

Deputy J.M. Maçon:

Where best practice is maybe another matter, yes.

The Minister for Home Affairs:

Yes. That does not mean that there will not be a reduction of zero hours here or a reduction in the number of teachers at the prison, but in relation to a corresponding reduction in the staff numbers. In general terms, my commitment is to maintain the current levels of service.

Chief of Police:

Or, indeed, improving them.

The Minister for Home Affairs:

Well, improve them if we can, but ...

Chief of Police:

To underpin this, there are other things going on in terms of work practices as well which do not have a budgetary figure attached to them, it is just doing things differently and smarter, which you cannot put a cost on, but should contribute to ... I have never been a believer in doing more with less, but I think at the moment it is possible.

Chief Officer, Home Affairs:

I think you applied that test as well, did you not? In 2010 we were all asked for 10 per cent, and we spent a lot of time on assessing where the pain started to get too much, and that is why the Minister ...

The Minister for Home Affairs:

Yes, that is right. I keep on coming back to the £1.6 million of nebulosity, which I reduced to £600,000 because, in a sense, we had our major political debates, if only within the Council of Ministers; I defended the position of Home Affairs by £1 million compared with what we were being asked to do. I did that because I did not believe that we could take those additional cuts without it significantly impacting on the service levels to an extent that was politically unacceptable. If you like, that was my value judgment based upon the advice I received from my officers at the time. I think that was right. By a strange coincidence, I seem to have come up with exactly the right figure, but that is just fortuitous, as I say.

The Connétable of St. Martin:

It is interesting, being a new Member as well, there was a figure that was spent and, you were told to save 10 per cent, and that was how it started. It was not: "What should we be spending and let us save 10 per cent of that" was it, it was just: "Save 10 per cent" on what we spent that year, which is very ...

The Minister for Home Affairs:

What you are saying there is uncannily like what I was saying in the Council of Ministers because I was saying: "This whole process is the wrong way round, is it not?" surely we should be starting upon the basis of: "What should we be doing and to what extent should we be doing it?" The trouble with that sort of approach, and where countries have taken that sort of approach, is they have never achieved satisfactory savings because people will always set

a higher bar level, and there is not an incentive to organisations to spend the time and the energy on producing a saving. It is very hard work producing a savings beyond a certain point, and there has got to be an incentive for departments to do that, otherwise it is very difficult to distinguish in practice. In theory, you should be distinguishing between core activities, essential things, nice-to-haves and luxuries. You do not do any luxuries and how far do you cut into the nice-to-haves?

The Connétable of St. Martin:

There has also got to be an acceptance by the public that: “It is your turn.” “We have always done this, we have always had carpet bedding in Howard Davis Park, it is lovely.” “It is not going to happen anymore. Sorry.” Did we need it?

The Minister for Home Affairs:

I think that is right. It is all about political judgment within individual departments within the States as a whole. But if you apply a test of “essential” across all the departments, you could cut a great deal more, but the political fallout would be massive because the public would expect you to. In Home Affairs, there is less room because so much of what we do is essential. If, however, you strictly define “essential” in terms of what we are legally obliged to do, we would not have to do any training or rehabilitation work at all for the prison. That would be a huge mistake and it would cost more in the long-term.

The Connétable of St. Martin:

The police are obviously doing things in Jersey they would not be doing in the U.K.

Chief of Police:

In terms of quality of service, yes but I mean it is as good as we can. But I think, going back to the budget, what we are going to try and do is get ourselves in a position where we have got our work practices about right and go and see whether we are mature enough to have a radical look at our budget and take a zero-based budgeting approach and start from the very baseline and say: “What is it?” and sort those things out into luxuries and statutory requirements. So I am looking next year to have a management “oyez”(?) to see whether we are mature enough to adopt a zero-based budgeting approach to what we do.

The Minister for Home Affairs:

Politically, the people of Jersey have high expectations in terms of law and order and the delivery of policing.

Deputy J.M. Maçon:

Speaking of which ...

The Minister for Home Affairs:

That is right. I think we would all accept that.

Chief of Police:

I give an example, bobbies on the beat. You do not see too many of those in the U.K. now because their budgetary cuts are significantly higher than here. Before I came to Jersey I was looking at losing over 25 per cent of my entire budget, which is about £120 million in 3 years.

The Connétable of St. Brelade:

Is that one of the, as you say, nice to haves that might have to go if budgets got squeezed any tighter?

The Minister for Home Affairs:

Running an entire police force in terms of providing a service it is not an efficient method.

Chief of Police:

It is probably costing extra in terms of stock losses saved.

Deputy J.M. Maçon:

We also note in the way of invest to save and while, yes, there was the C.S.R. process, we were led to believe by the Minister for Treasury and Resources that there would be an ongoing culture of a saving within the departments, are there any invest to save proposals put forward in your part of the M.T.F.P.? I do not believe there are, but I could be wrong.

The Minister for Home Affairs:

Would it be in relation to staff reductions, but they comparing staff reductions or we needed to ...

Finance Director:

I think there are 2 parts. I think the restructuring provision is sometimes called invest to save, sometimes it is restructuring, so that is the same pot, which we have got bids in, as we said we would discuss *in camera*, but as an aside, as part of the energy savings the team that are looking at energy savings across the States, for example, they put a bid into the invest to save pot so that they can work with departments to deliver energy savings across the board to help us deliver our procurement savings. So just this morning we were talking about new lights, new boilers, new energy things that will help us deliver our procurement savings over the next 2 or 3 years.

Deputy J.M. Maçon:

Would that come out of the Home Affairs budget or was that the Treasury Department?

Finance Director:

That will come out of the Treasury Department, a separate fund, yes.

Chief Officer, Home Affairs:

We have access mainly for voluntary redundancy within the C.S.R. programme and I cannot think of anything else.

Finance Director:

There is one other point, which was covered in part 6, some of the money we carried forward from last year was the bid that we made for restructuring, so the invest to save fund was not all spent last year and we carried it forward. That is for some legal independent advice for the introduction of the new prison officer grade, at the prison. So to get those integrated into P.E.C.R.S. (Public Employees Contributory Retirement Scheme) we needed some legal advice. That was the sort of thing that we were bidding for as well.

Deputy J.M. Maçon:

If I can just move on then; the new policy of the fleet vehicle management, which is going forward, although it is a proposal which is intended to reduce costs, as I understand it, it adds to your base budget. If we could just have that for the record about the explanation of that please.

Finance Director:

Yes, in terms of the way vehicle purchases have happened in Home Affairs in the past, the police, for example, have a budget for a fleet replacement and they have a very detailed replacement programme, as do the Fire and Rescue Service. But in the past some of the medium-sized vehicles, for example, for Fire and Rescue were funded from minor capital and so we just have a one-off hit as and when, depending on the replacement programme. New arrangements mean that the States, as a whole, will have a rolling programme for all its vehicle maintenance, and it just means that whereas before we would have had a one-off lump of money for minor capital to fund a new fire tender, for example, whereas now obviously we are going to be paying an annual fee to Jersey Fleet Management. So in time things will be straightened out, but to get to that position we do not have money in our revenue budget, hence the need for some additional funding.

The Minister for Home Affairs:

The system, in a sense, an increasing cost of Government in the short term, but because it is producing a fund by way of rental payments, which will be self-perpetuating, so in the short term it is costing more but in the long run it will balance out. Eventually there will not be a need for the greater capital sum to go and share because the funds will be built up.

Deputy J.M. Maçon:

Moving on to some of the C.S.R. savings. We are aware that some of the impacts are unfortunately outside of the Minister's remit, and that is the States Employment Board, but nevertheless has an impact on the budget. But one we were interested in talking about is HA18L, which is the modernisation of the criminal justice system. I am very much interested to know the progress and what is happening with that.

The Minister for Home Affairs:

That is where the head of the Criminal Justice Department, States of Jersey Police was working on that and that is really within the remit of the group, whose name I can never remember, in the justice system.

Chief Officer, Home Affairs:

You mean the Justice Working Group? This is to do with the C.J.D. (Criminal Justice Department) I think and the work that has been done in there to reorganise the Criminal Justice Department. I think it is to do with a lot of the posts becoming civilianised and that type of thing. Really £177K was a balancing figure so not all the saving will be made by that route. There will be some compensatory savings found in the police for that one.

Finance Director:

The Minister mentioned earlier the £614,000 of nebulosity from the law enforcement review. This £177,000 is part of that. The rest of the review savings have been split between Customs and the Police by some joint working initiatives and there was a balance, as the Minister says, which is being looked at by the Justice Working Group and savings will be realised. But we do not have, at this stage, a full list yet of how that £177,000 will be delivered, but it will be delivered over the period of time, as the Police Chief has said, and this is another reason why we need to carry forward funds for a couple of years until budgets get in sync with the service delivery.

Deputy J.M. Maçon:

Thank you. Question 12 then is looking at your capital programme. While we appreciate that obviously there is a Jersey Property Holdings deal with the majority of this, 2 questions. The first one, while the police station relocation is part of many different policies, which all kind of slot together, some input from Housing, et cetera, but what are the implications if this was not to be delivered?

Chief of Police:

I cannot remember the figure but maintaining the old state is quite frighteningly high. I cannot remember most of the ...

Finance Director:

There was a survey undertaken by Jersey Property Holdings recently about work required on the existing police station and, as the Police Chief says, if all the work was undertaken it was in excess of £1 million.

Chief of Police:

For example, the boiler went just before the winter and I had to find £20,000 to replace that, which I winced at but it needed replacing, and the roof was leaking and there is not much left in there, I am afraid. It is going to be very, very expensive if we try and bolt together what used to be a knitware factory, a studio and a school and an armoury. For the record, there never has been a police station in Jersey.

The Minister for Home Affairs:

Somebody quoted a figure to me as to what it would cost.

Chief of Police:

I was told when I first came here, but it was huge.

[16:15]

Chief Officer, Home Affairs:

If you go back a long way, I am talking 8, 9 years, perhaps Michel remembers, there was a detailed survey done of what it would take to keep the school going so that its structural integrity, the risks were removed, and that was about £3 million. I do not know what the modern figure is but it is easily in that order to do substantial works to the building to make sure it does not collapse.

The Minister for Home Affairs:

We have mercifully had a wet summer this year but buildings, if you have dry summers, old buildings which are liable to move will move because a new set of cracks will open up and so on and so forth. You can only keep things going for so long.

Chief of Police:

They have long passed their useful life.

Deputy J.M. Maçon:

If perhaps we could have that figure from Jersey Property Holdings we would be most grateful for that. As for the moves that will be happening at the prison, we note that the timeframe of it is stretched in order to accommodate the programme. Can you just explain what the impact of that is going to be and what is going to slot into this M.T.F.P.?

Chief Officer, Home Affairs:

The building that is just about to finish is the only one in the life of the M.T.F.P. because the next phase is 2015. I suppose that creeps in, just.

The Minister for Home Affairs:

That is in here.

Chief Officer, Home Affairs:

That is the secure gatehouse and admin H.Q. (headquarters) facility, which will be built alongside the visitor centre that is now constructed. Beyond that there is not a formal programme. Of course it is a question of bidding for the funds in a longer time period, but all the phases are there. The remaining phases of the Prison Redevelopment Plan.

The Connétable of St. Brelade:

With obviously repatriation of prisoners, if I may, will there be any European guidelines, any European legislation, that may come into effect in terms of the standard of the prison at the present time in terms of capital programme that might have to be brought forward that has been reviewed about whether anything may have to be done?

The Minister for Home Affairs:

I do not think so. I mean the standards of the modern stuff are pretty good. But they were built very recently, the 2 major blocks, which were completed in 2009. Of the modern stuff I think the women's wing is probably the least modern in terms of style, but even then that was built in 2006.

Chief Officer, Home Affairs:

Since the last inspection in 2005 there have been 2 single blocks and then the large H and J wing, the L-shaped block in 2009. The emphasis was there because that is where the deficiencies were in the main, to remove slopping out really. In terms of living accommodation it is pretty good. You can tell from the titles of these things, they are what you would say the extras, like health and workshops, et cetera. But we may have a follow-up H.M.I. (Her Majesty's Inspectorate) inspection next year and you can bet your life that if there is stuff that they do not like there, in terms of standard, they are going to say so in that report.

The Minister for Home Affairs:

What we have been doing, because coincidentally I visited the prison again fairly recently when my counterpart from the Isle of Man was over and things had moved even since the previous time I had been there. But what we have been doing is utilising a lot of the old accommodation for various sort of things. So, for instance, the library had gone into, if my memory is correct, what was the old women's wing and another of the old wings was being used for the medical facility, so we have kept the earlier cell blocks and now are utilising them for different purposes. It has been recycled. They seem to be in a reasonable maintenance order. But obviously these programmes would be replacing those with more purpose built.

The Connétable of St. Brelade:

But there is nothing you foresee as being a major issue in the next 3 years, unless something is highlighted within one of the inspections?

Chief Officer, Home Affairs:

Yes, I think the big worry was slopping out and living conditions for prisoners and we have largely eradicated that problem now in recent years. If we had not got the 2015 build, which is the gatehouse and admin block, that would have been a problem because it was always intended that the visitor centre would bolt on to a new facility and at the moment, if you see it, it is standing alone and so it would look odd, and it would be difficult to manage over a long period up to a decade if we did not get this.

Deputy J.M. Maçon:

If we can zip ahead. The implication that might happen, looking at e-borders and what might happen there. Perhaps a known but unforeseen cost; can you just tell us what work has been done on that please?

The Minister for Home Affairs:

I think it is a bit of a moveable feast

Chief Officer, Home Affairs:

It has got stuck in the mud.

The Minister for Home Affairs:

I think we have been liaising with the U.K. but it is still by no means clear exactly what shape things will take eventually.

Chief Officer, Home Affairs:

I think it is less certain even than printing of passports off Island. The e-borders programme seems to have run into the long grass a bit in the U.K. and we are very much driven by what they are doing. We do not have any control really over what the timescales are.

Deputy J.M. Maçon:

Have you done an assessment about if the proposals were brought in what cost that would have to Jersey?

Chief Officer, Home Affairs:

Not really because of the lack of detail. There is nothing you can really base an assessment upon at the moment.

Chief of Police:

A good friend of mine has helped develop e-borders in the U.K. and ... it was later on, but you know the answer to this ...

The Minister for Home Affairs:

There have been constant meetings but it is the same as vetting and barring in the U.K. where to agree the lack of money has caused the Government in the U.K. to rethink what they did. In that case it is crystallised as to what they are doing but in the case of e-borders ... obviously current information coming in as to passengers who are travelling, that kind of thing, that is happening. It has been happening for some time but there were proposals for trying to extend controls in relation to yachts coming in, and that kind of thing. That was the sort of area where they run into great difficulties; an area where frankly we would have great difficulties because the amount of movement of yachts in and out of the Island to France is huge. In the U.K. they have a similar problem with yachts going across from Dover to Calais or wherever they go to at weekends. So we are not sure what they are going to seek to achieve in relation to that.

Deputy J.M. Maçon:

In which case, is it again relying on the internal contingency of the department should other people be brought in, if that is the case?

The Minister for Home Affairs:

There is a potential issue where we would have to say to the U.K., “Look, I am sorry, we just cannot do that.” We cannot reasonably do that. Even if we did it would not improve the system essentially. Theoretically if you had to have a Customs officer to meet every incoming yacht in order to check who was on it the resourcing would be massive, but it is exactly the same in the U.K. At the moment the systems require people to file details as to who they have got on board, if people are lying about that. But then again we have not had any evidence of the system being misused by people. I mean one of the discussions I have had with Customs and Immigration is over if things were going wrong, if illegal immigrants were being imported into Jersey in droves how would you know about it. The answer is that when they were caught in the U.K. they were tracked back to how they got in, and we have absolutely no evidence of that. So we do not want to find the U.K. trying to push us into a position of providing an additional level of service that did not achieve anything. We would certainly strongly resist that, I have to say. We want to remain in the common travel area but there would come a point I think where we would have to say, “Look, sorry, this is just not an acceptable level of service, it is not giving you anything additionally, and we are not going to do it” if I can put it bluntly.

Finance Director:

I think also once we have an indication of any additional costs, depending on the timing obviously, as the Minister says, it would be for the Council of Ministers to decide if that was the route Jersey wanted to take and then we would make a bid for funding in the next medium-term financial plan and, depending on the timing, see how the shortfall could be met before 2016.

The Minister for Home Affairs:

There are other directions frankly which the U.K. borders are quite porous. They are far more porous than they are from this direction, and which need to be looked at first.

Deputy J.M. Maçon:

Just touching on user pays charges. We note that once the States pass the law, the Fire and Rescue Service Law recently, or the updated version I should say, did that need to get Privy Council approval? I cannot remember.

The Minister for Home Affairs:

It has done. Sorry, which law are you talking about?

Deputy J.M. Maçon:

Fire and Rescue Service.

The Minister for Home Affairs:

That is in operation and the charge is in place.

Deputy J.M. Maçon:

Okay, thank you.

The Minister for Home Affairs:

Sorry, I got confused for a moment, of course it is the Fire Precautions Law that I took more recently.

Deputy J.M. Maçon:

No, only because that instigates the fee-charging to the slight change from what it was but that has all been established already?

The Minister for Home Affairs:

Yes, I produced the orders. In fact, it says so here: "The Minister has made the charges orders."

Deputy J.M. Maçon:

Then in addition from the M.T.F.P. are there any other additional ones which are outside of the normal inflationary increases that we should be aware of?

The Minister for Home Affairs:

I lodged recently the Petroleum Regulations. I need to slightly amend those because there was one area of issue that I have anticipated, which needs to be dealt with, and that is private holders in petrol tanks, whether they are volume or they are not there for commercial gain. I want to adjust the fees down in relation to that. Some of those increases were certainly above inflation. In order to achieve overall the costs recovery in relation to the fire servicing of fire safety work in relation to the petrol installations. Have we had anything else pending where the costs are increasing?

Chief Officer, Home Affairs:

No, we had a schedule of expected income in relation to getting the fire legislation through but that is the most extraordinary expenditure. The rest of it is just routine increasing income annually, inflationary increases.

Deputy J.M. Maçon:

Before we move into the private session, we do have one question, which is about note 18: "What funding, if any, does the department seek in charitable or other sources in order to support delivery of the service?" We note the answer which ... we would like a little bit more detail, if possible, please.

Chief Officer, Home Affairs:

We thought you would.

The Minister for Home Affairs:

I would probably prefer to do that in the private session, if that is okay, because that is still ongoing. I can give you more detail in private session. That is not entirely finalised but it is close to.

Deputy J.M. Maçon:

Is there anything in the way of the cost implications, which could be said in the public session?

The Minister for Home Affairs:

The cost implications?

Deputy J.M. Maçon:

How it has been budgeted and how that affects the M.T.F.P.?

The Minister for Home Affairs:

Item 18?

Deputy J.M. Maçon:

Yes.

The Minister for Home Affairs:

It would be being paid for from private source. So it does not affect the M.T.F.P. at all.

Deputy J.M. Maçon:

Thank you very much.

The Minister for Home Affairs:

There is no cost saving. It is extra.

Deputy J.M. Maçon:

Before moving into private session do Members have any other questions that they would like to ask the Minister and his officers? Before we close the public session are there any other comments which perhaps you would like to make to us for the record, just so that we are aware of them?

The Minister for Home Affairs:

Yes, just a general comment. The new Members of the Assembly will find the whole process puzzling inasmuch that here we are with figures. We present them in detail. The Home Affairs Police ones become even more puzzling because the Treasury insists that we break down those figures between different services areas, which I always say are completely meaningless but we do it because the Treasury tells us to do it. The total figures are what really matter in relation to that. In a sense, the Council of Ministers could present a budget to the States, which just had headline figures for each ministry. But we do not do it that way although at the end of the day that is the way the system works in practice.

[16:30]

The reason we do not do it that way is in order to give non-ministerial Members the ability to say: “Hey, we think you should be doing this additionally” or: “We think you should be spending more money on this particular area and therefore we will bring an amendment to it to increase your budget by X thousand on the basis that you will then do that. That is the reason why it is done in this way. To be fair to ... I am trying to avoid the term “Back-Benchers” ...

The Connétable of St. Brelade:

That is what we are.

The Minister for Home Affairs:

So that they can feel that they are having some impact on the process. Adversely if they think it is ridiculous that we are spending X hundred thousand pounds on something or other take that out. But at the end of the day once the dust is settled on the actual way in which money is spent will always have a degree of flexibility. It has to be because priorities may change within a period of years. Workloads may change in different sections and therefore we have to be able to move the overall funds around in a flexible way to meet that.

Deputy J.M. Maçon:

I beg your pardon, I have just thought of one before we close. Your legislative programme, which has obviously been planned out for the next 2 years, which of course will have an impact on the M.T.F.P., has there been consideration about the cost implications that that legislation will have and the resources it will then need from the department?

The Minister for Home Affairs:

Can somebody point me to the right pages in here? I know what I am doing but I might miss something.

Chief Officer, Home Affairs:

The legislation that is a priority for this year and next. I think the first indications are quite light. The Police Authority has already been funded. That is the one that had the highest bill

as extra, I think. Even then it was £100,000. The others are fairly minor. Because we have had most of the legislation through.

The Minister for Home Affairs:

The real(?) planning alternative will be cost neutral. Subsidiary legislative stuff we are doing, I mean the ...

Chief Officer, Home Affairs:

Vetting and barring, if there was any substantial vetting and barring legislation could have, but we just do not know yet.

Deputy J.M. Maçon:

In the interests of time if I let you go away and think about that, and if you can communicate back to us that might be the better way of doing it.

The Connétable of St. Brelade:

Can I just ask one question on where we were looking at budget reductions one of the things that was approached by asking departments to fund their own growth requirement. Home Affairs said 3 and 2 regarding the police. Were the 2 regarding the police things that you have already done or things that you would be looking to do in the future?

The Minister for Home Affairs:

Which number is that?

The Connétable of St. Brelade:

It is in the old one.

Chief of Police:

We have done that.

The Connétable of St. Brelade:

It just rang a bell that ...

Chief of Police:

Sorry, no this has all been done. This is what I meant to earlier in terms of forward production line: "To make things more efficient with existing resources." That has been done, the first one. It has all been done. That was all cost neutral.

The Connétable of St. Brelade:

So those are things you have already identified?

Chief of Police:

It is all reorganising existing resources; it has been done, completed.

The Connétable of St. Brelade:

Some of the other departments I think they have not done it yet.

Chief of Police:

And producing the results.

The Connétable of St. Brelade:

With the third one, the Fire and Rescue Service, the new duty command cover, is that something that has been done?

Chief of Police:

That has been done.

The Connétable of St. Brelade:

They are all things that you have identified and brought through?

Chief of Police:

Yes.

Deputy J.M. Maçon:

In which case I would like to move us now into private session.

[16:34]