



# Children, Education and Home Affairs Scrutiny

## Panel

### Quarterly Hearing

## Witness: The Minister for Justice and Home Affairs

Wednesday, 24th April 2024

#### **Panel:**

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

Connétable M. Labey of Grouville (Vice-Chair)

#### **Witnesses:**

Deputy M.H. Le Hegarat of St. Helier North, The Minister for Justice and Home Affairs

Connétable R. Vibert of St. Peter, Assistant Minister for Justice and Home Affairs

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

Mr. S. Hall, Deputy Chief Officer, States of Jersey Police

Mr. A. Hunt, Assistant Director, Jersey Customs and Immigration Service

Mr. N. Fox, Associate Director, Justice Policy, Cabinet Office

[15:00]

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

I would like to welcome you all to this quarterly hearing of the Children, Education and Home Affairs Scrutiny Panel. Today is 24th April and 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. For the purpose of the recording I would be grateful if everyone who speaks

could ensure that you state your name and role. If we begin with introductions; I am Deputy Catherine Curtis, the chair of the Children, Education and Home Affairs Scrutiny Panel.

**Connétable M. Labey of Grouville (Vice-Chair):**

I am Connétable Mark Labey of the Parish of Grouville and I am the vice-chair of that panel.

**The Minister for Justice and Home Affairs:**

Deputy Mary Le Hegarat, District North St. Helier, Minister for Justice and Home Affairs.

**Assistant Minister for Justice and Home Affairs:**

Constable Richard Vibert, Assistant Minister for Justice and Home Affairs.

**Chief Officer, Justice and Home Affairs:**

Kate Briden, chief officer for Justice and Home Affairs.

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

Scott Hall, deputy chief officer of States of Jersey Police, representing Chief Officer Robin Smith.

**Associate Director, Justice Policy, Cabinet Office:**

Nathan Fox, associate director of Justice Policy.

**Assistant Director, Jersey Customs and Immigration Service:**

Andy Hunt, deputy head of the Customs and Immigration Service.

**Deputy C.D. Curtis:**

Thank you, everyone. Deputy Porée cannot be here today unfortunately. We have got one-and-a-half hours; the first question is about modern day slavery. Minister, during your appointment speech you stated: "I will have several areas of attention; modern slavery and human trafficking, just to mention 2." Please can you elaborate for the panel on your vision for tackling modern day slavery and human trafficking; and advise whether it includes plans to strengthen legislative frameworks or introduce new policies?

**The Minister for Justice and Home Affairs:**

That is correct. Development of the modern day slavery legislation was one of my key priorities. That resulted from work with the review panel of work permits and a 2-day workshop that both Deputy Porée and I attended in Nairobi in Kenya last November. Officers are currently researching and scoping in relation to the development of the legislation. Obviously there is legislation across the world and we are currently looking at the U.K. (United Kingdom) legislation in particular, and we

are giving consideration in relation to whether we need to replicate the part in the U.K. legislation that talks about gangmaster licensing provisions. That is an interesting term but what that means is the regulation and the operation in relation to labour agencies; so that is part of it that we just wanted to decide whether it was necessary for Jersey or not, because quite often if we just import legislation from other jurisdictions it might not necessarily fit the requirements of the Island. We need to make sure and have a clear vision of the legislation that we bring; it is fit for purpose for us and so, therefore, that is what we are scoping at the moment.

**Deputy C.D. Curtis:**

So that is research and scoping as well?

**The Minister for Justice and Home Affairs:**

Yes. Obviously they have other workstreams as well but on the day of my election as the Minister for Justice and Home Affairs that is what I asked them to do.

**Deputy C.D. Curtis:**

Do you have much evidence around the problem of this in Jersey?

**The Minister for Justice and Home Affairs:**

The thing is that sometimes what modern day slavery means is not always quite obvious to people. What we need to ensure is that people that travel to Jersey on work permits are fully clear before they get here on their rights, and also obviously their obligations as well as an employee. But we need to ensure that when they come to Jersey they are treated fairly and equally, that they are getting the correct wages, they are getting the correct accommodation, that they are being treated fairly by their employer. Obviously it is a 2-way relationship, so it is important that both employee and employer can have that relationship. Some of the concerns that were raised was that obviously some can be tied to accommodation, which in itself can have some sort of impact. We need to look at all of those sorts of things. Also we need to make sure that there are no other types of offences, that people feel that they are oppressed, if you like. So I think we just need to make sure that when we are issuing a permit to an employer to bring somebody to Jersey to work, that the conditions that they are going to be working in are as good as they are for the rest of our community.

**Deputy C.D. Curtis:**

Yes, and I think there were quite a few instances around this raised in that review report as well?

**The Minister for Justice and Home Affairs:**

Correct. Obviously it is a bit of a strange situation because I was part of that panel and then I sit on the opposite side of the table, and the fact that some of those concerns ... the Customs and

Immigration Department have already started working on some of those things that we raised, and both myself and the Minister for Social Security - who was also on that panel - have looked at some of the issues that were raised within that review, on top of some of the things that were raised within the Violence Against Women and Girls as well. So there is some interlinking here. When we bring that forward, that legislation, we need to make sure that it is good for Jersey because obviously we are a very different jurisdiction.

**Deputy C.D. Curtis:**

I have one more question about this subject and then moving on to violence against women and girls; that fits in quite well with the questioning. This work on the modern day slavery and the work permits, will that include raising public awareness?

**The Minister for Justice and Home Affairs:**

I think it will have to. Particularly from the point of view that when we are ready to publish the findings in relation to the modern day slavery - as I said, it has been a bit of a strange concept because I am now almost marking my own homework, but also working with colleagues at Immigration and our policy team - once that is released, alongside when the legislation comes in - because some form of legislation in relation to modern day slavery will come in, -it just depends on what that looks like, that will obviously have to be out in the public domain. I think at that stage it will be very important to ensure that people who are employers - and employees, but particularly employers - are fully aware of what their obligations are. As I said, it is a 2-way street so I think that is very important. We will have to do some form of public awareness in relation to that.

**The Connétable of Grouville:**

Can I just say a quick supplementary, Chair?

**Deputy C.D. Curtis:**

Yes.

**The Connétable of Grouville:**

I have been concerned for many years about the link between accommodation and those who have been given accommodation by employers, so I very much welcome this task, that you are going forward to have a very long and hard look at that.

**The Minister for Justice and Home Affairs:**

Thank you.

**Deputy C.D. Curtis:**

Now on the subject of the Violence Against Women and Girls Taskforce report. Minister, in your response report to that, you have committed to implementing the recommendations so please could you advise how you will allocate resources to support or implement the recommendations in 2024; and where will that resource come from?

**The Minister for Justice and Home Affairs:**

There is £309,500 that has been allocated to the delivery of the taskforce recommendations for 2024. Additional funding for the implementation of the recommendations will be required for 2025, and that is yet to be considered by the Council of Ministers. But obviously, for your awareness and the public, both the Chief Minister and the rest of the Council of Ministers are fully supportive of those recommendations that fall underneath the Council of Ministers. As I said, there was a letter of comfort from the previous Minister for Treasury and Resources in relation to the £309,500, and we will need to look for further resourcing. Some of the funding is being used to resource additional policy work in relation to data analysis, because within the Violence Against Women report overall there were certain areas that talked about data and data analysis. For that work to go ahead we obviously have to have that person to be able to do that because they are specialist roles. As I said, there is going to need to be obviously additional resources because we have, as you might appreciate, quite a lot of additional legislation; in legislation that we have already got that we are going to add some parts, but in others we are bringing forward some new legislation as well. So we will need to look at potentially having to increase some resources within drafting, because obviously they are fully utilised, so if we are asking for more then we will need to consider that. Obviously some of the funding will go to some of the reviews that have been highlighted as well.

**Deputy C.D. Curtis:**

Do you have a plan already in place for what is going to take priority?

**The Minister for Justice and Home Affairs:**

We have got a plan, if you like, when we released it, so we have got certain times of when it will come; so what is going to be done in 2024 and then moving into 2025. Off the top of my head, to be quite honest, I cannot remember in which line they sequence, and obviously then it will go into 2026. What I will need to make sure, as the Minister for Justice and Home Affairs, is that we continue that funding because there is no point us committing to the recommendations if we do not commit to the funding, and that is essential to move forward.

**The Connétable of Grouville:**

The next topic is about Building a Safer Community strategy. The Government recently launched the Building a Safer Community strategy. Please could you provide further details to the panel on how this strategy aims to co-ordinate with stakeholders across the Island?

**The Minister for Justice and Home Affairs:**

I think both of you were there, from my memory. That was a successful launch on 21st March, and thank you both for coming. The framework will be released hopefully very soon - in fact hopefully in the next couple of days - and the implementation for development, and we will be sharing that with you shortly. Obviously on the back of that the education programme has also started, and I do not know if either of you went but there were 2 pilots; one at Les Quennevais School and one at Le Rocquier. They were 2 pilots in relation to the work within the schools. So I think in relation to the stakeholders, once the document is released then those details will be in part of that document as to how everyone is going to engage, because it is a large puzzle because you have got education, you have got policing, you have got safeguarding, you have got children. It is a very large group of individuals and of course, as I said, we have already run 2 parts of the elements at Les Quennevais and Le Rocquier. The U.K. have reviewed Prison! Me! No Way!, so we need to look and see what comes out of that as well. So there are lots of things to do moving forward.

**Deputy C.D. Curtis:**

That is the replacement really for the Prison! Me ...

**The Minister for Justice and Home Affairs:**

The thing with Prison! Me! No Way! is it had run for a very long time and it was introduced quite a significant period ago, and I think it is like everything, you need to update. It is not about not continuing within schools because that to me is a vital connection with all of our agencies, so of course you have got police, ambulance, fire, Immigration and Customs. So you have all of those elements and the school was participating in the one I went to in relation to use of vapes, for example; so the school took on that element which was good as well. Moving forward you need to continue to monitor and revise; and I am not saying every year but you do look at how you have performed in the 12 months previously and how you are going to improve things. You would probably do that after each session, I would suggest. You are going to look at what works well, what did not, and how you are going to move forward with those projects and make sure that you are up to date and you are not lagging behind.

**The Connétable of Grouville:**

Do you think there will be any challenges in implementing this strategy?

**The Minister for Justice and Home Affairs:**

Can I be honest? No. The reason I say that is that I was part of the Building a Safer Society all of those years ago as a community inspector, and there was buy-in. There was certainly buy-in from the other agencies because what you see is that as one of those bits of the puzzle, if you all

contribute then it does make things as a community a lot easier. I think that is vital and I think agencies realise that is vital.

[15:15]

Problem solving has been around for a very long time and the only way we solve problems is by all working together as a community, and that means all of our agencies. So personally I do not think that there will be a problem. As I said, certainly from what I have seen in the past you had all of the agencies, youth service, housing, what would now be Andium, you had the sports facilities, you had everybody participating in diversionary work as well. There are lots of bits and I genuinely think that people will buy into it.

**The Connétable of Grouville:**

The Building a Safer Community Strategy, how does that relate to and how do you think it will involve the justice system, for example, supporting victims, charging offenders and facilitating rehabilitation?

**The Minister for Justice and Home Affairs:**

The thing is that we are obviously looking at the youth justice strategy as well, so that is coming up to finalisation. I do not know if you want to speak about it, Kate? I will just ask Kate because Kate is the one that is in the forefront of this, and is the one that is going to release it probably to me.

**Chief Officer, Justice and Home Affairs:**

Yes, so the latest version of the youth justice strategy is with me. It has been rewritten a little bit to make sure it fits with the B.a.S.C. (Building a Safer Community) framework, it has still very much got a child first focus, which is based on the youth justice review from 2019 and the work we have done since then. We are just at final draft stage, so we have got a stakeholder meeting in a couple of weeks' time for all the action owners in the youth justice strategy to meet and be sure that we are comfortable with what we are proposing, and then we will propose it to Ministers for publication. That is an important component part of the overall B.a.S.C. framework. We have been waiting for a youth justice strategy for many years - well, since 2019 - and that will be really important. In terms of how stakeholders and the partners work together on B.a.S.C., that will be one of the action areas, so we will be looking to galvanise resource and people that are already in the system to work together more effectively. That is what is at the heart of the framework and, as the Minister says, there has always been a really good will to do that, it just needs that extra bit of co-ordination. We have got a really good member of staff in post as the B.a.S.C. co-ordinator now who is also working on the youth justice piece, and she is bringing some more strengths to it as well. It needs someone to do that co-ordination and have that as their job, and I think that will be a big step in the right direction for us.

**The Connétable of Grouville:**

Minister, can you advise the panel on how you intend to measure the success of the B.a.S.C. strategy and ensure its alignment with other strategies such as the substance use strategy?

**The Minister for Justice and Home Affairs:**

As I said, it is like with any of your strategies, you need to sit back and reflect and see whether your ... I will give you an example. Antisocial behaviour, for example, if you have got an issue with antisocial behaviour what can you do about it? You get your agencies that will deal with young people and the strategies in place to deal with it. You are able to measure your success on that if you reduce your antisocial behaviour. It is like with anything; it is the same as your substance usage. If you educate young people coming through school about the use of alcohol, cigarettes, vapes, drugs, whatever you do, if you educate young people they are more informed about the decisions that they make. That will reflect in their adulthood, I would suggest. You can assess that, I believe, by the fact of how many people are smoking, how many people are drinking, and also the impacts that has on your health system, so how many people are ending up within the health system. But also, as well, within your criminal justice system. If you are diverting young people from antisocial behaviour, for example, at a younger age then they are not going to be coming into the criminal justice system when they get to adult age. So you can see the impact of your work, if that makes sense. I am sure there are many others but those are probably the better ones that I can see. Can I just give you one example? I have seen through diverting young people into sports and sports facilities, as what used to happen with pop-up football tents - this was a while ago admittedly - but I have got a sneaking suspicion it might be the person who is now the chief executive of Sport who instigated that, but that had an impact on diverting young people from just gathering in groups and doing nothing and potentially thinking of mischief into playing football or doing other things. It is about providing facilities for young people to keep out of those domains. We talk about younger people because I think building a safer community starts at the bottom. It obviously works all the way to the top and it includes all of us.

**Deputy C.D. Curtis:**

I was just going to add, if there was any definite official-type review in place for these strategies or is it something that you are looking at as it goes along?

**The Minister for Justice and Home Affairs:**

It is going to be probably something that is going to be looked at as it goes on, but I do not think that there is a specific ...

**Chief Officer, Justice and Home Affairs:**



The framework includes the provision that we would aim to report regularly, annually-ish, we do not want to commit ourselves to that really firmly just because the cycle of things might mean that a slightly different reporting frequency is better. We will see that evolve and, as the Minister has referred to in the V.A.W.G. (Violence Against Women and Girls) question, there is some analytical sport in place now in Justice and Home Affairs which is working on V.A.W.G. but will also be working on B.a.S.C. and really thinking about what data have we got already that contributes towards measuring whether we are changing outcomes or not, and what data do we need to make sure that we get to do that. That will be an important part of being able to see what impact it is having.

**The Connétable of Grouville:**

Our next topic, strangely enough, moving swiftly on is substance use strategy. So it is not far away. With regards to the Government's strategy and policy development in respect of personal substance use, you advised the States on 7th February that you did not intend to pursue an in-committee debate on the matter. Could you address the concerns of those who advocate for an in-committee debate on substance use, and could you outline an alternative approach or avenues for discussing substance use issues outside of an all-committee debate?

**The Minister for Justice and Home Affairs:**

That is quite correct. I was asked an oral question on 7th February and I informed the Assembly that I was not going to be bringing forward an in-committee debate to discuss cannabis because, from my perspective, I wanted to prioritise other matters, as in modern day slavery and the violence against women and girls. Any discussion of decriminalisation needs to take into account the significant complexities and potential unintended consequences of that, because I do not necessarily think that everybody fully understands exactly what that means. But from the point of the substance abuse strategy published, it sits under the Minister for Health and Social Services. This prioritises mostly an action in relation to alcohol. Obviously it was the previous Minister for Justice and Home Affairs that decided to do the in-committee debate and must have obviously had some consultation with the Minister for Health and Social Services. I decided that as one of my priorities I was not going to do that. Now, as I said, in relation to the criminalisation and possession offences obviously when I brought through the first piece of legislation under this particular Council of Ministers - which was already in train - was the Public Order Law which now means that there is a way for first-time offenders in relation to drug possession to be dealt with at a Parish Hall Inquiry, so there is that in train. As I said, in relation to the other part of the question, from my perspective this is about a health thing and from my point of view I will not be bringing anything forward in relation to this. I have got finite resources and I have got my resources doing other things, and I do not want to go into an in-committee debate and then, as a result of that, end up having to divert my resources - as in from the police team, and I say "mine" and they are not mine but Justice and Home Affairs resources -

into something that I think quite clearly sits with somebody else anyway. So that is why I said, no, I would not do it.

**The Connétable of Grouville:**

I think that fairly well explains the next question about stance on decriminalisation. I think you have explained that adequately for us, thank you.

**Deputy C.D. Curtis:**

If I can just add then, I have not looked at it lately but the report that was done on the substance use policy, did that have recommendations that those are going to be carried through? I cannot remember.

**The Minister for Justice and Home Affairs:**

Can I be perfectly honest? I cannot either because it is a substance use strategy and it sits with Health. In relation to any recommendations, I have concentrated on areas that sit under myself.

**Deputy C.D. Curtis:**

I am trying to remember if there were parts of that strategy around the criminalisation aspect of it, which sit under Home Affairs.

**The Minister for Justice and Home Affairs:**

Yes, the criminalisation side of it would but it is quite difficult sometimes because of the terminology; "decriminalisation", what exactly does that mean? I think there are probably 2 debates here because before you decide you would have to have a debate about what you think it is because you have got 49 people in there and each person has probably got a different view. Does it mean that I can grow it and use it myself? Can I grow it and give it to you for you to use and supply you? Are you going to allow me to import it? How are we going to deal with the driving offences that come with it? Because outside of this - and this is something I did mention when I was asked this question - somebody said to me about people in La Moye, and one of my concerns is about the fact of legislation to deal with driving while under the influence of drugs because that type of opportunity is not the same as your drink driving. You now have your breathalyser, which was brought into operation in 1990, and that made a significant shift in relation to dealing with drink driving, which gave a significant change in serious road traffic collisions. It changed the way the culture worked in Jersey because that is why you probably do not really see any nightclubs and public houses outlying because it really did have a serious impact. With driving while under the influence of drugs, it is back to the old system of your ability to prove somebody's ability to drive, and so you are going through those sort of tests. There are ways now in the U.K. and other jurisdictions where you can test for drugs; we are not in that position and we do not have the legislation. So from my perspective,

in the mix of all of this, I would prefer to be looking at that rather than looking at the decriminalisation side of it.

**Deputy C.D. Curtis:**

That is coming into Jersey, is it, the drug testing?

**The Minister for Justice and Home Affairs:**

It is not at the moment. This is what I am saying; when people ask me to do an in-committee debate I am quite strict on my thinking in relation to there is a lot of legislation in Jersey that is fairly outdated in relation to the remit to which I am the Minister at the moment. I would like to see those pieces of legislation brought forward into the 21st century because most of them are in the previous one. I would like to see those brought forward rather than potentially going into an in-committee debate with people having some sort of idea that I, as the Minister for Justice and Home Affairs, was going to do something as a result of that when I will not because we do not have the resources to be able to do that.

**Deputy C.D. Curtis:**

As you mentioned just moments ago, there are a lot of considerations around this subject, are there not?

**The Minister for Justice and Home Affairs:**

There is a huge amount of consideration. As I said, you are going to have to consider what does each one think decriminalisation is. People will look at other jurisdictions around the world but, as far as my understanding is, they are not all the same. You can do certain things and they will turn a blind eye, but once you sell it to somebody else or you are on the streets ... so there are all sorts of mishmash of what people are doing in different jurisdictions, and I think we need to concentrate on what we do in Jersey. The thing is, if Jersey as a society wants to go down a certain route that is fine, but we need to be clear about what route we want to go down before we follow that path.

[15:30]

**Deputy C.D. Curtis:**

I thought that was the purpose of the in-committee debate, to discuss what route we want to go down.

**The Minister for Justice and Home Affairs:**

Well they were talking about decriminalisation and substance misuse, but that is not as straightforward a subject as some people might think it is.

**Deputy C.D. Curtis:**

The youth justice strategy; do you know when that might be published then?

**Chief Officer, Justice and Home Affairs:**

I think we are aiming for the end of June, but we will confirm that once we have done the next stage.

**Deputy C.D. Curtis:**

We will move on then to questions around the Civil Contingencies Law. Minister, please could you provide an update on the status of the draft Civil Contingencies Law?

**The Minister for Justice and Home Affairs:**

We have now met on a couple of occasions since this Government has been in office and we have been briefed on various options that are available to us. As a result of those briefings, officers are now looking at refining and working out exactly what proposals we want to look at and potentially implement. Basically officers will be reporting back to us during the summer once we have some idea of which direction we are going to take; that is planned for July.

**Deputy C.D. Curtis:**

So it is sort of like the preliminary work?

**The Minister for Justice and Home Affairs:**

Yes, because obviously we have had ...

**Deputy C.D. Curtis:**

We were not sure if other Ministers are involved in the development of this as well?

**The Minister for Justice and Home Affairs:**

It is not just me, there is obviously the Chief Minister, me, there will be Economic Development, I would imagine Treasury, Infrastructure.

**Chief Officer, Justice and Home Affairs:**

Yes, it is quite a wide range of Ministers, so it is the Council of Ministers that have been briefed so far, and it does cut across a number of different Ministerial portfolios in terms of Government being as resilient as it can be, and working with all of our partners and arm's length bodies and utilities; critical national infrastructure functions essentially. It does have a wide Ministerial reach because it has got an Island-wide reach ultimately.

**Deputy C.D. Curtis:**

Do the group of Ministers sit on the Jersey Resilience Forum Delivery Group?

**Chief Officer, Justice and Home Affairs:**

The Jersey Resilience Forum Delivery Group is quite a big group; it is about 40 to 50 people. They are all officers rather than Ministers or States Members. That is the delivery, the operational group for what would in the U.K. be known as a Local Resilience Forum; so that is various different elements of Government, Ports of Jersey, Jersey Met., for example, the utility companies, anyone that is involved in that resilience space. That is a growing group in terms of what it is doing in terms of meeting and achieving, and training, learning and exercising together. Then above that there is a Jersey Resilience Executive, which at the moment is chaired by the chief executive of the Government of Jersey. I sit on that; each of the heads of the emergency services sits on that, and also the chief executive for the Ports of Jersey, the Jersey Cyber Security Centre and also the director of Public Health. That is that more executive level, more strategic oversight, and they are primarily charged with overseeing the work of the delivery group but also reporting and preparing for Emergencies Council. That is a similar structure to what we would expect would be in place under a new law, and really key that we get those building blocks in place ready for the implementation of a new law.

**Deputy C.D. Curtis:**

Can you give a short update on the work to review and develop the crisis resilience improvement plan?

**Chief Officer, Justice and Home Affairs:**

Do you want me to take that again?

**The Minister for Justice and Home Affairs:**

Yes.

**Chief Officer, Justice and Home Affairs:**

That was a specific recommendation of the independent COVID review, which was published now nearly 18 months ago. That had a recommendation in it that we published a Crisis Resilience Improvement Plan, which was similar to a response to a Scrutiny report, the panel's way of saying: "We have made these recommendations, please can you tell us what you are going to do about them?" So we published the plan in summer last year. We need to issue an update to that because a number of the actions have moved on, of course. There were 18 recommendations; one of them was the Crisis Resilience Improvement Plan itself and another of them was work to develop a new law. So we will be looking to publish that update in the next one to 2 months probably, so it comes

about a year after it was originally published. A lot of the recommendations have substantively moved on, some of them are a bit slower, but it does have an important component part of the wider work on resilience. Because it was very COVID-specific some of them phase out in their relevance now that we are 4 years on from the start of that, so we are wrapping them up into the wider picture of the new law.

**Deputy C.D. Curtis:**

I think I remember looking at that report but I was not sure if some of the titles had changed.

**Chief Officer, Justice and Home Affairs:**

We have not issued an update since we originally published it.

**Deputy C.D. Curtis:**

Minister, the 2023 end-of-year progress report advised that a report produced for Government by expert advisers on the resilience strategy would be shared with relevant Ministers by the end of 2023. Can you share any further specifics about that work and how it has been taken forward by the new Government?

**Chief Officer, Justice and Home Affairs:**

Do you want me to pick that up?

**The Minister for Justice and Home Affairs:**

Yes.

**Chief Officer, Justice and Home Affairs:**

That is the work the Minister was just referring to that has been presented to the Emergencies Council.

**Deputy C.D. Curtis:**

Extra on the crisis resilience?

**Chief Officer, Justice and Home Affairs:**

Yes, so we have got the report; that was presented to us in about October or November last year. We were slightly delayed so we missed the end of 2023 aspiration we had set ourselves. We were slightly delayed in going to the Emergencies Council, partly because of the incidents we were dealing with at the time in terms of the gas outage and then the storm, and then of course just after Christmas we had a new composition of Government. So once that Government has met in its first form as Emergencies Council, that was briefed to them. One of the experts who had written the report

attended to answer any questions, and the steer from that Emergencies Council meeting was to welcome the strength and depth and breadth of that report. It does take us to pretty much everything we could possibly do in this resilience space, and the clear steer from the Emergencies Council - from the Minister for Justice and Home Affairs and the Chief Minister - was that officers then go away and work out how to do introduce the changes towards a new law in a timely and proportionate way, conscious of resource but also conscious of risk. So that is what we are working on now and that is the bit we are aiming to bring to fruition over the summer. We have suggested that we could come and do a private briefing to the panel on that; I think we have said July, I am not sure where arrangements are on it, but that would give us a chance to talk to you about it in more depth in its development phase, that is the key point, and for private briefing.

**The Connétable of Grouville:**

Our topics just flow one into the other. We are going to talk about the gas outage, so here it is. Minister, with reference to the Island-wide gas outage at the beginning of October last year, the previous Minister advised during the public hearing on the 26th of that month that the Government had written to Island Energy Group requesting information to allow Government to put in place robust contingency plans. Please can you confirm whether this information has been provided?

**The Minister for Justice and Home Affairs:**

You are quite right in relation to the responsibility for gas outage sits with the Minister for Justice and Home Affairs as the authority, and obviously that is the part of the legislation that refers to Justice and Home Affairs. The current work around the rest of it sits with the Minister for Infrastructure and the Minister for the Environment. From where you have got your emergency, and that is where it sits with Justice and Home Affairs obviously because it is an emergency, once that part of it is done then it moves into the Minister for Infrastructure and the Minister for the Environment.

**The Connétable of Grouville:**

I think that was the principal thrust of our question; we were a little bemused by the fact that it sat with your Ministry. It did seem a little odd to begin with.

**The Minister for Justice and Home Affairs:**

Yes.

**The Connétable of Grouville:**

Purely on an emergency basis, I understand.

**The Minister for Justice and Home Affairs:**

Yes, and when you sit and think about it logically, from my perspective I thought it was a bit strange and I could not understand it, but of course when you think about it, in an outage situation it is an emergency. Once that has alleviated it is no longer an emergency and, therefore, it does not sit under this remit because obviously it then moves into things that are more realistic, as in Infrastructure and Environment, because those 2 parties are the ones relevant to this legislation.

**The Connétable of Grouville:**

So contingency plans really would sit with them because past the emergency it is not really your department?

**The Minister for Justice and Home Affairs:**

I would suggest the contingency plans in relation to the emergency would sit with me, but the other parts of the legislation would sit with the others. I mean, off the top of my head, it is not a piece of legislation I could read off to you, but I would suggest that anything that talks about contingencies for an emergency, then that would sit with me, but the rest of the contingency planning would sit with the others. I think he would like to speak.

**Associate Director, Justice Policy, Cabinet Office:**

Sorry.

**The Minister for Justice and Home Affairs:**

That is fine.

**Associate Director, Justice Policy, Cabinet Office:**

I was not party to it but I believe the rationale is that it rests on the Emergency Powers and Planning Law 1990, which is the piece of legislation that will be replaced by our modern Civil Contingencies Law. That says - and this is from memory so do forgive me if I am wrong - that the competent authority for gas in the event of emergency is the Minister for Justice and Home Affairs. The law sort of conceives of a fairly apocalyptic style of emergency. Then there is a general duty on the Council of Ministers to ensure there is effective contingency planning for all emergencies going forward including gas, including anything. So the general government duty to plan, so that is specified, and in the event of something going critically wrong everyone looks to the Minister for Justice and Home Affairs who may have the resources to do things like the emergency activity in that space. I think the previous Government took the decision that as that competent authority Minister was the Minister for Justice and Home Affairs, then that Minister would be dealing with that narrow, particular piece of: "Today the gas is out."

**The Connétable of Grouville:**



I think our next question related to Island gas supplies but, having had you just explain that, I think that really in essence your side of things as a Minister is to deal with the emergency as it is, and the gas supply is then moved on to another department and Ministry; is that correct?

**The Minister for Justice and Home Affairs:**

Yes, that is correct, and so the Minister for Infrastructure and the Minister for the Environment will be meeting with the gas company.

**The Connétable of Grouville:**

Thank you, that is good to have the clarification. Minister, your predecessor also advised the panel at that meeting at the end of October that Island Energy had been asked to undertake a root cause analysis of the gas outage. Can you confirm whether Island Energy has commenced that work?

**Chief Officer, Justice and Home Affairs:**

We understand that they have but we have not seen the result of it yet, and I would expect the Ministers to be talking to I.E.G. (Island Energy Group) about that when they meet with them in May.

**The Connétable of Grouville:**

In May, so one of our questions was timeframe; so we are looking at next month. Obviously that did affect not only a lot of domestic properties as well as individuals but a great deal of businesses. I mean, I could not get a Chinese takeaway for love nor money that week. So we are very glad that they are moving on with that.

**Chief Officer, Justice and Home Affairs:**

I should add, if I may, that we have debriefed the incident, so we have met with I.G. and everyone that was involved, and there is a debrief report that has got about 50 recommendations in it. So we have looked at what happened and what the response to it was, but I.E.G. are yet to inform us as to the actual root cause of why we had an incident in the first place.

**The Connétable of Grouville:**

Just briefly again, the competent authority responsible for overseeing gas regulations and infrastructure, please can you advise how this aspect will feature in your work programme for the next 2 years? In other words, how much of a priority is this?

**Chief Officer, Justice and Home Affairs:**

As we have just described, the Minister's role really is responding to something that happens. In terms of the wider gas resilience and the fact that we have had the outage, that is part of the recovery and resilience programme following on from the suite of incidents. So there is work and there is

resource going on looking at the various different options. It overlaps with the future energy makeup for the Island and the Carbon Neutral Roadmap of course which, as the Minister has described, is not our field, but we are working in tandem with those officers.

**The Connétable of Grouville:**

It is good to have clarification.

**Deputy C.D. Curtis:**

If I could just get a bit more clarification of that. It was the previous Minister for Home Affairs who told us about writing to the Island Energy Group requesting this robust contingency plan from them. So is it the Minister for Infrastructure, the Minister for the Environment or the Minister for Home Affairs who is the person who receives that information?

**Chief Officer, Justice and Home Affairs:**

The way we have framed it now is that it will be the Minister for Infrastructure who is following up on that letter that the Minister's predecessor sent, and that will be in his discussions with the I.E.G. in May.

[15:45]

**Deputy C.D. Curtis:**

I have some questions now around the police. Firstly, during a review of the Government Plan for 2024 to 2027 the panel found that the 2024 value-for-money savings target for the States of Jersey Police would impact on staff numbers. Minister, please can you outline what steps the police will take to meet these value for money savings of £422,000 in 2024?

**The Minister for Justice and Home Affairs:**

The value-for-money savings will be challenging to meet without impact on front line services, particularly in the context of evolving need in relation to financial crime, road safety incidents and public protection. The Council of Ministers has not yet had detailed discussions on finance as part of the Government Plan process for 2025, and we are due to commence these in the next couple of weeks but it is no surprise that it is going to be a challenge because a higher percentage of the budget for policing - I think it is 91 per cent - is about people. When you are talking 9 per cent of saving, you cannot shave £422,000 off that potentially. In a nutshell, it will mean that we will look to save ... as an example, you have got community, so you would reduce your community potentially by 4, which would make you a saving of £178,500 roughly, and then obviously you will have some police vacancies that you will be able to not recruit, I think is the right way of putting it. We have got a potential saving in relation to the Crabbé range and by staff vacancy management as well. It is all

about staff effectively, and you will know like I do that if you have got a vacancy in a post for 6 months then obviously you have got a 6-month saving. Once you recruit that member of staff that is the end of your saving.

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

Minister, perhaps I can help. There is no escaping the fact that the budget is under pressure as a consequence of the value-for-money saving. I think that is built on a year-on-year reduction in real terms of the S.o.J.P. (States of Jersey Police) budget. You may recall back in 2019 that there was an agreement that there would be 215 police officers as part of our headcount. The reality is we cannot afford 215 at the moment and moving forward as pressure builds potentially to 2025 and beyond, this is something that we have to keep under review. When you look at our budgetary provision, 91 per cent - as the Minister rightly calls out - is spent on our people. Our people are our most important asset. That is exacerbated by the fact that we have significant cost pressures on our non-staff budget, which makes up that 9 per cent through inflation and other matters. These are things that we cannot not have, so we have to buy them and we have to make them available, which means that essentially the further cost pressure from the non-staff budget transfers into our staff budget. The only way in which we can manage that is to look at our affordable headcount, so the amount of officers we say we need is 215; the amount which we can afford is reducing down to 201 and that is what we have to operate within our budget provision. So that does have an impact; it does have an impact on our potential for service delivery. It is one where we try to mitigate any risks to the Island and to the wider community but it is something that we have to keep under constant review. We have, as you would expect, looked at our non-staff budget and we have undertaken a line-by-line review to squeeze out anything which we possibly can to try and reduce the impact on the staff budget, to try and maintain as high a number of officers available for deployment as possible. But we are operating under pressures, as I know other areas of Government are too, so we are not alone in this but we are attempting to deliver all of the services as best we can in the face of those budgetary constraints.

**Deputy C.D. Curtis:**

So there is no getting away from the fact that the Government has cut back on essential services. My next question then is the value-for-money savings targets for 2024 were allocated on a pro-rata basis. Minister, will you suggest that the Council of Ministers consider reviewing this approach for future Government Plans?

**The Minister for Justice and Home Affairs:**

I can certainly do that. Obviously, as the deputy chief said, it is a challenge for all of us but I think in departments where you have got such a high cost to staff and to your resources the impact is greater, because obviously you cannot shave off things that you do not have, if that makes sense.

So if the budget is made of mostly staffing, that is when it does become a challenge for any of those departments in those kind of positions, because it is about people and you cannot get away from that. As the Minister for Justice and Home Affairs, it is my obligation under the law to provide the necessary funding and resources, et cetera. Make no bones about it, I will be a very loud voice around the Council of Ministers.

**Deputy C.D. Curtis:**

Yes, and it is an essential service as well, so that is disappointing. My next question was asking about those particular numbers where there should be a headcount of 215 police officers.

**The Connétable of Grouville:**

Yes, as you stated quite clearly.

**Deputy C.D. Curtis:**

Yes, so you have already answered that question anyway. Moving on a little bit, but still on the subject of crime. Minister, the recently published reports mention acquisitive crime statistics. Could you confirm whether these statistics encompass offences like shoplifting and scams, which I know has become quite a big problem, and what measures are being taken to address such crimes?

**The Minister for Justice and Home Affairs:**

They were down 6 per cent in 2024 compared to the same period last year, and that followed an increase in 2023. There is a moderate increase in theft from shops; 31 last year versus 40 in 2024. Thefts from shops represented a significant proportion of crime in 2023 and those are various of your food-type chains and some of your larger department stores as well. The thing is, in relation to any type of acquisition crime it is essential that as much preventative measures are put in place as there can be in relation to those particular stores, and obviously with CCTV. There are things that can potentially be done. There was no change in relation to the recorded burglary/illegal entry figures; 26 crimes were recorded year on year with 27 in the same period to 2023. Larceny of pedal cycles and unattended vehicles are all either very low or have been reduced significantly in 2024 so far. The key to some of these things is obviously young person offending, so they are roughly responsible for one-third of the acquisition crime. Obviously the economic climate does not help either from the point of view of potentially people stealing in relation to food, et cetera. The theft to fund lifestyle, a proportion of acquisition crime continues to be perpetrated by individuals who are dependent on alcohol and drugs, so that will always be the case in relation to people who are dependant, depending on their financial situation as well. I do not know if there is anything you wanted to add to that?

**Deputy C.D. Curtis:**

I just wanted to know more about scams because a lot of people in Jersey have been suffering from online scams particularly. It is a growing problem, I think, is it not?

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

Yes, that is right, and the activity around scams is co-ordinated by the Fraud Forum, of which S.o.J.P. are a member, but we are definitely seeing an increase in the number of scams that are being reported and the different types of methods that are being adopted by scammers. Somewhat perversely, some of the work that we have done in terms of trying to do some target-hardening work by putting key messages out in the community via social media have then seen scammers try to upload links into the comments section inviting other individuals to click on the links and, therefore, potentially be victim to scam. So it is definitely an area which we are seeing an uptick in growth. The chief officer is personally leading some work around working with the financial houses around how we can best target individuals to try and insulate themselves from being victims of scams. A lot of the scammers do target the vulnerable. Some of the practices by some of the banks and financial houses; we would like to work with them in terms of how we can try and eradicate people being duped into thinking that it is a bona fide conversation with a member of a bank or other financial institution. That work is in its early days but the Fraud Forum is doing a lot of work in terms of publicising the different types of *M.O. (modus operandi)* what they look like, and try to educate the public in terms of what they need to guard against.

**Deputy C.D. Curtis:**

There is that work about educating the public but is there much work going on to target the people doing it?

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

Where we have the investigative leads to pursue then we absolutely investigate. Obviously the difficulty with scams is they can emanate from anywhere across the globe, so it is very difficult often to trace where the scam is initiated from. But certainly where we have the evidence and the information to suggest we can follow those leads then indeed we do. So, yes, we are trying to capture those who are responsible but the reality is you cannot investigate and convict your way out of this. It is too big. Really the focus has to be on education and prevention to make sure that people do not fall foul of these types of offences.

**Deputy C.D. Curtis:**

It is difficult because some of it is so clever.

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

They are becoming more and more sophisticated, which is why I think the chief is so keen on working with the financial houses around what their policies look like to make it much more difficult for a scammer to essentially try to represent them in a dishonest way.

**Deputy C.D. Curtis:**

That is great, so that is the police chief working with banks and so on?

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

It is indeed, yes, among others.

**Deputy C.D. Curtis:**

Now I have some questions about Clare's Law. The police annual report for 2022 detailed that 6 disclosures were made in that year to make victims or potential victims aware of a partner's or ex-partner's previous abusive or violent offending. Minister, could you inform the panel if you think there is a need for the police to increase public awareness of this law?

**The Minister for Justice and Home Affairs:**

Looking at our statistics, we had 30 disclosures in 2023 and, if you look at the England and Wales data, they had 39 disclosures in relation to 100,000 population, so we are below that. There is room for improvement. I think it is about making people aware under what sort of circumstances that they can do this, and encouraging people to do so.

**Deputy C.D. Curtis:**

What would somebody do if they wanted to find out? Would they just contact the police?

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

There is a link on the States of Jersey Police website which anybody wanted to avail themselves of this would click on it and it gives a clear guide. But the Minister is absolutely right; there is some work for us to do in this space because there are 2 pathways through which the information can be shared, it is a right to know and a right to ask. It forms part of the Violence Against Women and Girls Taskforce report recommendation 71, that we need to build greater public awareness of the availability of this and then how people can avail themselves of the information. Our numbers are not where we would like them, we are sitting slightly lower than other jurisdictions, but I think with the combination of this raised awareness with the community we will see those numbers rise. In essence, we all know that it is all about keeping people safe, so we are very keen to try and get this in the public domain.

**Deputy C.D. Curtis:**

Yes, because it could prevent some terrible things happening.

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

Absolutely.

[16:00]

**Deputy C.D. Curtis:**

Now asking about the corporate parenting responsibility. Minister, are you able to advise the panel on how the States of Jersey Police approach the concept of corporate parenting responsibility now that the Children and Young People Law is in place, and what initiatives or strategies are in place to fulfil this role effectively?

**The Minister for Justice and Home Affairs:**

Obviously this law came into force last month and, under the law, S.o.J.P. must produce a corporate parenting plan in consultation with their partners, and there is an objective under the 2024 plan in relation to that. So from the point of view of the States of Jersey Police they obviously recognise that the care that they take of children and young people in the community, their needs are very different. There are expectations and experiences of engaging with and seeking the assistance of S.o.J.P. So there will need to be a plan in order that they can build better relationships and support young children, in particular, in relation to conflict with the law; so there are lots of things that need to be done but I will just ask the deputy chief as well.

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

Thank you, Minister. Yes, the new Children's Law legislation formalises a lot of activity which we have done as "business as usual" for a number of years. The key element around the corporate parenting responsibility, over and above what you would expect - i.e. being alert to risks and dangers to children and acting in their best interests - surrounds how the experience of care experienced individuals can help shape our service delivery, i.e. see it through the eyes of the child and understand the voice of the child in terms of what S.o.J.P. do, how we do it, and how that fits in with the expectations of young people. So there is some work for us to do to build on, and we have done this historically by engaging with schools and speaking with young people in schools, but when we have interactions with care experienced individuals - which can happen in a whole host of scenarios around incident response, missing reports, and indeed some who may find themselves involved in crime - is to hear their voice and understand their needs and expectations and then how we can take that on board in terms of shaping that service delivery towards young people. That is one of many things, but we are one of many corporate parents. But what I will say is that a lot of this work

does form part of what we have done for an awful long time; it just formally captures and requires a plan to be written, which I think will be published by the end of the year.

**Deputy C.D. Curtis:**

Do you engage with care leavers' groups as well?

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

Yes, we sit as part of the Corporate Parenting Board, and there are many subgroups which sit beneath that in which the voice of the children who are care experienced are captured.

**Deputy C.D. Curtis:**

We have got a question now about the Online Safety Act. Minister, do you think that Jersey should be exploring similar legislation to that of the U.K.'s Online Safety Act?

**The Minister for Justice and Home Affairs:**

The answer to that question is, yes, we will be pursuing new legislation in relation to online safety.

**Deputy C.D. Curtis:**

Because the panel have been trying to find out more about this and we found that the decision had been made not to take the U.K.'s Online Safety Act on and to do our own legislation, so we are just wondering if that legislation is in progress at all or if anything is happening with that?

**The Minister for Justice and Home Affairs:**

The Online Safety Act 2023 enacted a number of legislative reforms that strengthen the legislation framework around online safety in England and Wales. These developments include introducing regulation on online platforms to ensure they were protecting their users, and the introduction of a number of offences around non-consensual intimate image abuse. A number of the Violence Against Women and Girls Taskforce recommendations were informed by the Act, and so work to implement these recommendations will result in legislation development similar to those brought in by that particular Act. Officers are exploring those options to introduce the regulation of online platforms through alignment with the European Commission Digital Services Act. A number of offences around non-consensual intimate image abuse and cyberstalking will be introduced via amendments to the Sexual Offences (Jersey) Law 2018 and the introduction of a new stalking offence. I think sometimes it is better for us to see what parts of that legislation are more relevant to us. It goes back to 2022, I believe, so from my perspective I am not familiar with the whole of the U.K. legislation, so I think it is important that we do not always necessarily just take it as it is sort of thing, and so I think for us sometimes it is better to do our own legislation and look at the way that it



works. I will ask Nathan to come in here because he is obviously the one that has been doing all the work in relation to this particular piece.

**Associate Director, Justice Policy, Cabinet Office:**

Thank you. With the Violence Against Women and Girls Taskforce report response now out there is a commitment to fulfil all of the recommendations, a number of which are legislative. When you get into areas like sharing of intimate images, non-consensual sharing of sexual images, non-consensual sharing of deep faked images and online stalking behaviours there is a crossover because you have, on the one hand, where we would usually be in terms of our experience about the creation of criminal offences, ensuring prosecutions, that kind of thing. Then separate from that you have the practical activity of getting material offline. Because it does very little for a victim to be assured that in 6 months' time there will be a successful prosecution against the person who has harmed them when the images that are causing the harm are still available to the public for whatever period. So there are 2 tracts of activity; one is to get the legislation right in order to effectively punish and deter, and the other is to develop systems which will allow us to have this objectionable, harmful, illegal imagery removed from online spaces rapidly and effectively. So it is a division of labour to an extent with the Department for Sustainable Economic Development, because they have the digital policy team. The digital policy team is taking the lead in looking at how we best engage with the online spaces, and we are doing a sort of much more old-fashioned criminal justice about designing the offences.

**The Connétable of Grouville:**

A very complicated thing; very, very complicated.

**Deputy C.D. Curtis:**

I did have a word with the Minister for Sustainable Economic Development who explained some of this to me as well, and we are just concerned that children in Jersey do not lose out in any way on the protections that other children might get. Moving on, this is a question that a member of the public gave to us and requested that we ask. Minister, please can you describe how the will of the States Assembly translates into policing policy and performance? So that is a very big question.

**The Minister for Justice and Home Affairs:**

The will of the Assembly?

**Deputy C.D. Curtis:**

Yes.

**The Connétable of Grouville:**

If it is any consolation, we did not understand it either.

**The Minister for Justice and Home Affairs:**

It is an interesting question because of course the will of the Assembly will be the passing of any legislation, so if that legislation is to do with policing then that legislation will be enforced by the people under the remit of Justice and Home Affairs. Not being specific about the topic that they are asking about it is probably quite difficult, but I would suggest that when they are talking about the will of the Assembly they are asking about legislation that is passed. So from that aspect, it is to ensure that any legislation that is passed is fit for purpose and is going to do the job that we intend it to do and, therefore, then to ensure that the agencies that are responsible for the legislation act on it and deal with it. Sometimes what we might have is legislation that is brought through the States Assembly which can then be a challenge to some of our services to deliver on what the public might think we should be because of a resourcing issue, for example. So as an example, if you look at the use of mobile phones, Jersey was the first jurisdiction to have an offence of holding a mobile phone. However, to get the resources to deal with that to the level that some of the public may have wished was quite a challenge. We can have legislation but we need to have resources to be able to deliver what the public want in relation to that legislation, so we can have all the legislation in the world but if we have not got the resources to be able to implement it then that is where the challenges will lie. But one would always hope that whatever legislation the 49 of us pass then we would implement it, and if we are not then it is for the public to ask at the doors of the election and say: "Why are you not implementing that law?" and it is for us to justify if we have not as to why we have not and the challenges that we have got to be able to implement it. I do not know if that answers their question but that is the best answer I can give.

**Deputy C.D. Curtis:**

I think so. It all takes time as well. It takes a lot longer than we expect.

**The Minister for Justice and Home Affairs:**

A very long time, but we will not go into that.

**The Connétable of Grouville:**

Minister, can you advise the panel on the update of the progress to relocate Dewberry House?

**The Minister for Justice and Home Affairs:**

Dewberry House. It is just waiting for certain planning permissions and I just want to give you the proper dates. That is it. The current status; it is waiting for a decision in relation to planning permission. Having submitted updated plans ... as I said, the plans were submitted on 21st February, and for those that do not know, the new Dewberry House will provide a purpose-built

space for the Sexual Assault Referral Centre and Victims First Jersey to operate from. The anticipation is 4 to 6 weeks; that is probably out of 4 to 6 weeks, looking at it. Then obviously there are bylaws as well that will need to be taken into consideration. Then it will need to be tendered for and so basically the issue of tender documents are not expected until the end of quarter 2 of 2024, so that will be end of June effectively. So hopefully, if all goes to plan, we may start in quarter 3 and then the timescale is 15 to 18 months. But of course it is all waiting for decisions really. Maybe we need to look at that.

**The Connétable of Grouville:**

The last progress report update provided to the panel detailed that it would be a roadmap for the reintroduction of the community policing team. Please could you provide some more details about those plans or that roadmap?

**The Minister for Justice and Home Affairs:**

The community policing team throughout 2024 will implement enhanced prevention and intervention strategies using the O.S.A.R.A. (objective, scanning, analysis, response, assessment) model of crime reduction initiatives, fully implement the multiagency frameworks for missing young people, and develop a new partnership model from the learning of Operation Stride. The work hopes to achieve a reduction of young people involved in crime and antisocial behaviour and will be able to evaluate the outcomes of problem solving initiatives and decrease the time spent resolving missing from care incidents as well - because obviously, as you are aware, those can be quite high - and repeat young people. This work is relevant to the overarching goal in relation to reducing youth involvement in crime and antisocial behaviour, and improving the efficiency of resolving missing persons from care. There are obviously other things, but I do not know ...

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

Yes, I can speak to that, Minister, if it helps. Obviously the roadmap was necessary as a consequence of the major incidents in 2023, which caused us to have to collapse the community team, to use the resources in a slightly different way. So I acknowledge the concern around when will see our community policing team back in earnest in full flow. The reality is that is in place; it has been in place since just after the turn of the year. So the community team has come back together; it is led by an inspector, we have 2 sergeants and the model will see 12 P.C.s (police constables) across the Parishes.

[16:15]

Each Parish now has a nominated contact officer for Parish issues and responsibility for then taking them forward and trying to tackle them. The Minister is right to point out that a lot of the community

team's work is going to be based on problem solving. That is a way in which we are going to use our community team. That will be problem-solving initiatives on their own but it will also see the community team come together in terms of Pulse events where we need more resources to tackle slightly bigger issues. You may have seen that we did a community impact day last Friday here in the town, where we concentrated on larceny from shop, so we had a high-profile policing presence to try and suppress that crime and engage with shopkeepers and shop owners around how they can target harden themselves and prevent offences within their establishment. That is going to be the real core of the community team moving forward. But the impact of those impact days have been quite substantial and we are going to see those rolled out and they will take place month on month throughout the rest of the year. So that is the broad plan for the community team, but obviously that will be over and above what your community team normally do; whether it be engaging with Parishes and communities, understanding issues and looking to tackle those issues around quality of life issues.

**The Connétable of Grouville:**

We have noticed, especially in the Parish Hall, that we did lose our team but it is lovely to see our P.C. back. She is with us quite regularly and I am sure the Connétable of St. Peter will verify that it is lovely to see them back, and we thank you for that service. It is a major bonus, especially to the young people, to see a uniformed officer on the roads during the day, which unfortunately - as Connétable Vibert will tell you - is not always possible with the Honorary Police who are obviously at work. So we are very grateful for that.

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

Thank you very much.

**The Connétable of Grouville:**

How will the work of the community policing team be developed in 2024?

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

As I have outlined, their work is very much going to be focused on problem solving, with a definitive move more towards problem solving. So while we recognise that engagement with our communities is important, and we will continue with that, what I want to see - and the chief officer's support has been in this regard - is that focus on tackling issues and leading from the front within their Parishes, but also coming together across the whole Island to tackle those more thorny issues which might need a greater investment over a longer time period to eradicate whatever the issue may be. So that is the definitive step change around the community policing team more leading from the front and being seen going through the doors of those who are maybe supplying controlled drugs or

dealing controlled drugs, as well as dealing with the traditional things that they have done, such as tackling antisocial behaviour and things of that nature.

**The Connétable of Grouville:**

We will move on after that topic. I think it has been very adequately covered, but I will again thank the team for reintroducing that wonderful facility, thank you.

**Deputy C.D. Curtis:**

Minister, you recently responded to a public petition which called for an increase in sentencing for causing death by dangerous driving. However, you stated that you would not be immediately making any commitment to review the sentencing for road safety offences. Are you able to provide a longer-term timeline in which this could be reviewed?

**The Minister for Justice and Home Affairs:**

What is important is that we need to deal efficiently with road traffic matters, and I fully see that people are keen to increase the sentencing, but that is sort of a broader picture. I think what is important is that we continue to focus on areas that we call the fatal 5; so things like speeding, drink driving and unfit, seatbelt offences, mobile phone use, as I talked about before, and due care offences. If we focus on these then hopefully we will prevent some of the most serious of our offences, because obviously these areas are critical to that. This year to date officers have warned 409 persons to Parish Hall Inquiries for one of the above offences, with another 739 receiving words of advice. From my perspective, I can fully understand why the increase in offences is wanted but I think, as I said, if we focus on some of the delivery of trying to reduce some of the offences in the first place it is a good place to be. When compared to the same period last year, officers had only warned 280 people to Parish Hall Inquiries with another 426 receiving words of advice. But the caveat to that; there is no longer a Roads Policing Unit, there is not a dedicated unit for this so it is part of the operational everyday business as usual type of thing with your officers on operational shifts. Of course the fact is that over the last year, 18 months, significant resources have been utilised in other areas following some of our serious incidents. So for me focusing back on the enforcement of the fatal 5 will significantly enhance road safety so that we can change some of those high risk behaviours, because it is about behaviours and trying to prevent these serious road traffic accidents and fatalities, rather than increasing sentences when they get there. So from my perspective, I would rather see us stopping them happening in the first place. I do not know if you want to add anything to that?

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

Minister, I would agree. I am grateful for the work that Inspector Callum O'Connor is doing in this space, who is our roads policing lead, and he has really enhanced our capability around this and

the focus of all of the response officers. The Minister is right; in an ideal world we would like to explore having a dedicated Roads Policing Unit because I think wherever you have a dedicated resource you get greater results, but we have to operate within the confines of what we have, so what that looks like is Inspector O'Connor leading the strategy but tasking out the activity across all of our 5 shifts. We have seen this year a lot more activity and I would imagine Islanders have also seen more activity in the presence of officers undertaking speed checks, stop checks, and we have also done a lot of work around drunk driving. We had some significant results over the weekend where we engaged with 8 individuals who had been drink driving. A lot of those fatal 5 elements around speeding, being drunk and in charge, not wearing a seatbelt, using a mobile phone, and not taking care while driving their vehicles, are where the focus is to prevent those collisions which end in injury or death as opposed to, as the Minister says, focusing on death by dangerous. While it is an emotive and important element, I think we are concentrating more on the prevention element of road safety for the Island.

**Deputy C.D. Curtis:**

I can see the good reasons to focus on those points. Can I just clarify then, Minister, you do not have any intention in looking at an increase in sentencing for death by dangerous driving?

**The Minister for Justice and Home Affairs:**

I think the thing is that, as I said, from where we are at the moment I want to focus on the fatal 5. We have got the legislative changes that we have already got to make, and of course it is about the sentencing which, in actual fact, I am not sure - and maybe you can assist me here - is the sentencing my domain or is it the domain of someone else?

**Associate Director, Justice Policy, Cabinet Office:**

I am trying to remember as you talk, Minister, whether or not the Road Traffic Law - which I think death by dangerous driving is in - is under your remit.

**The Minister for Justice and Home Affairs:**

Yes, but the actual sentencing. That is where I get a bit confused.

**Associate Director, Justice Policy, Cabinet Office:**

Sentences are ultimately a matter for the Court.

**Deputy C.D. Curtis:**

Yes, but the 1997 Road Traffic (Jersey) Regulations, I think if I am looking at the right thing, that was about the sentencing available for an offence of death by dangerous driving.

**The Minister for Justice and Home Affairs:**

I know the law all changed to make specific offences in relation to death by dangerous, and there was also changes in relation to death in relation to driving without due care, but the actual sentencing side of it I cannot remember. But I think the thing is, is that from my perspective, because of the sort of legislation changes that we have got in relation to the violence against women and girls, modern day slavery, and others, within the short window that we have got of just over 2 years, I want to focus on those, but I want to focus more on prevention rather than increasing sentences. That might be something that we will look at. I am not saying we will not, but what I am saying is that at this stage I want to focus on prevention. Because, as the deputy chief said, by focusing on the prevention as well and now with an allocated Inspector ... and I have been briefed by that individual in relation to what they are doing, so I feel more confident that prevention strategy for me is better than higher sentencing. I do not disagree that sentencing needs to be relevant but off the top of my head I cannot remember what the sentencing is, but that is from my perspective. I am not saying no, but what I am saying is that I want to focus on the actual prevention rather than the sentencing.

**Deputy C.D. Curtis:**

Yes, so I understand you want to focus on the prevention and there are no plans at all to look into reviewing ...

**The Minister for Justice and Home Affairs:**

Not at the moment, and I am not saying it is a no. What I am saying is it is about the resource that we have got to do the work.

**Deputy C.D. Curtis:**

If I can just move on then. The police annual report recorded that 2 people were killed and 59 people were seriously injured in road traffic collisions in 2022, which I think is a higher percentage than quite a lot of other places. Can you share more information about the Strategic Road Safety Unit and the proposed collision and casualty reduction plan? It was mentioned in your petition response I think.

**The Minister for Justice and Home Affairs:**

Can you repeat that question?

**Deputy C.D. Curtis:**

Mentioned in your petition response was information about the Strategic Road Safety Unit and the proposed collision and casualty reduction plan.

**The Minister for Justice and Home Affairs:**

That for me is what we have just been talking about.

**Deputy C.D. Curtis:**

Right, so that has already been answered.

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

It is to a degree, Minister. I think in addition there is some wider consideration ongoing around better use of data analysis. We have engaged with a programme called STATS19, which captures all of the road traffic collision data and will allow the Island, and the partnership of which S.o.J.P. are part, to identify issues such as potential accident black spots. That will allow, for example, Infrastructure and the Environment to go out and look at those areas to see if there are opportunities around designing or redesigning the road layout to try and prevent some of the triggers or the catalysts which may cause accidents in that particular area. Equally, it may inform how we look at what the speed limits may be in different areas, so it give us a whole strategic amount of data which we can analyse to look at that sort of designing out and preventing accidents in the first instance. Then there is a host of other initiatives which are being considered around that further prevention and how we can improve our response. As the Minister outlined, there is lots of work for us to do as an Island around the collision data. Just some of the road traffic collision fact comparisons with other jurisdictions: Jersey sits at 236 per 100,000 of the population, and then you compare us to the Isle of Wight who have 198, Great Britain 140, the Isle of Man 116, Gibraltar 105. So you can see that we have an awful lot and it is trying to understand why that is the case over and above - as the Minister has outlined - the fatal 5 and trying to tackle those fatal 5, but also the broader infrastructure in how our road layout looks and how we can design out some of those issues which may prevent accidents.

**The Minister for Justice and Home Affairs:**

Yes, because of course if you look at our roads compared to the roads in the U.K., they are very small and very narrow in some parts.

**The Connétable of Grouville:**

I am particularly concerned about this from my own point of view because the 2 fatalities last year were at Fauvic crossroads, which my predecessors have been highlighting for 2 decades now, and it is particularly sad that we lost those 2 lovely individuals there, and we had already highlighted. So I wish you well in your endeavours to change D.f.I.'s (Department for Infrastructure) opinion on these matters.

**Deputy C.D. Curtis:**

I think we are getting near to the end of our time.



**The Connétable of Grouville:**

We are.

**Deputy C.D. Curtis:**

If I could ask a quick question and then if there is time we have quite a few questions remaining. Perhaps we could move to the one that is about Customs, so you will hear it.

**The Minister for Justice and Home Affairs:**

He has been sitting there happily; we might not get him to answer any.

[16:30]

**Deputy C.D. Curtis:**

It should be a quick question. Are there any plans to regulate the use of e-scooters?

**The Minister for Justice and Home Affairs:**

That is interesting.

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

That is an interesting question. I know that Inspector Callum O'Connor has it as part of his road safety considerations. Where exactly he is with that I confess I do not have my finger on the pulse on that. Perhaps I could find that out for you and report back in due course.

**Deputy C.D. Curtis:**

Yes, if we could follow that up it would be great.

**Assistant Minister for Justice and Home Affairs:**

E-scooters; would they come under Infrastructure?

**The Minister for Justice and Home Affairs:**

They probably do come under Infrastructure.

**Assistant Minister for Justice and Home Affairs:**

They come under the Minister for Infrastructure.

**The Minister for Justice and Home Affairs:**

Because they are vehicles.

**The Connétable of Grouville:**

They are getting so much faster.

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

Indeed they are.

**The Minister for Justice and Home Affairs:**

But we will come back to you on what ...

**Deputy C.D. Curtis:**

If that is okay, it would be good. We did have some other question so maybe we could follow them up with written ones, but can we just go through the Customs one if we have got time. Is that okay?

**The Minister for Justice and Home Affairs:**

I am okay.

**The Connétable of Grouville:**

Yes, that is immigration and borders. That is that question there. Minister, at the end of 2023 the panel was advised that the I.D. (identification) card pilot scheme for inward visiting French nationals had been extended to the end of September 2024. That consideration being given to widening the scope for day trips to 72 hours. Are you able to provide any updates on that work?

**The Minister for Justice and Home Affairs:**

I certainly can. In relation to the day trippers, it is due to end September 2024, as you rightly say, and that has been very successful. Obviously it will need to be revisited, and I will ask Andy in a minute to just give us a little bit more technical detail, but there is going to be an introduction of an Electronic Travel Authority in the U.K. into the islands with significant potential in relation to barriers to the scheme. In fact I might ask Andy to do that and I will talk about the 72 hours after. He might be better to explain it.

**Assistant Director, Jersey Customs and Immigration Service:**

Yes, sure. So the Electronic Travel Authority is a U.K.-led initiative which is going to be rolled out to the common traveller, including Jersey, between autumn 2024 and early 2025. The idea of that is to enhance border security by requiring non-visa nationals to apply for that authority in advance of their travel. Now, in order to do so people need a valid biometric passport, therefore, French I.D. cards which are not biometric documents, will fall outside that. So, in essence, the general direction of travel is towards increased border security, digital permissions and biometric travel documents.

In some respects, the use of French I.D. cards to travel to Jersey, and then with the inherent risk that people can travel onwards to the U.K., flows against that direction of travel. We have got a piece of work ongoing with the Home Office to look at whether or not the E.T.A. (Electronic Travel Authority) system can be amended or altered in order to be able to take account of French I.D. cards. We have not got a firm answer on that yet and it would require, in my view, significant and costly I.T. (information technology) changes in order to implement that. But we are hoping to have more clarity on that in the next number of months.

**The Minister for Justice and Home Affairs:**

Are you able to just mention so that the public are aware, because Europe are introducing these type of systems as well, are they not?

**Assistant Director, Jersey Customs and Immigration Service:**

Yes, that is right. So on the European side you have got a system called E.T.I.A.S. which is the European Travel Information and Authorisation System. It is very similar to the U.K. E.T.A. scheme, which will again require non-visa nationals - including British citizens and Jersey residents - to apply in advance of their travel to get permission to travel to Europe. That will be introduced at some point in early to mid-2025.

**The Connétable of Grouville:**

It would be wonderful if the system of gaining passports in France was similar to ours and much quicker and more efficient, because currently it is 2 or 3 days to get one and it is ridiculous. That is why we have got the identity card.

**The Minister for Justice and Home Affairs:**

In relation to extending the scheme beyond the 72 hours, as Andy has already said, we obviously belong to the Common Travel Area, and that means there is extra security risks in relation to I.D. cards. Therefore, as I said, we are looking at the possibility of beyond September 2024 but, can I just say, that the 72-hour thing was never a proposition or a proposal that was brought forward. I think it was just something that was mentioned along the way somewhere. So it has never been agreed by either us or anyone else and so, from our perspective, because of the heightened risks that 72 hours would bring, it is not a possibility and that has sort of been indicated already. Our primary thing is that, as Andy said, they are working with the Home Office in relation to the I.D. cards beyond September 2024, but we will just have to wait and see where we sit. Because of the electronic data that is going to be required for everybody this is where the challenges will be, and it will be going in all of the directions.

**Deputy C.D. Curtis:**

Just the last question then because I am sure we probably all need to get on. Minister, it was stated in a reply to a freedom of information request on 7th September 2020 that the States of Jersey Customs and Immigration Service no longer publish an annual report, but do provide relevant statistics where required for Government. Please can you advise why that reporting ceased and would there be any value in reinstating the annual report?

**The Minister for Justice and Home Affairs:**

I would like to refer to Kate, who obviously has got a better understanding because it is 4 years away now, the reasons why.

**Chief Officer, Justice and Home Affairs:**

At that point there was a general and, I think, understandable drive to simplify government reporting and to make it more meaningful and more timely. So where services had been publishing annual reports but there was not a statutory requirement for them to do so, they were ceased. The police obviously have a different statutory arrangement, there is an annual policing report and you have referred to it in the hearing. There are a couple of other areas in our domain, the Health and Safety Inspectorate, for example, which is not under the Minister but is under me, which does have statutory obligation to do it. But where there is not one that information, in terms of what we are going to do, is covered either by the Government Plan itself and what have been Ministerial Plans, or the annual report and accounts for the Government and the States of Jersey, which is what we have done. What is more important though, I think, in terms of information that is available is that we are increasingly publishing performance information and delivery information on the Government of Jersey website, and that would usually be on either a quarterly or a 6-monthly cycle. That means that information is available in a more timely way because it is published quarterly, and I think for me that is a better way for us to communicate that sort of statistical information about J.H.A. (Justice and Home Affairs) services rather than having to rely on an annual report. That is my proposal in terms of how it will stay, but what we do want of course is relevant information is available and transparent, so it is a different way of delivering the same information.

**Deputy C.D. Curtis:**

So if members of the public wanted to know more, for example, about Jersey Customs and Immigration Service and any more up-to-date figures and so on they would look on the gov.je website?

**Chief Officer, Justice and Home Affairs:**

Yes, and that is still development. I mean, there are always improvements to be made there. In fact we have just been talking this morning about how do that and how we make our service

performance measures more available and more meaningful for the public. That is where we are focusing our attention.

**Deputy C.D. Curtis:**

Thank you. We do have more questions but I think maybe we should send them as written questions.

**The Connétable of Grouville:**

If I may, Chair, there is one point I would like to make - we made it to the previous Minister - that these V.F.M. (value for money) cost reductions to the S.o.J.P. our panel is very alarmed about, and we are going to be keeping an eye on that because I think really you need far more support financially than you are currently getting from this Government and previous Governments. It is difficult for us as so-called critical friends, but we are not in this respect. We support the stopping of those V.F.M.s in the S.o.J.P. and we would just like to tell you that.

**The Minister for Justice and Home Affairs:**

Thank you.

**Deputy C.D. Curtis:**

Thank you very much, everyone. We will just finish the hearing now.

[16:39]