

## **2.12 The Deputy of St. Martin of the Minister of Home Affairs regarding the establishment of a Lay Visitor Scheme in Jersey:**

What consideration, if any, has the Minister given to establishing a lay visitors scheme in Jersey, which would enable independent volunteers the right to visit police stations whenever they liked, to check on the treatment of people held in custody by the police?

### **Senator W. Kinnard (The Minister for Home Affairs):**

Lay visitors schemes, known as custody visitors, operate in most of the U.K. and they have the following key features: they are independent of the police, they are staffed by representatives of the community. Membership of minority group representatives is usually encouraged. Visitors are trained in law and guidelines relating to custody and they report directly to a police authority. Should the States agree to the setting up of a police authority under the new police force law, I intend to ask the authority to consider what a lay custody visitor scheme could add to the process of independent oversight of policing.

### **2.12.1 The Deputy of St. Martin:**

The Minister is aware that I have raised this issue before and the lame excuse of non-establishment of police authority has been given as a reason not to go forward. Would the Minister confirm that the lay visiting scheme or the prison lay visiting scheme comes within the remit of Home Affairs and reports to Home Affairs and also, we have learned this morning, as we have heard from the Minister for Education, Sport and Culture, that the independent body visiting Greenfields comes within the remit of the Education Department? Would she not consider it quite apt for the lay visitors scheme to come within the remit of the Home Affairs Department?

### **Senator W. Kinnard:**

There are 2 answers to that, really, Sir. It was in the 2000 inspection that Her Majesty's Inspectorate Constabulary suggested that it should be the new police authority that should consider setting up the scheme and I am abiding by that suggestion. It is also, Sir, appropriate, I feel, for the police authority to consider the matter, to avoid any unnecessary overlap and confusion because we already have an independent police complaints authority. We are also proposing to set up a police authority and that could make a total of 3 corporate bodies overseeing the police, not of course counting the Minister, and of course in the presence of the custody suite on a daily basis, the Centeniers who have an independent role in laying charges. It may well be, Sir, that in a small Island, that the new police authority might see themselves as exercising the role of custody visitors. So I think, Sir, it is too early to say what their view would be and I think it would not be wise therefore to go about creating a separate custody visitors scheme. It would seem to me to be premature and we would be better off waiting until the authority were in a position to consider this matter themselves.

### **2.12.2 The Deputy of St. Martin:**

Yes, Sir. The Minister has mentioned about the police authority. In the absence of any police authority coming to fruition, would the Minister give consideration then to establishing a lay visiting scheme which would come under the remit of the Home Affairs Department?

### **Senator W. Kinnard:**

I would.