

The Deputy Bailiff:

We come next - there being no matters under J - to K: Statement on a Matter of Official Responsibility and the Minister for Home Affairs will make a statement regarding the withdrawal of the Criminal Justice Policy (Projet 201).

5 Senator W. Kinnard (The Minister for Home Affairs) - Statement regarding the withdrawal of the Criminal Justice Policy:

During its time in office, the former Home Affairs Committee undertook extensive research in developing the Island's first draft Criminal Justice policy. The policy consultation document was made available to States Members, stakeholders and the general public in June 2005. The Criminal Justice Policy document (P.201 of 2005) was lodged 'au Greffe' on 20th September 2005, and had been due to be debated on 25th October 2005. On that day, however, the previous States Assembly decided to defer the debate on this policy and a number of other policy matters until the present Assembly had been formed. Since the formation of ministerial government, the Council of Ministers has undertaken an early review of the draft Criminal Justice Policy and decided that it wishes to take further time to review the various policy statements and action plans. Similarly, the Scrutiny Panel on Social Affairs is in the process of deciding its work program for 2006 and may wish to undertake its own scrutiny of policy proposals. In view of the new policy development process, which applies since transfer to ministerial government, I am formally asking to withdraw P.201 of 2005 today but I would wish to assure the Assembly that this will not delay action on many of the good objectives that the action plans contained. The action plan currently contains 32 separate objectives, only 5 of which require the approval of the States, either because they require new funding, new legislation or are otherwise contentious. One of these is the proposal to introduce a system of discretionary supervised release. This particular initiative is an extremely important part of the policy. It is designed to address the need for sentence planning, the rehabilitation of prisoners while in custody and their supervision in the community thereafter. Consequently, should the policy review period prove to be lengthy, I would aim to bring a separate report and proposition to the States this year seeking States approval for post-custodial supervision. The remaining 27 objectives involve making improvements to the current criminal justice system which have the support of stakeholders and which can be progressed outside of formal policy approval. For example, the production of co-ordinated criminal justice statistics, continuing to implement the recommendations of the Bull Report, implementing the 'Building a Safer Society' strategy and analysing the nature and effect of antisocial behaviour in Jersey. We shall also have an opportunity to incorporate ideas from a recently published thesis on the conduct and effectiveness of Parish Hall inquiries which will enable us to develop the policy aim of making improvements to the current system. These are all matters which could be described as "business as usual" in seeking to continually improve processes within the criminal justice system. I would not want to hold up progress in these areas while the period of policy review takes place. I wish to assure Members that the review will be followed by a period of consultation so that Members can comment on the proposals prior to my re-lodging the policy for debate. As I did last year, I would also aim to hold a number of briefing sessions for Members so that the policy proposals can be explained. I, therefore, ask that the House allow me to formally withdraw P.201 of 2005 with the aim of lodging a revised criminal justice policy in due course. Thank you.

The Deputy Bailiff:

Very well, anything arising out of that?

5.1 Deputy R.G. Le Hérisssier:

I look forward to some items going forward as the Minister said. Could the Minister tell us, Sir, where are the areas that have caused concern?

Senator W. Kinnard:

The matter was discussed at an earlier Ministers meeting and my fellow Ministers undertook to write to me with areas that they would like to review or have further discussed. I have received some indications of the areas that they would like to review but not so far all that many of them. However, I await further communications from my colleagues and we intend to, obviously, address those in early course and come back to Council of Ministers at the earliest opportunity. Thank you.

5.2 Deputy G.P. Southern:

Will the Minister state to Members what areas give her concern in the sense that they require additional funding in order to be brought to fruition and will she commit herself to obtain that funding to make sure the Criminal Justice Policy does get through in a short scale of time?

Senator W. Kinnard:

In the consultation documents and also in P.201 it makes it quite clear those areas for which funding has been, if you like, ear-marked and areas where it has not. For instance, one of the big areas that I am concerned about is that funding has not been allocated at this point for the education unit that we would like to develop as an extremely important part of the rehabilitation of prisons while they are actually in prison to give them skills and education to improve their chances of leading a more productive life on the outside. That, Sir, is an area of particular concern of mine. There are others but I would say that is the major because there we are looking at a budget for really minimum facilities of £100,000.

The Deputy Bailiff:

Very well. Any other questions?

5.3 Deputy J.A. Martin:

I did address part of this to the Chief Minister. Would the Minister for Home Affairs endeavour to give us a comprehensive list of the 27 objectives that can be carried out and the 5 that cannot in the near future. Thank you, Sir.

Senator W. Kinnard:

Absolutely, Sir. I have provided it for the Council of Ministers and I am more than happy to circulate it for Members and will do in due course, thank you.

5.4 Deputy R.G. Le Hérisier:

Just pressing the question I asked previously and I have a lot of sympathy for the Minister. Could she tell me what were those misgivings that were articulated by the Council of Ministers?

Senator W. Kinnard:

In fact, Sir, I think one of the first ones that was raised with me was the idea that there ought to be perhaps more cross-departmental working, particularly, for an example, where there is the issue around licensing hours and people spilling out on to the street and behaving in a disorderly and sometimes drunken fashion. The Council of Ministers indicated to me that they would like closer working between the Home Affairs Ministry and the Transport and Technical Services Ministry to come together and deliver a more appropriate policy that was cross-Ministry including transport matters. The role of the Honorary Police and particularly the development on the nature of the conduct and effectiveness of the Parish Hall Inquiry was another area that was raised with me. Raised with me from Scrutiny, on the other side, was the issue around whether or not the policy, as it exists, did not recommend going for completely independent prosecution service. We were satisfied with the way in which it was operating here at present. That I know has been questioned by Scrutiny and is an area that they should, I think, take up or that they will

be taking up in future. So I am quite happy that these issues are raised and to try to address Members' interests and concerns. I am sure that, in short order, we will certainly be coming back to the House with a number of initiatives, not least of all one which will be a new law on disorderly conduct and harassment.