

Minister for Home Affairs Justice and Home Affairs



19-21 Broad Street | St Helier
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Deputy Catherine Curtis
Chair, Children, Education and Home Affairs Panel

By email

22 November 2022

Dear Chair

I write in response to your letter of 14 November, further to my attendance at hearings on Friday 11 November. I am grateful to the Panel for your thoughtful and considered questions and look forward to continuing our discussions as work progresses across the portfolio.

During the hearing I and my Officers undertook to provide some further information, and I am pleased to provide that below.

- Further details about the status of the service level agreement with Jersey Action Against Rape (JAAR)

The previous SLA with JAAR expired several years ago and officers are in regular discussion with a view to agreeing a new arrangement. This is not yet finalised.

- More information about the 8 new roles in the office of the Director General

One role is for the Assistant Emergency Planning Officer requested as part of the Governance and Performance business case. This post, along with the funding, will be transferred to the Fire and Rescue Service once the plan is approved, as Emergency Planning is in that budget.

Four roles are in relation to the additional funding in relation to the Office of the Superintendent Registrar. These full time equivalent posts (FTEs) will be transferred once the plan is approved.

For the remaining three roles, there was an administrative error when drafting the plan, which has caused the FTEs of the JHA Directorate to be overstated. The Directorate will not be employing these three additional FTEs.

I note that the Panel also followed up separately to request further detail in relation to the information previously supplied about the projects and programmes that fall within the JHA / SoJP Heads of Expenditure.

The final list of projects and programmes will be finalised as part of the Ministerial Delivery Plan process, which will follow approval of the Government Plan.

Whilst I can appreciate the reasons for the Panel's request, I am therefore not yet in the position to provide this information comprehensively at this stage.

I do however look forward to further detailed discussion with the Panel about my Ministerial Delivery Plan, once developed.

Please also see below answers to your further questions in relation to the Government Plan:

1. We understand that the additional revenue funding for the programme 'Brexit – Increased Activity and Border Compliance' is to fund three additional Customs and Immigration Officers. Please could you advise:

I can confirm that these posts will be additional Customs and Immigration Officers.

- a. Can you share any data which displays the levels of increased activity for the Customs and Immigration Department following Brexit?

Please see appended charts which clearly indicate the increase in the volume of work undertaken by the Immigration Casework section post-Brexit.

In addition, scrutiny on European nationals has increased significantly as free movement has ended post Brexit. This has led and will lead to further increases in numbers of those refused entry on arrival. This increased immigration scrutiny does not only affect passengers travelling through canalised controls, but also those arriving via General Aviation and General Maritime whereby increased checks and immigration permissions must be assessed and granted.

Increased immigration enforcement action inland is also likely to increase as a result of the fourfold increase in granting of pre-arrival immigration permissions.

- b. Does the funding include provision for the training of new Customs and Immigration Officers?

The funding does not include provision for the training of the new Officers as this will be funded from the general JCIS training budget allocation.

- c. How many full-time equivalent roles are there in Customs and Immigration as at 31st October 2022? How many of these are Customs and Immigration Officers?

The Jersey Customs and Immigration Service FTE is 78

Customs & Immigration Officers

9 Senior Customs & Immigration Officers (Team Leaders)

48 Customs & Immigration Officers

1 Assistant Customs & Immigration Officer

These Officers fulfil the resources for;

- 4 x Border teams
- Revenue Control Team
- Immigration Casework Team
- Investigation Unit
- Joint Intelligence Unit
- Joint Financial Crimes Unit

The remaining 20 FTE are made up of the management team, policy principals, passport officers, Revenue support officers and a dog handler.

2. Please could you provide an update on the plans for development and implementation of the new Civil Contingencies legislation?

Emergency Planning are working with the Law Officers Department to develop new Civil Contingencies legislation for Jersey, to replace the Emergency Powers and Planning (Jersey) Law 1990.

The scope for the new legislation is broader than existing Civil Contingencies legislation in other jurisdictions such as the UK and Guernsey, in that it will have a more resilience-focussed approach that takes a longer-term approach to such things as global, geopolitical and technological influences. It will have a more risk-focussed approach in terms of risk elimination and/or reduction, and a greater emphasis on managing the consequences of emergencies on the population.

To assist with this, we're engaging with a specialist consultant to give us strategic guidance for the new legislation, to take into account both modern best practise and the recommendations from the National Preparedness Commission's Independent Review of the Civil Contingencies Act 2004 and the UN Sendai Framework for Disaster Risk Reduction. This consultation should be concluded by the beginning of April, at which point we should be in a position to start drafting the new legislation. It is hoped that the new legislation can be laid before the States in Q4 2023 or Q1 2024.

- a. Please can you provide a breakdown of the cost of the Assistant Emergency Planning Officer and the regular inspections of the Fire and Rescue Service, Prison Service and Customs and Immigration Service?

Assistant Emergency Planning Officer - £54,000

Inspection costs - £80,000 (estimated based on previous HMICFRS inspection of States of Jersey Police)

- b. Will the new additional inspections of the Fire and Rescue Service, Prison Service and Customs and Immigration be undertaken using existing benchmarks?

I intend to invite the relevant Inspectorates from England & Wales to conduct the Inspections (His Majesty's Inspectorate of Police, Fire & Rescue Services, His Majesty's Inspectorate of Prisons, and Independent Chief Inspector of Borders and Immigration, respectively) for each of the Services, and they will do so using their well established methodology for Inspections, with any adaptations for the Jersey context agreed between me and the Inspector in the terms of reference for our Inspections.

3. The Panel understands that the funding for the programme 'Jersey Care Commission – Regulation' will support recruitment to 2 posts which will help prepare the Ambulance Service for future regulatory requirements. Please could you confirm the specific roles and grades of those posts?

Title	Grade	FTE
Data Analyst	CS124	1
Regulation and Inspection Lead	CS124	1

- a. Will these roles sit within the Justice and Home Affairs Directorate, or the States of Jersey Ambulance Service?

The roles will sit within the Ambulance Service.

- b. Is any additional equipment, or software, required to be purchased for the data analysis and regulatory requirements? If yes, is this included within this funding?

Funding in the business case includes £2,000 to cover IT equipment for the roles.

4. Can you provide the Panel with any data about the demand on victim support services?

Please see the below information which provides an indication of the demand on victim support services. The information is a snapshot of activity and outcomes delivered by Victims First Jersey from March 2021 to March 2022.

- 1910 Rapid Needs Assessments completed with the victim within 48 hours of them reporting a crime and identified practical and emotional support provided.
- Provision of support to victims and witnesses at 38 Royal Court Trials and 26 Magistrate Court Trials (including Youth Trials)
- 253 Victims received specialist support in relation to their safety.
- 42 Victims have opted to receive specialist support in relation to the Victim Notification Scheme.
- 835 victims provided feedback in a survey about their experience through the criminal justice system which informs and drives improvement in performance for the police service and Law Officers Department.

- a. Please could you provide some further detail about the 5 full-time equivalent roles that to be recruited under the 'Victim Support' programme.

There are already 5 Victim Advocates employed on fixed term contracts, which end on 31 December 2022, as the scheme was run as a pilot for 3 years. This funding will allow the roles to be made permanent and secure the future of the service.

The business case includes funding for an additional post to appoint a Team Leader. Recruitment will begin once funding has been approved in the Government Plan.

Those who engaged with Victims First Jersey reported experiencing significant benefits of the support they received, for instance, 72% of victims felt the support received helped them cope and recover from their experience of crime. Additionally, 75% of victims felt the support from their Victim Advocate was tailored to meet their needs.

5. Can you provide the Panel with any data about the additional demand on services following the development of the Domestic Abuse (Jersey) Law 2022 (the 'law')?

Currently, there is no additional demand as the law has not come into force. The need for additional resources was identified due to no arrangements being in place to manage domestic abuse offenders effectively. Currently, a proportion of offenders will be subject to a probation order, however, many serve a short sentence and are released without conditions or post custodial supervision requirements. Historically, the problem surrounds a lack of legal management mechanisms associated with convicted domestic abuse reoffenders. This results in a cycle of offending which has substantial social and economic costs.

- a. Please could you provide some further detail about the 3 FTE roles required as a result of the adoption of the law?

The 3 FTE roles are required in order to effectively supervise and manage the offenders once in the community, and were based on the annual conviction rate for domestic abuse and experience of managing sex offenders.

They will assess the individual's level of risk of harm they pose to others and enable the development of a risk management plan to manage and mitigate these risks. Additionally, they will ensure that this is being complied with and manage the offenders' impact on the public. The post holders will work in partnership with multiple agencies, such as, the Probation Service, social workers, and healthcare professionals, to develop networks and enable the best use of resources and joined up approaches to drive the safeguarding of victims.

Additionally, they would contribute to the Multi Agency Public Protection Arrangements (JMAPP), providing updates to support the management of offenders. Using the JMAPP framework to manage offenders on a multi-agency basis will ensure the intention set out in the Domestic Abuse Law is fulfilled.

Yours sincerely



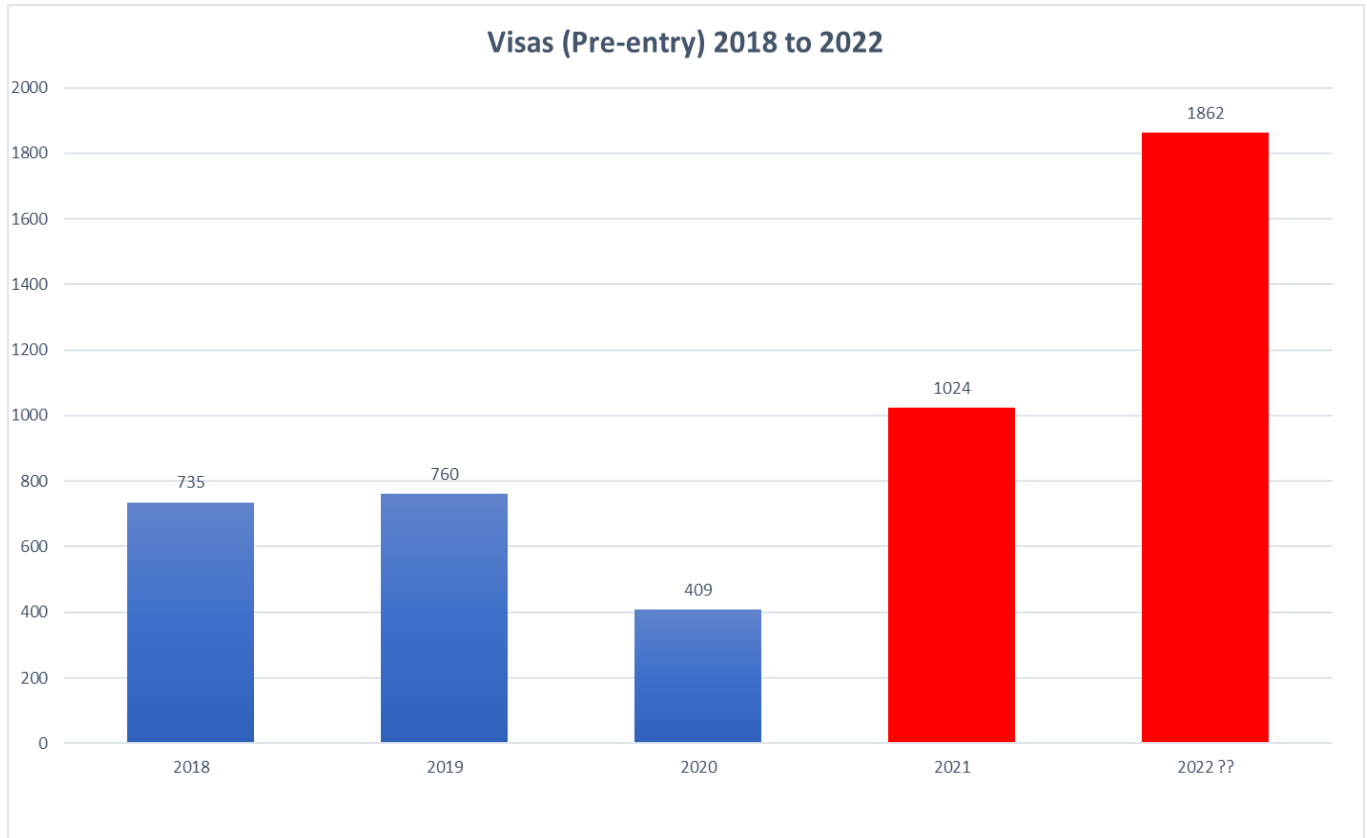
Deputy Helen Miles
Minister for Home Affairs

Appendices

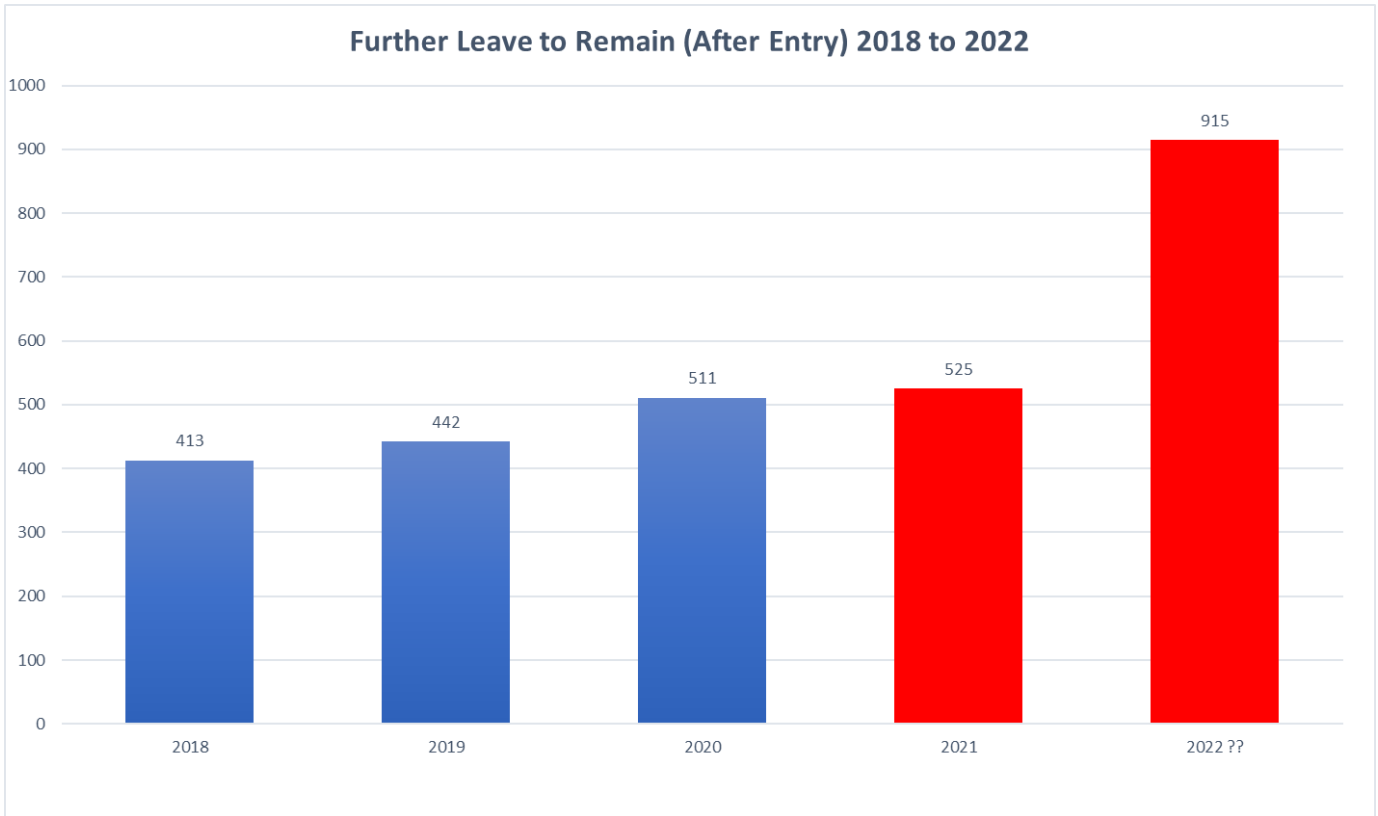
1) Work Permit Issuance Chart 2011 to 2022 in response to question 1A



2) Visa Issuance Chart 2018 to 2022 in response to question 1A



3) Further Leave to Remain Issuance Chart 2018 to 2022 in response to question 1A



4) Leave Curtailment Chart 2018 to 2022 in response to question 1A

