



Education and Home Affairs Scrutiny Panel

Medium-Term Financial Plan Review

FRIDAY, 18th SEPTEMBER 2015

Panel:

Deputy L.M.C. Doublet of St. Saviour (Chairman)
Deputy J.M. Maçon of St. Saviour (Vice-Chairman)
Deputy S.Y. Mézec of St. Helier

Witnesses:

The Minister for Home Affairs
Assistant Minister for Home Affairs
Chief Officer, Community and Constitutional Affairs
Chief Fire Officer
Deputy Chief Officer, States of Jersey Police
Finance Director, Home Affairs

[11:04]

Deputy L.M.C. Doublet of St. Saviour (Chairman):

This is the public hearing questioning the Minister for Home Affairs on the Medium-Term Financial Plan, which will be debated by the States Assembly on 6th October, so welcome to the Minister and to the public, welcome to the members of the media in the gallery. Can I just point out notices, the Scrutiny Code, including please turn off your mobile phones during the proceedings. I will introduce myself, I am Deputy Louise Doublet, the Chairperson of the Panel, and I will let my Panel introduce themselves starting with our Vice-Chair.

Deputy L.M.C. Doublet:

Okay, thank you. So we are hoping to be finished by 12.30 p.m., is that correct?

The Minister for Home Affairs:

Okay, we are have you in our diary until 1.00 p.m. so ...

Deputy L.M.C. Doublet:

Right, well we will aim for 12.30 p.m. but we have that flexibility then and, as always, if answers can be succinct we would be grateful.

The Minister for Home Affairs:

We will try our best.

Deputy L.M.C. Doublet:

Throughout we will be referring to the Medium-term Financial Plan as the M.T.F.P. (Medium-Term Financial Plan) just for clarity. We have also received this document, for which we are grateful, with some answers to our questions and we will call this the framework document, just for clarity, throughout. Minister, have you read and understand the statement in front of you?

The Minister for Home Affairs:

Thank you, I have, yes.

Deputy L.M.C. Doublet:

Okay, so the first question, if I have covered everything, the first question is mine. Home Affairs seems to have been absorbed or amalgamated, we are not quite sure, into a new department called Community and Constitutional Affairs within this M.T.F.P. document. Could you clarify the arrangements there please?

The Minister for Home Affairs:

Yes, I think "absorbed" is not quite the right phrase. This new department has been created primarily due to Home Affairs and the changes that we have been wanting to make. When Constable Mezbourian and I first took office, one of the first things that we discovered was that the existing Chief Officer was due to retire within the next 6 months and so we set about finding the best way forward to replace that key member of staff in an efficient and cost-effective way. So, after much deliberation and much advice and consideration, what we have decided to do was to

merge with the Constitutional Affairs Department and keep the services of a new Chief Officer from the existing pool ...

Deputy L.M.C. Doublet:

Could I just stop you there, sorry, so you were merging with a department, so that implies it was already in existence. You said you were merging Home Affairs with Community and Constitutional affairs, which applies it was ...

The Minister for Home Affairs:

No, no, Community and Constitutional Affairs was not in existence, but the External Relations and Constitutional Affairs Department was. So what we have done is Community and Constitutional Affairs is a new name that has been agreed among the staff and Ministers that now sit under that department or within that department and it is run by a Chief Officer who is Mr. Tom Walker, who is sitting beside me. So he answers to either the Chief Minister, or advises, rather, the Chief Minister, myself and the Minister for Housing and the Assistant Chief Minister with responsibility for social policy. The reason for doing this was because we could see synergies within particularly our executive and policy groups and the staff that we had in that area and we also have rationalised our buildings, so we moved from Hill Street on to the 5th floor of Cyril Le Marquand House where our executive officers and policy officers now sit in very close proximity to each other, which aids our efficiency and flexibility working.

Deputy L.M.C. Doublet:

Okay, so I am just trying to understand the things that you said to me. So the accounting officer is Tom Walker, is that correct, and which Minister is responsible for the C.C.A. (Community and Constitutional Affairs) Department?

The Minister for Home Affairs:

We are jointly responsible, the 4 Ministers, the Chief Minister, the Minister for Home Affairs, the Minister for Housing, and the Assistant Chief Minister with responsibility for social policy.

Deputy L.M.C. Doublet:

Okay.

The Minister for Home Affairs:

This is very much the way forward in terms of public sector efficiency and flexibility. We are hoping that other departments might take our lead and follow along similar lines because it is part of a rationalisation, improving efficiency, and also being cost-effective to the public.

Deputy L.M.C. Doublet:

Okay. Is that clear?

Deputy J.M. Maçon:

Just to clarify then, so if anything, I am thinking how to phrase this politely, should there be any, for want of a better word, mistakes within the department, presumably then what you are saying is all 4 Ministers will share that, because of what I am trying to say is the accountability side of it, and will all 4 then share equally within that?

The Minister for Home Affairs:

No, we each have our divided responsibilities, which are quite separate and have not changed very much. The role that has changed most is that of the Chief Officer.

Chief Officer, Community and Constitutional Affairs:

The responsibilities of the Ministers are completely unchanged, so the Minister for Housing remains accountable for Housing policy, the Minister for Home Affairs for Home Affairs policy, and so on. So none of those responsibilities are changed in any way. The Chief Minister is still responsible for justice, legal affairs, constitutional policy; the Assistant Chief Minister still has delegated responsibility for social policy. All of those are completely unchanged. What has changed is that we have a more integrated and flexible structure to support those Ministers collectively. So what we have done is we have broken the one-to-one relationship between a Minister and the senior staff, between a Minister and a chief officer, in order to achieve efficiencies in a way that will not affect Islanders and the experience of Government that Islanders have. So this is part of achieving efficiencies in the non-frontline delivery part of Government and we have been very fortunate in that all of the Ministers involved have been very supportive and have wanted to engage in this new way of working with and receiving support from an integrated team and essentially sharing a chief officer and we have been very grateful to their open-mindedness and willingness to embark upon this path. Ask us in 12 months' time whether it has worked.

Deputy L.M.C. Doublet:

So how many chief officers were there before, how many have you lost?

Chief Officer, Community and Constitutional Affairs:

What we have done is I was formally Chief Officer for External Relations and Constitutional Affairs and then Stephen Austin-Vautier was Chief Officer for Home Affairs and then of course quite a while ago we used to have a separate Chief Officer for Housing as well. So now there is me.

Deputy L.M.C. Doublet:

Okay, I just need to think.

Chief Officer, Community and Constitutional Affairs:

We put out a press release about this merging of the departments back in April and that could be circulated around the Panel if that would be helpful.

The Minister for Home Affairs:

I think we have discussed it at a previous scrutiny meeting with yourselves. But I think its appearance on the M.T.F.P. as a separate line has perhaps drawn attention to it once again. It is the first time it has officially been highlighted in that way.

Deputy L.M.C. Doublet:

I think what we would like you to help us understand now is the money side of it and how the budgets have been changed and reallocated, if you could please go into some detail?

Chief Officer, Community and Constitutional Affairs:

Yes, sure. That is fairly simple because the budgets on the functions, which have been brought together from the Chief Minister's Department are really policy functions, so the Strategic Housing Unit is a small number of staff and those budgets have been transferred into the new Community and Constitutional Affairs from 1st January ...

Deputy L.M.C. Doublet:

Sorry, from the Housing Department or from the Chief Minister's?

Chief Officer, Community and Constitutional Affairs:

From the Chief Minister's, because that is where the Strategic Housing Unit is. As you know, we do not have a Housing Department anymore; we have a Strategic Housing Unit, which does policy. The old Housing Department, having become the core of what is now Andium Homes, so we have a small ...

Deputy L.M.C. Doublet:

So where is the Minister for Housing in that then, sorry?

Chief Officer, Community and Constitutional Affairs:

Again, the Minister for Housing is an independent Minister in her own right. She is the Minister for Housing and her support has always come through the Strategic Housing Unit. That Strategic Housing Unit staff were homed within the Chief Minister's Department.

Deputy L.M.C. Doublet:

Right, okay.

Chief Officer, Community and Constitutional Affairs:

So that is that side of it. Justice and Constitutional Affairs is the responsibility of the Chief Minister and the Chief Minister has a couple of posts that support him in that responsibility.

[11:15]

Again, those posts were located within the Chief Minister's Department and that now forms part of Community and Constitutional Affairs. Social policy is a responsibility of the Chief Minister, which he delegates to the Assistant Chief Minister for social policy, Senator Routier. There has been, for the last few years, a small section within the Chief Minister's Department who look after things like the policy on same-sex marriage, disability, and again those people have been brought in to the new Community and Constitutional Affairs. So I think when we did the press release back in April we described it as bringing together functions of the Chief Minister's Department and functions of Home Affairs and in budgetary terms that is what has happened, and I think that is reflected in the M.T.F.P. as a transfer.

Finance Director, Home Affairs:

It is, on page 48 of the annex to the M.T.F.P. there is a transfer of £844,900 from the Chief Minister's Department and that relates to the functions that the Chief Officer has just mentioned and 9.5 staff. So, if you look at the increase in F.T.s (full-time) between 2015 and 2016, 9.5 extra staff is a transfer as opposed to new.

Deputy L.M.C. Doublet:

Okay, I think the rationale is a lot clearer now you have explained it like that, thank you.

Deputy J.M. Maçon:

Just one question then, how will this newly-formed department, when they are split between essentially 4 masters, how would it prioritise what will become the key work within that?

The Minister for Home Affairs:

We are already doing that, we have shared meetings where we discuss our priorities and assess them as a group. It has been very beneficial because we have been able to align priorities and to have a greater ministerial input, which has been very helpful in streamlining what we do, focusing the efforts of officers in different areas so that we are more productive.

Deputy L.M.C. Doublet:

Tom, who are you ultimately accountable to as an officer then? Who do you take your orders from for want of a much better way, and I apologise?

Chief Officer, Community and Constitutional Affairs:

All chief officers have 2 lines of accountability, one to the Minister for policy delivery and development, and another to the Chief Executive for corporate matters, so in that sense I am no different and so I am responsible to John Richardson, the Chief Executive, for corporate matters, and then I am held to account by all of the Ministers that I work to for delivery in their policy areas. So the Minister for Housing holds me to account for what we deliver on Housing policy, the Minister for Home Affairs and the Assistant Minister will hold me to account for what we deliver in Home Affairs.

Deputy L.M.C. Doublet:

Could you just tell us what potential pitfalls you might have seen when you are examining this new model and how you would intend to overcome them?

Chief Officer, Community and Constitutional Affairs:

Yes, the 2 scrutiny panels at the same time.

The Minister for Home Affairs:

I think that is a good example. So far it works exceptionally well and we moved into Cyril Le Marquand House in May and I think that process has been very smooth and really I have to give credit to all the officers who have worked really efficiently and in a very positive way to achieve this in what has been a very short period of time. It has meant a change in the way that they work and working practices and moving from separate offices at Hill Street to open-plan office space generally at Cyril Le Marquand House and everybody has embraced that and been very positive. Really, it just goes to show how dedicated officers are to serving the public in the very best possible way.

Deputy L.M.C. Doublet:

I think that mirrors the public feeling, does it not, of reorganising behind the scenes, so to speak, rather than the front line.

Deputy J.M. Maçon:

Just one further thing, because I am not quite clear, and it comes back to the factoring of priorities, how will you prevent something like we have seen in Health and Social Services where Social

Services has become the poor relation, how will you prevent the merger of these departments happen?

The Minister for Home Affairs:

I guess we do that through sharing priorities and having regular prioritisation meetings and maintaining dialogue. Obviously, C.O.M. (Council of Ministers) meet regularly, we share views and priorities at that level, and then at the next level between Community and Constitutional Affairs, and so I see this as more of an assistance in that, if there is a priority that is occurring and needs more resource, then we are able to direct more people to assist in achieving that, and then we can move on to the next priority. So far it is a very positive thing and it has helped focus minds on policy priorities.

Deputy L.M.C. Doublet:

Can I just ask you look at the annex please to the M.T.F.P. on page 42? As obviously our job is to scrutinise the Home Affairs Department, we would appreciate if we could have some clarity on which of these change projects is coming from a Home Affairs budget.

Chief Officer, Community and Constitutional Affairs:

Would you like us to run through them now or would you want to receive it afterwards?

Deputy L.M.C. Doublet:

If you could briefly just let us know which ones are Home Affairs projects?

Chief Officer, Community and Constitutional Affairs:

Obviously the first one delivers savings and public sector reform is right across all departments and all services, so that is broad. Building a Safer Society Strategy is a cross-ministerial strategy. The officer that looks after that is currently within the Home Affairs part of the department but obviously that strategy cuts across Home Affairs and Health and Education and it is a real cross-ministerial piece of work. Gender-based and domestic violence strategies is Home Affairs where it is in particular the law. We have talked previously about the Minister's priority to update the Sexual Offences Law, so that becomes Home Affairs where it is sexual offences, but you can see that there are also health and wellbeing type of parts of that and then, once you move on to the second part of that about the U.N. (United Nations) Convention of the Rights of the Child and obviously Education and others start to be involved. The next one, police procedures and Criminal Evidence Code amendments are nice and straightforward, they are Home Affairs, as are Prison Law and Rules, as is Jersey Fire and Rescue Service, as is the Policing Plan. 1,001 Days, a critical agenda, again cuts across. The Minister for Home Affairs is very kindly leading on that, but will be working closely with the Minister for Education, the Minister for Health and others. Alcohol

Licensing and Strategy; that is for the moment being led out of the social policy section, so it is something that Senator Routier is taking the lead on, but again working very closely because obviously alcohol licensing affects policing and public order as well as economic development and a whole range.

Deputy L.M.C. Doublet:

But there is nothing from Home Affairs budget going towards that?

Chief Officer, Community and Constitutional Affairs:

No, I do not think so, I do not think it is a budgetary item anyway; it is about the law and the strategy that is being pursued. Housing Strategy Framework has obviously links to Housing, as is the next one around social housing, as is the one after around the supply of housing. Disability Strategy is something that Senator Routier is leading on as Assistant Chief Minister. Charities Law, again is the Chief Minister and Senator Routier. Independent Care Commission, again the Chief Minister and Senator Routier about the social policy. Divorce reform and same-sex marriage cuts across the social policy responsibilities of Senator Routier and the Chief Minister and the responsibilities of the Minister and Assistant Minister of Home Affairs, because obviously the Superintendent Registrar to do some of those things. Then also divorce reform also leaks across to the Chief Minister's responsibility for justice and legal aid, access to justice and that side of things. Safeguarding vulnerable groups, the resource sits within the Social Policy Unit, obviously again that is multi-ministerial, as are all safeguarding matters, because they cut across agencies and departments. Civil penalties for parking on private land, somehow that roulette wheel stopped and ended up with the Minister for Home Affairs and so that is a Home Affairs lead. Cybercrime is largely policing, the police are largely leading on that piece of work, but obviously it cuts across other departments as well. Judicial and Legal Services Commission white paper is a Chief Minister lead as part of justice policy. Access to Justice review is overall a Chief Minister lead but Senator Routier has been asked by the Chief Minister to lead on that piece of work. And Criminal Procedures Law is being led by the Attorney General but we are supporting on behalf of the Chief Minister with his interest in justice policy.

Deputy L.M.C. Doublet:

So it is not from the Home Affairs' budget?

Chief Officer, Community and Constitutional Affairs:

No. So I guess, running through that list kind of shows how much of it crosses across, I mean you can see now why this works as an integrated model, because so many of these things now are cross-ministerial and it just solves so many problems that we have had in the past about things falling between departments and now they do not because it is one team.

Deputy L.M.C. Doublet:

We can definitely see the rationale now. I think the issue for us is we are looking to scrutinise these budgets, so I apologise if I have to ask you some tricky questions. For instance, I will take one of the items that you have said is an overlap and cuts across different departments, the 1,001 Days agenda. If we are scrutinising whether the funds have been allocated sufficiently, we are scrutinising you, Minister, and your budget, is there a breakdown of how much money Home Affairs is putting into this and how do we analyse that? I would like to hear from the Minister if I could.

The Minister for Home Affairs:

It is really the policy officer where the budget has moved to us, it was initially ...

Deputy L.M.C. Doublet:

Which policy officer, sorry?

The Minister for Home Affairs:

The lead officer who is titled the taskforce leader.

Deputy L.M.C. Doublet:

Early Years Taskforce?

The Minister for Home Affairs:

Yes.

Deputy L.M.C. Doublet:

Is that Dr Helen Miles?

The Minister for Home Affairs:

Yes.

Deputy L.M.C. Doublet:

Is she in your Home Affairs Department at the moment?

The Minister for Home Affairs:

Yes, formerly part of the Criminal Justice Unit from the police and that has moved into Home Affairs Executive.

Deputy L.M.C. Doublet:

So her salary is paid by the Home Affairs Department and she is accountable within the Home Affairs Department at the moment. So, after this transfer to Community and Constitutional Affairs, will she still be within the Home Affairs Department?

The Minister for Home Affairs:

Very much so, yes.

Deputy L.M.C. Doublet:

I am not sure if you will have the figures now, but if we could have the breakdown of where the figures are for each please, things that we could scrutinise effectively and where things are going, that would be ...

The Minister for Home Affairs:

We can get you those figures. I am not sure if we are able to ...

Finance Director, Home Affairs:

We can certainly review the numbers, and you will see on page 46 a breakdown of the services of Home Affairs and there is a line in there that just says "Policy Unit" at the moment and that is the transfer I mentioned earlier, so everything, all the officers that the Chief Officer has been talking about, all the policy, people will sit there. But, underneath that heading, we have a number of separate business units representing safeguarding, the 1,001 Days taskforce, so we will provide that for you, which will take effect in 2016 once the transfers take place.

Deputy L.M.C. Doublet:

Okay, that is clearer, thank you. I do not expect you to produce them immediately, but that would be helpful. We will talk about that at the end I think.

Deputy J.M. Maçon:

Just finally before we move on, none of this restructure will require any legislative change?

Chief Officer, Community and Constitutional Affairs:

No.

Deputy L.M.C. Doublet:

Okay. I will move on, thank you for your clarity there. Okay, the prison service I would like to talk about now. Within the documents we have been given, it seems that there is a provision for meeting contractual obligations to pay staff increments. Can you explain that please?

The Minister for Home Affairs:

This is really a staffing issue and I think the Chief Officer is best placed to describe it.

[11:30]

Deputy L.M.C. Doublet:

We will start with the Chief Officer and we will come back to you.

Chief Officer, Community and Constitutional Affairs:

Yes, that is correct. As you know, at the moment the position of the States Employment Board is that they are holding a 0 per cent increase in the staff remuneration. That means that there is no central provision for the Treasury to provide additional funding for staff costs, and so that means that, where staff are entitled to receive an increment because they have reached the performance criteria in order to move up to the next stage within their grade, then those costs need to be met from within departmental budgets. So you are asking specifically about the prison, there will be prison officers who have shown the necessary level of performance and who have undertaken the required training in order to move up within their pay band, and the costs of that will have to be met from within the prison budget.

Deputy L.M.C. Doublet:

Minister, could I just have some clarity, between these 2 documents here, the framework that we have been given and the annex, on page 44 of the annex there is this subheading "2016 savings" and the second paragraph there it says that your department has found compensating savings of around £300,000, but this is Community and Constitutional Affairs, which you can understand our confusion when we tried to pick out how much your department is saving. Then in this framework document you are giving us there is the implication that you will not be able to meet your obligations in terms of the pay.

The Minister for Home Affairs:

As the Chief Officer has described, the departments have to find that budget from within their existing allocations, so savings have to be made within each departments in order to find the increments.

Chief Officer, Community and Constitutional Affairs:

Our expectation was that you would wish to understand all of the pressures upon the budgets across the department and so we have been open and candid about explaining that one of those pressures is that there is no central provision from the Treasury anywhere in order to fund

increments, and so that is an additional saving, which needs to be found. We are highlighting it in particular for you because so much of the Home Affairs budget is staffing, we have large numbers of staff, relative to some of the other smaller departments, and so the entitlement of staff to increments when they have shown the necessary levels of performance and training is an additional pressure, which is on top of say a 2 per cent saving, which would have to be found by all departments. So we are seeking simply to provide you with more information and illustrate that the amount of savings that we are delivering is over and above a kind of basic 2 per cent because we have large numbers of uniformed officers who move through the increments in this fashion.

Deputy L.M.C. Doublet:

Or you could look at it the other way around that the additional pressure is the savings and that the staff increase is a lot of pressure, but an obligation that you are aware of. That is just another way that you might look at it. Okay, so how will you avoid a reduction in services to the public while you are trying to generate these savings?

The Minister for Home Affairs:

Well it is a very difficult position but it is one that every challenge provides opportunities and one that people are embracing as best they can. Really, we have a decision and that is to invest in Health and Education. That is something that, as the Council of Ministers, we have full agreement and we are very strongly in support of doing that. With the slower revenue that we are experiencing at the moment, that there are difficult decisions to make about how we provide services and in the areas where investments are not being made we have some very challenging decisions to make regarding our allocation of resources and this provision. That is being done at the moment and we are taking on a root-and-branch approach, there are 2 dedicated officers, 2 officers working very closely together, looking at the services in general and looking at how we can change the way we do things and various services, by each service. Going right back to the statutory basis, what do we have to, in legislation, provide in terms of public service, and then, once we are aware of that and the cost of providing those statutory services then you build up and look at the other services that we want to provide for the public in order to maintain public safety, which of course is our priority at Home Affairs. And separately the police has a separate accounting officer, they are equally doing a very similar process within the police force, looking at creating a new model of policing the Island.

Deputy L.M.C. Doublet:

Okay, so thank you for that, so can I just stay on the prison now please, so in order to generate these savings, how will that impact the level of service in the prison and avoid reducing that for the prisoners that are there?

The Minister for Home Affairs:

As with all of the departments as well, it has to be said that Home Affairs, across the board since 2010, have implemented C.S.R. (Comprehensive Spending Review) savings and very much worked year-on-year in reducing budgets but maintaining service levels to the very best of their abilities, and so ...

Deputy L.M.C. Doublet:

How do you feel that has gone?

The Minister for Home Affairs:

It seems to have gone very well. It is a very lean and fit organisation and staffed by people really dedicated to doing what they do and doing it to the very best of their abilities, and I think we offer currently very good levels of service to the public in these areas. If you take the prison, for example, one option that is going to be carried out will be the change of the regime so that to shorten timetables, rotas, prisoners could be locked in their cells at a slightly earlier stage of the day so therefore having an impact on the staff rotas and therefore the cost and ...

Deputy L.M.C. Doublet:

Have you done any work on what the impact will be on the prisoners of these regime changes?

The Minister for Home Affairs:

I think it has been highlighted in the document that we have shared with you that there is a risk of prisoner resentment, but the change is quite a minimal change, it is the matter of an hour in a day, and the alternatives are to remove rehabilitation programmes and educational programmes, which is not considered to be a very good way forward at all because the hope is and the work in the past, particularly over the last 5 years, the prison has very much concentrated on developing rehabilitation programmes, offering education programmes, and I think it would be a hugely retrograde step to start to remove those.

Deputy L.M.C. Doublet:

I think we understand the position that you are in and especially from our visit to the prison, for which we were grateful to speak to those officers. I understand that you believe that the one extra hour a day in the cell may cause minimal resentment. Just can you imagine if it does cause a lot of resentment in the prisoners and there is perhaps consequences from that, for example a riot or anything along those lines. Have you done any work to work out what the cost would be if there was prisoner resentment that built up into something like that?

Chief Officer, Community and Constitutional Affairs:

I think it would be fair to say that the cost would be significant. I think experience from prisons in the U.K. (United Kingdom) that have been through such an experience show that it does have consequences. Equally, I think we have a very good prison governor, an excellent governor, and he is doing his very best to maintain prisoner education, training and rehabilitation, within the budgetary constraints that we now have, without taking us into that position. But that is not to disguise the fact that the prison budget is very tight. You will have heard this week from Education about the great things that the Council want to achieve in terms of that increased investment into education for the most disadvantaged children, and those resources have to come out of the other departments. There is no magic pot of public taxpayers funds, which are available, and so I think the reality is that we rely upon the professional expertise of the governor of the prison to tell us when he is within the bounds that he thinks, with his professional expertise and his officers, it is implementable within reasonable risk and when he thinks he might get to the margins.

Deputy L.M.C. Doublet:

I think what we were trying to understand is, have you assessed the risk and will you continue to assess the risk to ensure that the savings that you are making are not going to result in costs, which negate those savings, so just if you could maybe confirm that?

The Minister for Home Affairs:

It is very much a balance of probabilities, is it not, and again prioritisation, and, as the Chief Officer has said, we have a very strong team of departmental heads and the prison governor is particularly experienced in his work and is able to offer us that point of view.

Deputy S.Y. Mézec:

Just a clarification, I apologise if I did not hear things properly before, as a matter of fact the prisoners' regime is being rolled back and can you confirm what is top of the list to be rolled back? You have said you want to prioritise protecting education and rehabilitation, so what specifically is going to be rolled back?

The Minister for Home Affairs:

I just described the hours.

Deputy L.M.C. Doublet:

One extra hour a day. Is there anything else?

Chief Officer, Community and Constitutional Affairs:

It is about rota'ing, rostering, because of course the costs of the prison, a large proportion, are in the staff to guard the prisoners and so when you can work with the Prison Officers Association and make what everyone agrees are sensible changes to the shift and rostering system then you have the opportunity to maintain treatments, training, rehabilitation programmes, while still absorbing the savings that the department is required to make.

Deputy L.M.C. Doublet:

I think when we visited the prison we were told that the ratio had changed and that there were less prisoners, so there were perhaps more staff per prisoner than there had been historically. Will there be any redundancies to reduce this ratio?

The Minister for Home Affairs:

I will pass that one over.

Deputy L.M.C. Doublet:

If there were any industrial action for whatever reason by the Prison Service Association, what impact would that have on your savings?

The Minister for Home Affairs:

That would be, we would have to fund out of overtime I imagine.

Deputy L.M.C. Doublet:

Have you costed in any way what the potential ...

The Minister for Home Affairs:

It is one of the risks that has been taken into consideration in the process of making this decision.

Chief Officer, Community and Constitutional Affairs:

Your questions are around, is there a cost if there is prisoner unrest? Yes. Is there a cost if there is industrial action? Yes. Can we guarantee to the Panel that neither of those things will happen? No. Are we using the best professional expertise at the prison and our excellent prison governor and his team to try and manage that risk? Yes.

Deputy L.M.C. Doublet:

Thank you for your answers on that topic. I think we will move on to Fire Service now please and, Deputy Mézec, would you like to take question 3?

Deputy S.Y. Mézec:

Sure, and I am also going to do Customs and Immigration Service questions afterwards and, as Deputy Maçon said, there are things that cover all of them, so if I have questions I might also wait until the end to do them.

[11:45]

Can we have a few things clear at the beginning, what staff savings are being made for 2015 in the Fire and Rescue Service?

Assistant Minister for Home Affairs:

I am answering questions on the Fire Services, I have delegated responsibility. The budget reductions for 2015 and 2016 total 2.6 per cent. In 2015 it is £88,500 and a one-off of £32,000 and it is £46,600 in 2016.

Deputy S.Y. Mézec:

How many people does that equate to?

Assistant Minister for Home Affairs:

At the moment an assessment has been made and there will be 3 vacancies during that time, 2 multi-functional fire-fighter posts have been removed as part of the 2015 savings.

Deputy S.Y. Mézec:

The third vacancy?

Assistant Minister for Home Affairs:

The third vacancy is potentially a loss of a fire prevention post and I know the question that you had lined up for us was very much about that and the impact.

Deputy S.Y. Mézec:

That specific vacancy, is that 2015 or 2016?

Chief Fire Officer:

End of 2015, beginning of 2016.

Deputy S.Y. Mézec:

That loss being made then to the fire prevention department, what total does this constitute for the number of staff in that department?

Chief Fire Officer:

Half; there are 2 people in the department.

Deputy S.Y. Mézec:

So 50 per cent?

Chief Fire Officer:

Yes.

Deputy S.Y. Mézec:

Confirm then, will this mean that there will be fewer officers available to attend and resource larger incidents?

Assistant Minister for Home Affairs:

No.

Deputy L.M.C. Doublet:

Can I ask for a bit more detail on how you would explain that, sorry?

Assistant Minister for Home Affairs:

Of course, clearly, the protection of the public and fire-fighters is paramount and what has happened here is, as the Minister and Chief Officer said earlier, is we are having to deal with less investment within Home Affairs and within the Fire Service in order to provide additional investment in Education and Health. So, operationally, decisions are not taken lightly about how to manage the Fire Service, but difficult decisions have to be made.

Deputy L.M.C. Doublet:

Specifically, can we just have, if you are cutting half of that department, how will it not result in a less ...

Assistant Minister for Home Affairs:

Workloads have been adjusted and staff have been reassigned to different areas to limit the impact on frontline delivery. There is a positive to that of course because it allows fire-fighter development, so professional development, to continue.

Deputy L.M.C. Doublet:

I did ask this before, we are seeing some conflict between information we have had in different documents, so this framework document that we have had says the opposite of what you have just said to us.

Assistant Minister for Home Affairs:

In what way? Where?

Deputy L.M.C. Doublet:

That, with so few fire-fighters, every loss of an operational post has an impact on the services of those to safely and effectively deal with emergency incidents.

Chief Fire Officer:

To be clear, the initial response and the guaranteed response is unaffected because a fire safety officer is dedicated to that, but all the fire safety officers are operational fire-fighters, which could be called on. We have an on-call system but it does not include the full-time fire-fighters, so any large incident we literally put a general recall out and then rely on having sufficient numbers and then have to scale our plans for a large incident around the people that respond voluntarily. So there is no direct impact, but I suppose, given the worst-case scenario of a very large incident, that is going to be 3 less officers that possibly could have come in. But because they are not on any roster guaranteed to come in, you have to work it around the resources you have. So, because of that, I cannot guarantee there is not an impact, but I can say that does not impact on our normal standard frontline response to incidents day-to-day and 24/7.

Assistant Minister for Home Affairs:

The current response is a tender will respond to an emergency call within 10 minutes for a high risk and that is not impacted upon. So we have a minimum of 10 fire-fighters immediately able to respond.

Assistant Minister for Home Affairs:

I am not sure if there is just some confusion here, which the Chief is happy to address.

Chief Fire Officer:

Come back to what I said, the last time we used a recall, off the top of my head, was probably the gas holder fire, they are few and far between, and therefore it would be very costly to try and resource on a large incident happening every day. So the plans we have are for the standard type of incidents we expect to get. But then we have procedures in place to get more fire-fighters in off duty, if need be even call in the airport rescue and fire service, and even at a large incident we can

even call on the U.K. for support. So the plans can be ramped up for those types of incidents, fortunately they are rare. So our day-to-day frontline watches have not been affected. The 3 posts that have been lost are in the support departments.

Deputy S.Y. Mézec:

So this loss of this post in fire prevention department, how does that affect the department's ability to take part in schemes like Prison Me No Way, child accident prevention and the schools' fire education programme?

Assistant Minister for Home Affairs:

So that by reassigning posts, so the officers are really multi-functional, as we described the Customs Officers as well.

Chief Fire Officer:

We are undertaking a service review, just like a number of the services, to look at how we can redistribute that work within the existing workforce, so, as opposed to having a dedicated person to undertake that role, we can use the operational watch personnel, which a lot of the time is training, servicing, maintaining equipment, we are looking at how we can reorganise their day and their duties to free up more time for them to go out and deliver the prevention message. Then also there will be other streams such as social media, we have a big following on Facebook and Twitter, again predominantly it is about what we do on the response at the moment, so using that and working with the other departments, other volunteer groups, and we have our small fire service volunteer team as well, which we are looking to expand. So it is looking at other ways of delivering the fire prevention message as opposed to having the dedicated resource that we have had previously.

Deputy S.Y. Mézec:

When you say that, is this in context of what is referred to here, the J.F.R. (Jersey Fire and Rescue) 2020 overarching review?

Chief Fire Officer:

Yes, as part of that we do an Island risk profile, we did it 5 years ago, and it looks at the number of incidents, the types of incidents, it looks at it from a parish base, it looks at the populations in a parish and comes up with a risk rating for each parish. Then around that is how we design our responses and our prevention work. It is not just about preventing the fire courses, it is starting the large fires, it is also about having the right resources going into that, going in quick enough, being trained, having the right equipment to deal with it. So it is what we call prevent, attack, prepare and respond, it is the 4 key elements to the whole service and it is getting the balance right.

Deputy J.M. Maçon:

I wonder if you could just clarify for us when, in the framework document it says that the service has a statutory duty to provide fire prevention, to what level does the statute dictate that>

Chief Fire Officer:

I cannot remember the exact wording, but it is to the level that the Minister requires us to do it. It is a ministerial decision on how much fire prevention we undertake and obviously that is led by the resources that we have to do it.

Deputy J.M. Maçon:

Thank you for clarifying that point.

The Minister for Home Affairs:

Can I also remind you that there have been changes to legislation in recent years and that there are some still to be brought forward, which emphasise the need for fire safety measures within buildings, development, refurbishment levels, and particularly for those multi-block locations, housing that the Minister for Housing will be bringing forward.

Assistant Minister for Home Affairs:

So protection, which the Chief just referred to, as well is important.

Deputy J.M. Maçon:

I would not argue with that, it is just interesting trying to understand, when the Minister highlighted priorities, which has been, "We must deliver our statutory services and build on that", whereas of course the compensating part has always been the ethos of, "If you do more preventative work we will stop longer costs being built up, which are more expensive to deal with", back to this notion of prevention is key. Therefore I am just trying to drill down on this particular prevention aspect of between those 2 things where does prevention sit and it seems in this particular case there is a statutory level, it is just to which. There seems to be a bit more flexibility for the Minister as to where she decides to pin that particular statutory level.

Chief Fire Officer:

For the response, I think the law says to meet normal requirements, you have to define what that is and the Island risk profile helps do that and we have less factors and standards than the U.K., so it is a bit more defined for the response side of things, for the protection there is a separate law that details the quantum of protection so prevention is where there is more discretion.

Deputy J.M. Maçon:

Thank you.

Deputy S.Y. Mézec:

Can I ask for clarification then, the initial question I asked on this was about how the loss of this place in the fire prevention department affects the department's abilities to take part in schemes like Prison Me No Way, schools' fire education programme, and is it correct that you are saying that this wide-ranging review that is looking at how to best deliver services means that the department is not compromised in its ability to take part in these schemes then, you are just going to manage things differently to effect that?

Chief Fire Officer:

That is our aim. Obviously the work we are looking at how we are going to do it at present, so still that is a work in progress and we are trying to get the plans in place for the end of the year so that we can continue supporting those and deliver. So that is the intention most definitely. We may be able to deliver more if we can get more people looking at it in a different way, but until we have done that piece of work and worked out how we are going to do it and manage the other workloads, I cannot say it is not going to have any impact.

Assistant Minister for Home Affairs:

The intention really is to use, although that post will be going, it is to use those fire-fighters who are focused in other areas and are able to compensate for the loss of that fire prevention post.

Deputy S.Y. Mézec:

Those answers are really reassuring. We have the framework document in front of us, you each have copies of that, on page 5 on the third paragraph, which is under the subsection of "Jersey Fire and Rescue Services", the sentence reads, and it is talking about the loss of one post and there is currently 2 posts, and it reads: "This 50 per cent reduction will significantly reduce our ability to undertake proactive fire prevention campaigns and participate in many of the prevention partnership campaigns such as child accident prevention, Prison Me No Way, Princes Trust and the schools' fire education programme." Now, when you read that that is very alarming, but it contradicts what you are telling us at this point.

Chief Fire Officer:

If we did not do anything that would be the case, clearly we have a dedicated staff, full-time 2 staff, and if we did nothing then that would be the case. What we are now trying to do is work out ... my job is to make the most of the resources I have and obviously trying to use them the best we can, so the J.F.R. 2020, as we called it, but it starts in January, and this is probably the priority because

the impact is going to be immediate, is how we can minimise that and work out other ways of supporting those partnerships.

Deputy S.Y. Mézec:

Okay, I think this was written quite unclearly in terms of connecting those 2 things.

Assistant Minister for Home Affairs:

I would agree with you.

Deputy S.Y. Mézec:

That set off alarm bells, which has affected the line of questioning on that basis. So, how did the staff in the Fire and Rescue Service feel about all of this? What consultation has been done with them about how they feel the loss of these places will affect their ability to do the jobs they have signed up for?

[12:00]

Chief Fire Officer:

They are I suppose are worried, would be a good description. We are working with them, we have working groups set up to look at they are the ones delivering the services so they may have a lot of the answers of how we can do it, so it is engaging with them and working with them to try and find the solutions. I think that they understand the financial issues that the States face and the priorities that the States have chosen, but they are clearly ... it would be wrong to say they are not worried about the impact on the service, but we are working with them and working with the staff association and we have had working groups looking at these areas and this one in particular in terms of how we can use the shift-based and watch-based fire-fighters in a different way and hopefully that will be effective.

Deputy S.Y. Mézec:

What will the department's attitude and the Minister's attitude be if, at the end of this, we find by perhaps out of bad luck we have a situation where there are a series of incidents, which are quite serious, which have to be attended to, and we find that has eaten into budgets then, how would the department react to that?

The Minister for Home Affairs:

We have to react as we find things, you cannot, as you say, predict emergencies. it is very much a responsive service in that respect and we ...

Deputy L.M.C. Doublet:

Is what you are getting at, is there capacity within your budget, in your department, to deal with emergencies, which obviously no one can foresee?

The Minister for Home Affairs:

If we could get the whole budget it would perhaps, and there are so many imponderables there because it would depend the extent to which that was an issue and therefore the decisions that you would have to make perhaps to scale back in another area, but it would very much depend on the figures that were presented at the time, and there are contingencies within budgets and that is what they are there for.

Chief Fire Officer:

We do profile our budgets to try and predict the peak times, particularly the summer where, if we get a hot summer, we obviously have a large number of fires, so we do profile the budget to try and absorb some of that, but there is clearly a limit to that, if you get a particularly large incident then we may have to look to the wider Home Affairs.

Deputy L.M.C. Doublet:

I will just ask one more question, just going back to the conversation about trying to balance out the different information that we have had. So I do understand that this is theoretical but I would hope that risk assessments are done to plan for potential large incidents. So, is there or is there not an increased risk to public safety if there was a serious or large fire incident in the Island as a result of these cuts?

Chief Fire Officer:

That is a difficult question, there is 3 less fire-fighters to deal with a fire, but, as I say, we cannot guarantee that, certainly for large fires, we cannot guarantee that number and we have to design our fire response plans with the number of personnel we have at the time to make sure that we can ... that they are safe and that we can make the most. But I cannot say it categorically will not have an impact because there are 3 less fire-fighters to call on.

Deputy L.M.C. Doublet:

Okay, Minister, are you happy with this situation?

The Minister for Home Affairs:

Well we are all working to make sure and ensure that we are in the best possible situation that we can be, given the current circumstances.

Deputy L.M.C. Doublet:

So are you happy with the situation?

The Minister for Home Affairs:

I am very confident that I have a very strong team of service department heads who are making their best efforts to provide the right balance.

Deputy L.M.C. Doublet:

So are you happy with the situation?

The Minister for Home Affairs:

We are ...

Deputy L.M.C. Doublet:

Just a yes or no is fine.

The Minister for Home Affairs:

Yes, I am happy that, given the current circumstances, we are doing our very best.

Deputy L.M.C. Doublet:

You are happy there is reduced fire-fighter numbers and potentially an impact on public safety?

The Minister for Home Affairs:

Obviously nobody could say yes wholeheartedly, could they, because we would all love to be able to offer every possible service and the highest level to the public, but we have to be realistic. We are being very realistic, while maintaining the best possible service that we can.

Deputy L.M.C. Doublet:

Was that a no, you are not 100 per cent happy with ...

The Minister for Home Affairs:

It is an impossible question to answer a clear yes or no, because it has a caveat. That is our caveat.

Deputy L.M.C. Doublet:

I would like to push you on this.

The Minister for Home Affairs:

I have given you my answer.

Deputy L.M.C. Doublet:

Was that a yes or a no?

The Minister for Home Affairs:

I told you that it is an impossible question to answer yes or no, because there is a caveat. I have given you my caveat and that is where we are. We are doing our very best to offer effective services that maintain public safety to the very best of our ability.

Deputy L.M.C. Doublet:

I would like to push you though, for the public, whether you are happy with this situation, whether it is satisfactory to you, as the Minister. It is my job to hold you to account.

The Minister for Home Affairs:

I have given you my answer.

Deputy L.M.C. Doublet:

But I have not had a yes or a no.

The Minister for Home Affairs:

I have explained why.

Deputy L.M.C. Doublet:

But I would like a yes or a no, please.

The Minister for Home Affairs:

I am not going to answer your question. I have explained. I have given you my answer and I am not going to say it again.

Deputy L.M.C. Doublet:

So the Minister is refusing to answer a question in a public Scrutiny hearing?

The Minister for Home Affairs:

No, I have answered your question.

Deputy L.M.C. Doublet:

No, I do not think the question has been answered, but it is clearly not going to be, so we will move on.

The Minister for Home Affairs:

I have given you a very clear answer and that is my answer.

Chief Officer, Community and Constitutional Affairs:

I think if I was to attempt to try and answer that question, I would have the same problem. As an accounting officer, would I feel more comfortable with an extra 10 per cent on the Home Affairs budget? Of course, and I am sure the Fire Chief would feel comfortable with that and I am sure the head of the prison would as well, but are we managing the budget reductions within what we think is a reasonable risk? Yes, we are. The Fire Chief heads up risk for the Island, he manages that; the prison governor manages risk as well. Does that all become easier if Islanders wished to have an increase in taxes and provide more resource? Yes, of course, of course that becomes easier, because you can have more prison officers, more police, more firemen, but are we managing sensibly within the risk profiles to deliver the reductions that are needed in this department's budget in order to make the investments that our community wishes to make in education and in health? Yes.

Deputy L.M.C. Doublet:

But the Minister does have statutory obligations and we are not here to look at health and education. Our job is to analyse that. We are going to ...

The Minister for Home Affairs:

Education is part of your brief as well. We have made it very clear to you that we are very mindful of our statutory obligations and there is no question we would not provide our statutory obligations.

Deputy L.M.C. Doublet:

I do not think it is unreasonable for a Scrutiny Panel to try to establish whether a Minister is satisfied with the level of service that is being provided to the Island. That is ...

The Minister for Home Affairs:

I think I have given you a very clear answer.

Deputy L.M.C. Doublet:

I have not had a yes or a no.

Assistant Minister for Home Affairs:

May I just repeat what I said earlier, that the current initial response times remain unchanged?

Deputy S.Y. Mézec:

We are talking about obviously an incredibly important States department. We will all accept that then. The other Members of the Council of Ministers, have they been involved? Just being told that the cuts the Home Affairs Department is having to make are, in this instance, being compiled in some vacancies within this department, and when those discussions are being had, as Minister for Home Affairs, do you put across the message: "We are not very happy that we have to do this. We will do it if we have to, but we do not want to. We would prefer to have the money to be able to do it" and what reception does that point have with the other Ministers?

The Minister for Home Affairs:

We are all making difficult decisions, but we all have the end in mind and we know exactly why we are doing what we are doing. Therefore I have the support of fellow Ministers, as I also support them in what they are doing. We want to invest in health and education so that we can look after and provide for the whole community, particularly with the ageing demographic and the population changes that we see in those areas. Therefore there is a consequence. It is just like managing a household budget: if you wish to pay for one item, sometimes it has to be at the detriment of another, but you cut your cloth as best you can, because you have made that decision to prioritise in a different area.

Deputy L.M.C. Doublet:

You must understand we do need to ask the hard questions ...

The Minister for Home Affairs:

Of course. Yes, absolutely.

Deputy L.M.C. Doublet:

... because this is our job, to analyse this, so I would appreciate it if you find you can give an answer to that question by the end of the hearing. We would appreciate that.

The Minister for Home Affairs:

We are trying our very best to be as open and candid with you as we possibly can and painting the picture as we see it, which is very much as we have described today.

Deputy S.Y. Mézec:

Is it therefore fair to say that the Government are content, and you as Minister are content, with the position where the Government will provide more investment to health and education and one of the costs of that is a reduction in staffing in the Fire and Rescue Department? That is a situation you are content with overall?

The Minister for Home Affairs:

That is what we are doing, yes. That is the reality of the situation.

Deputy S.Y. Mézec:

I am ready to move on, if you like.

Deputy L.M.C. Doublet:

Yes, I think so.

Deputy S.Y. Mézec:

The next question - with trepidation, of course, after this - the Customs and Immigration Service, that is the next area I want to ask questions on. Before I get to the gist of what is written down in the question, bearing in mind what we have just had in the previous section, where alarm bells were raised and then we had an answer which I do not think matched with what was written in here, can I ask how well-resourced do you think the Customs and Immigration Service is at the moment?

The Minister for Home Affairs:

The Assistant Minister is going to answer that with her delegated responsibility.

Assistant Minister for Home Affairs:

I think more resources would always be welcome for the Customs and Immigration Service.

Deputy S.Y. Mézec:

I do not think that answers the question. I said: "Is it well-resourced at the moment?" Would you describe it as that?

Assistant Minister for Home Affairs:

It is resourced to manage the statutory requirements of the service.

Deputy S.Y. Mézec:

The document before us says: "It is recognised that due to previous spending reviews and associated reduction in resources, the Jersey Customs and Immigration Service is currently under-resourced in frontline staff." Do you agree with that statement?

Assistant Minister for Home Affairs:

Yes.

Deputy S.Y. Mézec:

You would say in frontline staff, the Customs and Immigration Service is currently under-resourced?

Assistant Minister for Home Affairs:

It is under-resourced. However, it is managing the statutory requirements that the service have to deliver.

Deputy S.Y. Mézec:

Indeed, and that is what the document goes on to say. In terms of future plans, how do you plan to reduce funding or make better use of the funding you do have?

Assistant Minister for Home Affairs:

By exploring opportunities to deliver the services in different ways, essentially in more collaborative ways with the Customs and Immigration Service. First of all, some savings have been achieved by maximising the multi-functional method of working by officers within the service, but it would be wrong not to identify possible risks should there be further significant reductions in the departmental budget. Bearing in mind that those reductions may be forthcoming - and indeed have been - over the next couple of years, the officers from both Customs and Immigration and the States of Jersey Police are at the moment looking at ways to collaborate further in the services that they deliver. It could be not only at the borders, but also clearly in the areas of intelligence and investigative functions, because at the moment both services have their unique intelligence department, so there is clearly scope for further collaboration there and potentially savings. That is being looked at now.

Deputy S.Y. Mézec:

I wanted to ask questions about the future, but for where we are at the moment, you are satisfied, as Assistant Minister with responsibility for this, that because of arrangements that have been made up until now, you are satisfactorily meeting your statutory obligations as it stands at the moment?

Assistant Minister for Home Affairs:

Yes.

Deputy S.Y. Mézec:

Okay. In terms of then looking at the future, the document we have in front of us says that because of how high a proportion of the Customs and Immigration Service budget is allocated to staffing costs, if there are further savings that need to be made between 2017 and 2019, the only place they will be able to come from will be in the staffing budget. What impact do you believe that would have on the ability of the Customs and Immigration Service to continue to meet its statutory obligations, given the answers you have given just previously?

Assistant Minister for Home Affairs:

I am not sure that we will be losing human resources. I think it is really in a similar position to the Fire Service, inasmuch as everything is being looked at very closely and reconsidered and clearly collaborative working with the States of Jersey police will not need to result in a loss of officers from J.C.I.S. (Jersey Customs and Immigration Service).

[12:15]

Deputy S.Y. Mézec:

In doing this and making, as you say, better use of what you have and more collaborative working, what impact do you think this will have on the service being provided at the moment? Will it remain a proactive service or will it revert to being a reactive service?

Assistant Minister for Home Affairs:

I think it is proactive and reactive at the moment, because the intelligence-gathering and investigative services are clearly proactive. The reactive part is when you come in and have your passport checked and border control, that is the reactive, reacting when people come in; if someone's passport is wrong, that needs to be checked, so they are reacting to the situation. So we have reactive and proactive at the moment and that will continue.

Deputy S.Y. Mézec:

But I am asking specifically about the future then. You are saying that as things stand, it will continue to be both proactive and reactive and its ability to be proactive will not be compromised, is that what you are saying?

Assistant Minister for Home Affairs:

Yes.

Deputy S.Y. Mézec:

Okay. Will that be the case in future if further savings have to be delivered from the staffing budget, given that we have been told at the moment that in terms of frontline staff, it is under-resourced?

Assistant Minister for Home Affairs:

I undertook a review of Customs and Immigration some years ago when I chaired the Education and Home Affairs Scrutiny Panel, so I am clearly aware that Customs has always been, I think, the most under-resourced service that we have. Following that review, the Minister for Home Affairs managed to find funding to increase the number of posts. Being aware of that, clearly with my responsibilities as Assistant Minister, I will not be satisfied to find the service in a position where it loses officers because of the cuts that we are, of necessity, having to make. The Minister has already said it is very difficult. We recognise the need to resource education and health, but clearly that has a big impact on every other States department. We are being quite open and saying that we are doing our best, working with the Chief Officers of these departments, who are all competent and highly professional and give us the advice that clearly we make decisions upon, because they are best-placed to advise us. What I would not want to see, as Assistant Minister with responsibility for this, is a cut in service which would affect the borders, affect border control, and I do not foresee that happening, simply because we are managing the human resources, the staffing, as best we can. All officers are multi-functional, they all are able to undertake passport control, they go to the post office and undertake drug detection down there with incoming mail parcels. They undertake even G.S.T. (Goods and Services Tax), the revenue collection. Similar to the fire-fighters, who are all able to act as responders while doing other behind the scenes work, that is what is happening here. Clearly the opportunity has arisen to consider the intelligence-gathering, which is being looked at at the moment. We do not have an answer to that. We have not had a report yet on that; we are waiting for that. But the review is being undertaken at the moment.

Deputy L.M.C. Doublet:

Thank you for your candour.

Deputy S.Y. Mézec:

I would like to ask about income that the department provides, unless either of you want to ask anything about staffing.

Deputy L.M.C. Doublet:

Go ahead.

Deputy J.M. Maçon:

I have got something to follow up with on this. You can go.

Deputy S.Y. Mézec:

Okay. What amount of income comes into the States as a result of the actions of this department?

Assistant Minister for Home Affairs:

Specifically of?

Deputy L.M.C. Doublet:

For this section of customs.

Deputy S.Y. Mézec:

Yes, customs.

Assistant Minister for Home Affairs:

You are talking about the G.S.T. collection?

Deputy S.Y. Mézec:

Yes.

Deputy L.M.C. Doublet:

Well, anything ...

Deputy S.Y. Mézec:

Any income that comes in.

Deputy L.M.C. Doublet:

... that comes into Customs and Immigration.

Assistant Minister for Home Affairs:

I will hand that over to the Finance Director.

Finance Director, Home Affairs:

The income received by Customs and Immigration falls to 2 departments, as you know. The amount that the Accounting Officer is responsible for next year is estimated to be about £1.3 million and that includes passport fees, legalisation of documents, immigration fees. On top of that, I think there is between £50 million and £52 million that comes in under impôts duties, G.S.T., locally admitted(?) duty that is collected on behalf of the Treasurer. That is undertaken by the Goods and Services staff within Customs, which as the Assistant Minister said, are multi-functional officers and move around and do different jobs, so there is split in the responsibility as to where the income falls. Sadly, Home Affairs does not get to keep the £52 million, or else we would have lots of fire-fighters. So that is the way the income is split.

Assistant Minister for Home Affairs:

So we are performing a function for Treasury.

Finance Director, Home Affairs:

Yes.

Assistant Minister for Home Affairs:

Our officers within Customs, or certainly the G.S.T. officers, are collecting that money and it goes directly to Treasury.

Deputy S.Y. Mézec:

Do you know how much of the income that comes through the department and then onwards ends up in the Criminal Offences Confiscation Fund?

Chief Officer, Community and Constitutional Affairs:

I believe that the route into the Criminal Offences Confiscation Fund is slightly different, because that would be via the Law Officers' Department and legislation to do with the seizure of assets, so this is really tax revenue. That would be a question for the Law Officers' Department about seizure of assets under the relevant laws that they use in order to seize what they believe are the proceeds of crime.

Deputy J.M. Maçon:

Again, it is looking at the partnership with the Treasury and Resources Department. Given that we know that the frontline staff, while being multi-functional, are understaffed, what are the implications for the service should the political decision be to ... is it reduce to *de minimis* level? Basically to reduce to increase the number of packets which need to be processed by the department in order to generate the tax through G.S.T, what is the impact on the service?

Assistant Minister for Home Affairs:

There is clearly some concern there from the Jersey Customs and Immigration Service, and indeed from myself and the Minister, because it would have an impact. We have had discussions already with the officers at J.C.I.S. and they are concerned, because they would be required to process everything that comes through that is required to be processed and it would potentially take them away from undertaking the other duties, such as border control, passport control. It is a discussion, I think, that is probably being had but I am not sure of how far it has progressed. It is, again, a difficult balance because clearly if the *de minimis* is reduced then it generates further income, but it causes problems for us as a service.

Deputy J.M. Maçon:

Which is why I am posing you the question.

Assistant Minister for Home Affairs:

You are, yes. I have to be honest, it is not an easy one to answer or to reconcile. I do not know if Tom wants to ...

Chief Officer, Community and Constitutional Affairs:

Put simply, it would have to be worth doing. There would be little value in doing it if that then increases the cost to our community, because they would need to provide extra tax revenue for extra officers. If there is no return, then that clearly costs that community and it would not make sense to do from that perspective, but equally, if it is worthwhile in the interests of fairness and the revenue balances the cost of enforcing that lower level, then it is a sensible thing to do. But as the Assistant Minister said, that is exactly the discussion which is ongoing.

Deputy J.M. Maçon:

Thank you. I wonder if you can just finally ... because we know - certainly when I chaired this panel, we knew - that the amount of searches, while the passport control function was protected to ensure that that maintained its level, the stop and search or the search function Customs did with regard to different substances coming into the Island was not at the level to which the department would have liked to have done, albeit it may not be statutory. Can you explain what impact this will have on that particular aspect?

Assistant Minister for Home Affairs:

When you say "this will have" can you be more specific?

Deputy J.M. Maçon:

The funding for the department as proposed, will that situation continue?

Assistant Minister for Home Affairs:

You mean the reduction?

Deputy J.M. Maçon:

Yes.

Assistant Minister for Home Affairs:

How that will impact upon that area of the service delivery?

Deputy J.M. Maçon:

Yes.

Assistant Minister for Home Affairs:

I look to Tom, but I did not think it would be changed and he is agreeing with me. That will remain as is.

Chief Officer, Community and Constitutional Affairs:

Unchanged.

The Minister for Home Affairs:

A major saving that is being made in Customs and Immigration is through the rent that is currently paid to the Ports of Jersey, which maybe you could ...

Assistant Minister for Home Affairs:

Yes. We were able, within the law, to ... the Ports of Jersey have to provide to the Customs and Immigration Service accommodation free of charge. We have been able now, as part of the savings in 2016, to invoke that, albeit not really with the ... if I put it this way, the Ports of Jersey were probably not happy to be told that they had to provide this. However, it has been arranged and that is our saving of 2016.

Chief Officer, Community and Constitutional Affairs:

We have had some good discussions with the Ports of Jersey. The provision of free facilities for Customs and Immigration is normal across the British Isles, it is what happens in the Isle of Man, it is what happens in England and Wales, it is what happens in Scotland. We have held off doing that in Jersey prior to the ports being incorporated because their ability to offset that with

commercial activity was limited, but now that they are moving forward with incorporation, we are able to work with them. So Customs and Immigration and the States of Jersey Police are working with the Ports of Jersey to see how they can minimise any commercial impact that they have upon the operations of the airport and the harbours through those facilities and to see whether they can make some adjustments which would then enable the Ports of Jersey to have some fresh commercial opportunities which would offset any effects. Those discussions have started and are underway and seem to be going very positively.

Deputy L.M.C. Doublet:

I just want to clarify something, bear with me. The Criminal Offences Confiscation Fund, am I correct in understanding that the Customs and Immigration Service is responsible for collecting a significant percentage of the funds in that?

Chief Officer, Community and Constitutional Affairs:

No.

Deputy L.M.C. Doublet:

No, I am not correct? Okay.

Chief Officer, Community and Constitutional Affairs:

The Customs and Immigration will collect legitimate taxes that are due, the impôts and G.S.T. They will work with the police and with other authorities to apprehend criminals.

Deputy L.M.C. Doublet:

That is what I meant, so the actions of those employed by that department. I do not necessarily mean that it comes into your budget.

Chief Officer, Community and Constitutional Affairs:

The same as the actions by the police, they will be involved in law enforcement operations that will apprehend criminals, and then in the course of processing those complaints, through things like the Joint Financial Crimes Unit between the police and Customs and Immigration, then that might lead the Law Officers' Department to implement prosecutions that lead to the seizure of what they conclude are assets that have been gained through criminal activity. If so, then those assets end up in the Criminal Offences Confiscation Fund.

Deputy L.M.C. Doublet:

Thank you. Just bear with me a second. Sorry, I am going to stop there. Have you finished with this line of questioning?

Deputy S.Y. Mézec:

That is me on that.

Deputy J.M. Maçon:

Thank you. If we move on to the States of Jersey Police Service, please. From the framework document, we read that I believe currently there are 214 warranted officers.

Deputy Chief Officer, States of Jersey Police:

Yes, 213.5.

Deputy J.M. Maçon:

Okay, thank you.

Deputy L.M.C. Doublet:

There is a very short police officer walking around somewhere.

Deputy J.M. Maçon:

There is concern expressed that this number might drop below 200. What are those concerns?

Deputy Chief Officer, States of Jersey Police:

I am not sure where those concerns have come from.

[12:30]

Deputy J.M. Maçon:

Okay. It is from the framework document, which says that: "With natural wastage, there are concerns that this number will drop below 200 in the near future, which will significantly impact on the S.O.J.P.'s (States of Jersey Police) ability to fulfil its broad spectrum of functions."

Deputy Chief Officer, States of Jersey Police:

Okay. The authorised establishment is 221, so we have funding for 221 police officers. We have maintained a vacancy management process over the last couple of years or so, not only because of the process we are going through of public sector reform and looking to contribute a proportion of our budget towards the overall States savings to fill the deficit. We have held a number of vacancies for a period of time and that has contributed to our savings, but those posts still exist. We have had people leaving as well through natural retirement and that is why the numbers have dropped above and beyond what our savings level would be. But if we are required to make

further savings, then ultimately we would have to make savings from our staff budget. Our operating budget, like other departments within Home Affairs, is relatively small. We are people strong, as it were, so the bulk of our budget goes on people costs, staff costs, so ultimately, through the savings we have made thus far through the previous C.S.R. process and the current process we are going through now, we have, if you like, salami-sliced to a degree, taking money from our operating budget, but we have contributed also to savings through vacancy management. Now, there is a limit to the level of savings we can make to our operating budget, because we still have to provide a service and we have to do a number of other functions. If further savings have to be made, it would impact upon the numbers of staff. However, what we are doing, and we have been looking at this now for about 12 months and we are expecting a report by the middle of October, we have been looking for some time now at our operating model. As an Island community, as an Island police force, our responsibilities go above and beyond what would apply to a provincial police force perhaps in the U.K. because they have greater access to mutual aid, they can call upon others to help them, they have got coterminous skills they can look at. We would have to rely on other personnel coming into the Island to help us, which would of course cost money. The number of our officers is determined on the skills we require to provide a quality service to the community of Jersey and also to maintain safety for all the public communities that live in Jersey. Our officers have a number of core skills, but everybody has a core skill as an officer, but then in addition to that, they have further skills as well so we can provide the response, if needs be, to an Island incident or something like that without having to resort to bringing in mutual aid. So our officers will have 2 or 3 additional skills as well, which they will be called upon from time to time. What our operating model is looking at is how we manage the demand, because our demands are changing, the nature of policing is changing, not only here but across the U.K. and across Europe as well. There is now a greater focus on welfare concerns, public safety, mental health concerns, safeguarding issues, more so than perhaps the traditional enforcement and investigative skills that are required. You still have to do that, but there has been a change in balance. As part of the operating model, we are looking again at the skill set and looking at how we manage demand and having greater flexibility to deploy our staff in different ways to meet these new demands. That may require moving people or giving them different skills, moving to different areas of responsibility above and beyond their core roles, but also to maybe look at different shift patterns and availability throughout the daytime or night time or whenever it might be, different times of day. We do that anyway, but the patterns are changing, so we are having to be agile to look at how we can best deploy our staff to do that. At the moment we are able to fulfil all of our legal obligations, that is not a problem, and through the operating model, which we will learn more about in the next month or so, we can look again at making the best use of our resources. We will do that, but ultimately, if austerity bites further, then there will be a concern if we get to 200 people. We would still be able to perform all our functions with 200

officers, but we would have to look at reprioritising some of our functions and maybe perhaps some of the proactivity would fall away towards a greater response focus.

Deputy J.M. Maçon:

Thank you for explaining that. Given that situation and given the impact of the model that is taken with regard to funding increments, how many posts would be frozen, given that, within the lifetime of the plan?

Deputy Chief Officer, States of Jersey Police:

We have got funding commitments for the foreseeable future, but certainly within the lifetime of the Medium Term Financial Plan, we have to make savings to meet those increments. It is in the region of about £600,000-ish we are looking at, something like that. We will do that through vacancy management. Largely we have to meet those costs anyway, we are legally obliged to meet those costs, and we have done that through vacancy management, above and beyond our 2 per cent savings so that we are doing it through that means at the present. We do not derive any income as an organisation, only little bits through reports, but nothing to speak of. It is hundreds of pounds rather than significant budgets.

Deputy J.M. Maçon:

No, I understand that, but what I am trying to get at is you are operating with 213.5 at the moment. Through natural wastage, I understand that the number may drop below 200. With the amount of savings that are required, that results in a freeze on posts, which is what I understand.

Deputy Chief Officer, States of Jersey Police:

Yes.

Deputy J.M. Maçon:

In addition to that, you also have the level of increment which is needed, which has to be met within the budget. I am just wondering whether then that flexibility between the 200, is that a floor in the service? Is 200 posts a floor in the service?

Deputy Chief Officer, States of Jersey Police:

No. It is in that region. We would be concerned if it got to the 200 point, but we have to operate within the resources that are available to us. That is a fact, if it goes below that. That is it, we have to work with what we have and that is why we are engaged as Chief Officers to manage that process. But there would be a concern if we got to the 200 point, yes. It means we would have to do some things differently and perhaps stopping doing some things as well. We are learning from the experience of austerity in the U.K., where a lot of forces had to make significantly deeper cuts

than we have. We have got the benefit of learning from their experience. But, as the Assistant Minister has alluded to, there are also opportunities to work jointly with other parts of Home Affairs and perhaps other parts of the States as well. There are opportunities there to maintain the level of service but perhaps delivered in a different way, while at the same time achieving some savings.

Deputy J.M. Maçon:

Indeed. What you are telling us then is that the States of Jersey Police will be able to meet their pay increments?

Deputy Chief Officer, States of Jersey Police:

Yes, we can.

Deputy J.M. Maçon:

You can?

Deputy Chief Officer, States of Jersey Police:

That is factored into the M.T.F.P. too, yes.

Deputy J.M. Maçon:

That is fine. That will be done by freezing staff posts?

Deputy Chief Officer, States of Jersey Police:

Yes.

Deputy J.M. Maçon:

Okay, thank you very much. Can you just tell us, how do officers feel under the current staffing levels at the moment?

Deputy Chief Officer, States of Jersey Police:

Both the Chief and I have regular inputs to our staff, we meet periodically and explain to them what is going on as part of the public sector reform process. They have been very receptive and they have put lots of ideas forward, largely to the lean processes that organisations are going through. But they are concerned, clearly they are concerned about the level of the deficit that the States is dealing with at the moment, but there has been regular engagement with the staff associations and indeed the staff. They have been very receptive to this. They have been taking a fairly pragmatic about it all and they have been supportive in the changes we are trying to achieve to create efficiencies, to create savings, but also to preserve posts as well. It is not totally about

losing posts, we have to look at different ways of working so we can protect all of those things and they have been very receptive towards that. I think that is true across the States. It does require regular engagement and open communication with the staff and the staff associations to do that. They are concerned about losing posts. They are concerned even through natural pride anyway about providing a good quality service and I think we have always provided a good service to the States of Jersey, and long may that continue. But we have to look at different ways of working and maybe that requires changes in work patterns, different structures, different teams and that sort of thing. At the moment they are very much on board, but they are concerned about the future.

Deputy J.M. Maçon:

Would either of you like to add anything?

Deputy L.M.C. Doublet:

I think you said at one moment that you may be considering stopping doing some things. Can you just talk a bit more about that, please?

Deputy Chief Officer, States of Jersey Police:

We are able to do a lot of proactive work at the moment, which is very, very important to engage early, to prevent things happening, similar to the prevention issue you were speaking with Mr. James about. That is very, very important. The primary function of policing is the prevention of crime and that has always been in existence, so prevention is important and proactivity plays an important part in that. Clearly on the other side of that, when something happens and it requires an immediate response, response is very important too, so we have to do that. If we do have to reduce numbers further, we always have to maintain a response capability for whatever that may be, an Island emergency, a road accident, whatever it is, the investigation of crime, so we would have to draw resources or maybe divert resources from some sort of proactive approach to other parts of policing to provide or to maintain that emergency response.

Deputy L.M.C. Doublet:

You said that you were looking at other areas that had had similar cuts and how they were being managed, so have you seen in any other areas where these prevention measures have had to be cut, have you seen that and have you seen what the impact has been?

Deputy Chief Officer, States of Jersey Police:

They have stopped. They just do not exist anymore.

Deputy L.M.C. Doublet:

Where that has happened, do you have any knowledge of what the impact that has had on crime levels?

Deputy Chief Officer, States of Jersey Police:

It is quite interesting, crime is going down and continuing to go down. As I say, the nature of policing is changing now, it is largely about safeguarding and concerns for welfare and that sort of thing. Where prevention has stopped there has been little impact at the moment. We will have to see over a longer term when that happens, but it is an important feature. In some areas of the U.K. now, in metropolitan areas, city areas, we are starting to see some crime nudge up again, we are starting to see a slight increase. I think that is probably as a response to cutting the proactive approach to policing.

Deputy L.M.C. Doublet:

Okay, so you have seen evidence of that ...

Deputy Chief Officer, States of Jersey Police:

Yes.

Deputy L.M.C. Doublet:

... so there is a potential that crime could go up in Jersey?

Deputy Chief Officer, States of Jersey Police:

In Jersey we are in a very fortunate position, but we do have to be alert to that, yes.

Deputy L.M.C. Doublet:

Yes, okay. Thank you for that. Anything else? No. Do you ...

Deputy J.M. Maçon:

Have we addressed question 6, Chairman?

Deputy L.M.C. Doublet:

Probably.

Deputy J.M. Maçon:

Deputy Mézec, you said you had some overarching questions you might to ask.

Deputy S.Y. Mézec:

I think the point that struck out at me from this document, and it is also alluded to in the annex on page 45 and it is on page 3 of the framework document, the second paragraph, where it says: “The department’s Chief Officers are working with service heads and senior officers to identify where potential savings could be made during the period 2017 to 2019 and the consequential impacts on frontline services and service delivery. This work is at an early stage, as the department’s revenue ahead of expenditure for 2017 and 2019 has yet to be agreed.” Do you believe that that poses a challenge to States Members and the Scrutiny Panel looking into the future, as this is an M.T.F.P. which encompasses the whole period, yet we only have figures for the first year of that?

The Minister for Home Affairs:

That is why changes to the Public Finances (Jersey) Law have been agreed by the States, in order to provide this one-year M.T.F.P. with the detail following next year. It is in order to give departments and officers and Ministers the opportunity to do these assessments and investigations into what we are doing, how we are doing today and how we can deliver and achieve services in the future in a different structure with a different envelope in terms of finances. We have described today very well the processes that are going on within Home Affairs, the work that the police are doing, developing the new model of policing and the work of the Fire Chief and the Director of Finance, looking at the other services within the department.

[12:45]

Deputy L.M.C. Doublet:

Okay. I will take the final question then if everybody else is finished. Just a final to sum up then: do you believe that the proposed cuts and savings can be implemented and that you will be able to meet your statutory and contractual obligations while doing so?

The Minister for Home Affairs:

Yes, we do.

Deputy L.M.C. Doublet:

All right, thank you. That is a very straight and clear answer. Would you like to add or clarify anything, Minister, before we finish?

The Minister for Home Affairs:

I think we have highlighted that there are a number of challenges ahead, but those challenges also bring opportunities and an opportunity particularly to reflect on what and how we provide services

to the public and how we can innovate, collaborate and achieve similar levels of service, but for lower cost. We have a dedicated staff who are proactive people. I think from the nature of their training, they have made a choice to serve the public in what they do and they are putting their efforts and their commitment to this process. It is a challenge, but we hope that there will be positive outcomes as well. Yes, I think that is probably the best way to describe it.

Deputy L.M.C. Doublet:

Thank you. I will just turn to my officer for anything that I might have missed.

Scrutiny Officer:

No.

Deputy L.M.C. Doublet:

No. Okay, we have looked at everything fairly thoroughly. Okay, thank you very much, Minister, Assistant Minister and the departments for your expertise. We appreciate you sharing that with us today. I will draw the hearing to a close. Thank you very much, everybody.

[12:47]