



Children, Education and Home Affairs Scrutiny

Panel

Quarterly Hearing

Witness: The Minister for Home Affairs

Monday, 26th April 2021

Panel:

Deputy R.J. Ward of St. Helier (Chair)

Deputy L.M.C. Doublet of St. Saviour (Vice-Chair)

Senator T.A. Vallois

Witnesses:

Connétable L. Norman of St. Clement, The Minister for Home Affairs

Deputy G.C. Guida of St. Lawrence, Assistant Minister for Home Affairs

Mr. J. Blazeby, Director General, Justice and Home Affairs

Mr. R. Smith, Chief of Police

Mr. N. Fox, Head of Policy, Justice and Home Affairs

Mr. L. Goddard, Acting Director, Customs and Immigration

[10:33]

Deputy R.J. Ward of St. Helier (Chair):

Welcome to the quarterly hearing of the Minister for Home Affairs from the Children, Education and Home Affairs Scrutiny Panel. Just do our normal introductions online, I will start off, I am Deputy Robert Ward and I chair the panel.

Deputy L.M.C. Doublet of St. Saviour (Vice-Chair):

Deputy Louise Doublet, vice-chair of the panel. Good morning, everybody.

Senator T.A. Vallois:

Senator Tracey Vallois, a member of the panel.

Deputy R.J. Ward:

Okay, Deputy Mike Higgins should be right here but he is running a bit late this morning. If he does arrive I will do his introduction in advance.

The Minister for Home Affairs:

Yes, Constable Leonard Norman, Minister for Home Affairs.

Assistant Minister for Home Affairs:

Deputy Gregory Guida, Assistant Minister for Home Affairs.

Director General, Justice and Home Affairs:

Julian Blazeby, director general of Justice and Home Affairs.

Head of Policy, Justice and Home Affairs:

Nathan Fox, head of justice policy, plus chief policy.

Deputy R.J. Ward:

If there are others who speak, perhaps they can just introduce themselves as they speak, that will be, I think, a productive way to go about those things. Okay, so we can crack on because we have got quite a few questions. Minister, in terms of legislation priorities, during the previous course of a hearing we noted that you would be prioritising the following legislation to ensure they were in place by the end of the States session in May 2022, which I suppose we should now say for June 2022. They are the Crime (Prejudice and Public Disorder) legislation, domestic abuse legislation and the firework regulations. Minister, could you update us regarding the progress of these areas of legislation, please?

The Minister for Home Affairs:

Yes, as best I can and Nathan can give us some of the detail. The Prejudice and Public Disorder legislation, I think, as you know, we just published the responses of the consultation of the draft law. Consultation was undertaken as long ago as 2019. I think we are all getting very frustrated at the length of time it is taking everything to get through but I am sure we all understand why this is. One of the things which I contacted you last week about would have delayed it even slightly further but probably only by a week or 2, I hope, to include sex as a protected characteristic. I think this is something you were keen on; it is one of those things which some jurisdictions find it helpful, others do not. I have had a good discussion with the Assistant Minister and my officers and we have agreed

that we should now include this in the legislation, which I hope most people will find helpful. As for the domestic abuse legislation, that is, I think, as I mentioned before, now with the law drafting. I still hope and expect to have it lodged before the end of the year and of course there will need to be time for fair and proper consultation because it is a very important piece of legislation but I think a very valuable piece of legislation, so we will chase that up as much as we can and get it to you. The fireworks one, I think I have said it before, it is one of those pieces of legislation which at times I wish had never started because the views on this are so extreme. You get the view that there should be no fireworks whatsoever and on the other hand you get the view that there should be no restrictions whatsoever. As I explained to you before, the Justice and Home Affairs Department, during the last 12 months we lost up to 80 per cent of their capacity in policy officers, which has created a great vacuum and now it is not an insignificant backlog. We are now back to about 40 per cent of our support staff but there are some plans ahead to fill that gap over the next few weeks and Nathan might want to mention that shortly. But I am told that we do now have in place officers recommencing work on the firework regulations. A policy and resource will be committed, so, hopefully, at our next hearing we will be a lot more forward. Those are the 3 major things that you mentioned there, Chair.

Deputy R.J. Ward:

They are still on track for being in place before the end of June 2022 now.

The Minister for Home Affairs:

That is very much my hope, as many have slipped between cup and lip, as they say, that is why I have always resisted giving you a timeline because things can go wrong and then I can be hung out to dry for something I said if it did not go right. My Assistant Minister and I very much want to see these 3 strings being completed before the end of the year and other items; they are well on the way for our successors to take on.

Deputy R.J. Ward:

One of the questions I was going to ask you is that you were not able to provide a timescale previously and I was going to ask for a timescale this time. Do you have a lodging date for any of them in terms of lodging and coming to the Assembly and coming for formal ...

The Minister for Home Affairs:

That must be nearly ready, Nathan is on the call; he should be able to tell me when that is coming back in a state ready to be lodged. I do not know if, Nathan, you could comment on that?

Head of Policy, Justice and Home Affairs:

Yes, Minister. The necessary changes to include a set agenda or whatever the preferred terminology as being, have been drafted and we are having discussions with the drafter at the moment about when they will be ready to make the necessary amendments and that should not be long. But we have put these in the hands of the drafter, we do not have an exact timeline. For that work to be done, following that, there are simply changes to the accompanying report and lodgings, so it should be in short order. But, unfortunately, as it is on the other side of a drafting task, we are not able at this point to precisely give a date, I am afraid.

Deputy R.J. Ward:

I am sorry to push you on this but we have asked a number of times and we are coming to the end of this term really. Do you have a quarter, so would it be second quarter, third quarter? Could you go as far as to say that with any of those pieces?

Head of Policy, Justice and Home Affairs:

Chair, in respect of the Prejudice and Public Disorder Law, we are in quarter 2 now, I would say that it would be lodged within quarter 2. There are no significant tasks to complete, beyond a relatively small piece of law drafting. Just to add, as that is not directly in our hands, we are not in a position to give a date precisely.

Deputy R.J. Ward:

The reason we ask with regards to domestic abuse legislation is one of the discussions we have is the sort of interlinked nature of some of the laws that take areas from other laws, such as the domestic abuse legislation. It would be important that that is lodged as well and in place for the others, perhaps the Prejudice and Public Disorder legislation to be fully effective or to be fully contextualised, I suppose the phrase is. Would you expect the domestic abuse legislation to be in third quarter as well or final quarter of this year? Because obviously there is the purdah law that was passed, a proposition that was passed and not bring anything. It is going to be quite a long time that that is effective in, perhaps if we look back at that now but, anyway, that is another question. You said by the end of this year but you can see why we are interested in the 2.

The Minister for Home Affairs:

Yes, I think Nathan would probably agree with me with domestic abuse. It would be very hopeful to do it in the third quarter that we are very keen to make sure it is done, so lodged during the fourth quarter anyway, as I say, I think that is important to us. But I think if Nathan would agree, I think the third quarter might be a bit tight. Would you agree, Nathan?

Head of Policy, Justice and Home Affairs:

Yes, Minister, I think that is probably right. The planning assumption we have been making is ... although we know this might be a little conservative, it is not very conservative, is that we would not claim that we can achieve anything within this political term if we cannot do it by the end of this year. No, it may be just through unexpected pressures that some material does go into early 2022 for lodging but the planning assumption is to only say we can do things that we can deliver by the end of the year because of purdah, because of other issues, because of the pressure on States business and the end of the term as well. When we are talking about the material we can deliver, the latest we would deliver any of it would be the end of this year.

Deputy R.J. Ward:

Right, okay. We are going to move on then from those areas and I will pass on to Deputy Doublet who is going to talk a little bit more about the crime and prejudice legislation. Deputy Doublet, do you want to take over?

Deputy L.M.C. Doublet:

Thank you, Chair. Thank you, Minister. I am obviously delighted to hear that further to my previous questions on adding sex as a protected characteristic in the crime law, I thank you for taking that under consideration and for coming back to us with that conclusion. What I wanted to know was in terms of the public engagement because I raised concerns in a previous hearing about public engagement and I think the response was that it had been disappointing and that low engagement was found. I just wanted to know: has any further public engagement been undertaken and is that what has led to taking the decision to add this characteristic?

[10:45]

If no further public engagement has taken place, do you anticipate any further consultation taking place once the draft legislation is available?

The Minister for Home Affairs:

Yes, there has been no significant additional consultation. What aspired, if you like, this is the Minister - and I said to go down this route - was looking at the consultation responses that we had had looking at other jurisdictions. We felt that on balance it was probably the right thing to do and of course your own representations as well, which made a significant contribution to the consultation process and we welcome that. Sorry, I cannot recall the second part of the question. Will there be further consultation ...

Deputy L.M.C. Doublet:

Do you anticipate further consultation?

The Minister for Home Affairs:

Yes. When the matter is lodged then of course there will be amendments of 6 weeks additional consultation. You will be carrying out your own review of that. From that point of view, yes, there will be and indeed we shall make sure we draw attention to the lodging, to the publication, to the appropriate interested parties. It is not finished yet, it can change again. We want to make sure that it is right and appropriate and relevant to Jersey.

Deputy L.M.C. Doublet:

Has any further consideration been given to using focus groups to get a representative view of the population?

The Minister for Home Affairs:

I certainly have not done that. Nathan, I do not know if your office has thought about that.

Head of Policy, Justice and Home Affairs:

In broader terms there has been a discussion internally here at strategic policy about using that kind of arrangement, which we think will be very productive going forward. But in terms of this piece of legislation, it is broadly equivalent to those in other jurisdictions and now with the Minister's decision to include sex/gender as another protected characteristic, it does seem that all of the primary issues that have been raised in respect of the law are met, apart from those objections to the existence of the legislation itself on the grounds of free speech and other objections, which have been raised widely in every jurisdiction as the counterpoint to sort of a minority protection and protection of the public as the driver for bringing the legislation in. It is difficult to see in this particular case what additional material we might generate from undertaking another round of consultation at this point, as ...

Deputy R.J. Ward:

Sorry, Nathan, sorry to interrupt you, I wonder could you put your camera on, we are being asked by the officer, it is for the broadcast?

Head of Policy, Justice and Home Affairs:

I cannot, I am sorry, I am trying to log in on a desktop. I am currently on my phone. I am afraid there is ... I think that has a camera, there is a phone camera. Sorry ...

Deputy R.J. Ward:

Okay, just carry on. Sorry, I have been asked to by the officer ...

Head of Policy, Justice and Home Affairs:

That is fine, no. I had hoped I would get into the meeting on the desktop by the time I was asked to do it but that has not happened, Chair. The question raised was, to what extent do we expect to find any more material facts or opinions we could reasonably include in this particular piece of legislation? We were not sure what else there was to discover against the backdrop, of course, of delaying lodging the legislation in a very tight work programme. The focus group concept is something that we have internalised here at strategic policy and been discussing but we could not see that it necessarily lent itself to the application to this legislation at this time.

Deputy L.M.C. Doublet:

Okay, thank you. Is it fair to say that you would choose to use focus groups at an earlier stage in future pieces of work, Minister, please?

The Minister for Home Affairs:

It is possible where appropriate. It is not something I would be opposed to in any way whatsoever, if it was thought to be appropriate. I think we have seen some areas where they have been very useful, have we not? It is something which could form part of the basis in the future.

Deputy L.M.C. Doublet:

Just to clarify what Nathan said, was your advice, Nathan, that focus groups are a useful thing? I think you mentioned it had been discussed at a policy level.

Head of Policy, Justice and Home Affairs:

Yes, they are found useful in other jurisdictions and there is no reason why they would be useful in other places and not useful in Jersey. Yes, it is something that we fed into the ways of discussions about consultation going forward.

Deputy L.M.C. Doublet:

Thank you. I wanted to ask about the protective characteristics because I think sometimes we are using the term sex and gender interchangeably, when of course they are related but distinct. Minister, I just wanted to get a full list of all the protected characteristics that will now be included in the law, please.

The Minister for Home Affairs:

Okay. As far as I am concerned and Nathan, again, will update me if I have missed any, race, sexual orientation, gender, gender reassignment and disability would be the protected characteristics.

Deputy L.M.C. Doublet:

Could I ask Nathan to clarify on those terms, sex and gender?

Head of Policy, Justice and Home Affairs:

The reason I am using sex/gender, as opposed to one firmly or the other, the legislation already ...

Deputy L.M.C. Doublet:

Nathan, I am sorry, I did not hear the first part of your response then, it was unclear.

Head of Policy, Justice and Home Affairs:

Sorry. The reason I use sex/gender as the 2 together, as opposed to being clearer about one, is that the legislation already deals with gender reassignment. It is unclear to me and we will have to ask the drafters to take a position, whether or not we would be safer using gender as more a broad-church term or whether or not the gender reassignment element already covers all those things you have been concerned about there and we would simply use sex, biological sex as the primary determining factor. I think the Discrimination Law, which we pattern much of this on, uses sex. I use the 2 because it is not for me to say, necessarily, how we would describe in law what we are doing. We would say what the intent is quite clearly, which is to cover individuals, being hate crimes that are directed against people because of their sex, in all those areas that we have not really covered to be gender reassignment.

Deputy L.M.C. Doublet:

Okay. Can I just clarify that, just finally with the Minister? Minister, where you have said you are including gender or sex/gender, that does not just mean individuals that have undergone a reassignment gender or something, that would cover hate crimes by men against women or vice versa.

The Minister for Home Affairs:

Absolutely, for clarity; absolutely, yes. Yes, cannot be clearer than that.

Deputy L.M.C. Doublet:

Excellent, thank you. I just wanted to ask you about the Law Commission consultation that is still underway and how is that going to inform this work, please?

The Minister for Home Affairs:

Yes, their timing is not very convenient, is it? But, nevertheless, yes, I am not holding this up any further but they themselves are deciding whether to expand the characteristics, as we have already discussed. When legislation does come out, obviously it will be a useful resource for us to have a look at it and developing our own or changing our own legislation. But Jersey is a grown-up

jurisdiction, we are able to make our own decisions and we will make our own decisions. If we find later on that it is appropriate to make changes we will make changes but we are not going to hold things up because of this Commission reporting maybe later in the year.

Deputy L.M.C. Doublet:

Thank you. I think that is really positive and perhaps your work will inform the consultation.

The Minister for Home Affairs:

You never know.

Deputy L.M.C. Doublet:

Just finally on this, I wanted to just return to the protected characteristics because the protected characteristics - I think Nathan mentioned this - are taken from the Discrimination Law, the hate criminal does refer to that, does it not? Could you just talk about any protected characteristics that are being omitted in this new law and just state why, please?

The Minister for Home Affairs:

Nathan, can I look to you for that, please?

Head of Policy, Justice and Home Affairs:

Certainly. I think the 2 that we have not included are maternity and age. It is a rare inclusion in comparable legislation around the world. We asked whether or not anyone thought that pregnancy, maternity or age should be included and no respondents said they did. There is a species, if you like, of crime against the elderly but the general indication on that is that it is usually a crime of ... it is simply that the elderly are more vulnerable to certain crimes, like a home invasion or a theft, rather than them being targeted through some prejudice against the elderly. Maternity, as grounds for prejudice or grounds for discrimination, is very important in the workplace, work rights framework the Discrimination Law sits in. But there is not any body of evidence that we could discover that suggests there is any significant number of crimes committed against pregnant women on the grounds they are pregnant women and, therefore, somebody finds them objectionable, is prejudiced against them or hates them or ...

Deputy L.M.C. Doublet:

Can I ask you about that, about the definition? Pregnancy and maternity in the anti-discrimination law, does that not cover post-birth to cover breastfeeding as well or am I wrong about that? It was my understanding that breastfeeding was included in the Discrimination Law somewhere.

Head of Policy, Justice and Home Affairs:

I think it is. I am not that familiar with that piece of legislation but certainly I think pregnancy and maternity is the chosen term.

Deputy L.M.C. Doublet:

Yes.

Head of Policy, Justice and Home Affairs:

Again, it is possible that a breastfeeding mother might be discriminated against under service access, might be discriminated against in the workplace but there is no significant body of evidence we could find that breastfeeding women are subject to criminal offences on the grounds that are stated there. This was an oversight, whether it should be included and we did not have any responses to the effect that we should include it.

Deputy L.M.C. Doublet:

Is it possible to include that under the characteristics of sex/gender because obviously breastfeeding and maternity are very gendered activities?

Head of Policy, Justice and Home Affairs:

It is an interesting question and it would seem so. Obviously they felt it was worthy of separate inclusion in the Discrimination Law, which indicates that they cannot be completely ... one cannot be completely subsumed by the other, I assume, although, as I say, I am not familiar with the law. But you could, could you not, see if a pregnant woman were for some reason to be attacked, however the crime happened and it was deemed to be a crime of prejudice, you could see that falling within the sex aspect inasmuch as if it was an attack that could not comparatively have been perpetrated on a man? But there will be an argument around that, yes.

Deputy L.M.C. Doublet:

Okay. Minister, I think there is a little bit of a question mark over that area because I know that perhaps not in Jersey, I have not heard of instances in Jersey but I do know that breastfeeding women generally but perhaps nationally, I know that sometimes there is a fear and a reluctance to breastfeed in public for fear of being abused by members of the public for doing so. I do think it is worth just rather than perhaps waiting for somebody to come forward in a consultation, could you just seek to reach out to any groups that perhaps represent breastfeeding mothers, just to ask their view on this, to make sure that the law covers as much as needs to be covered?

The Minister for Home Affairs:

Yes, absolutely, only too pleased to talk to whoever it is appropriate. I am not quite sure, off the top of my head, who we will go and speak to but I am sure you could advise on that.

Deputy L.M.C. Doublet:

I certainly can, I will forward some information to you.

The Minister for Home Affairs:

Thank you, that will be appreciated, thank you.

Deputy L.M.C. Doublet:

Thank you very much for your answers and for progressing with this work. I am very grateful and I will move on to the chair now.

Deputy R.J. Ward:

I am going to move on to some questions with regards the settlement scheme. Minister, noting that the grace period is to end soon, if you could please briefly update on the number of applications that have been received to date and those that may be outstanding and how many do you think have not applied for settlement status?

[11:00]

The Minister for Home Affairs:

I will let Luke come in to tell me where I get it wrong but currently at the moment we have just had over 16,000 applications. We are still receiving new applications, something in the region of 50 a week. I thought it would have dropped below that but that is still the number we are getting. I think, I forget, it may have been Deputy Doublet who mentioned it at the last States sitting, it does not matter who, about the length of time it is taking to finalise the applications. We have now gained some additional resource at the department to progress these quicker. If we are able to maintain the level of about 500 applications we are finalising now each week, we should be able to complete everything by the end of August and beginning of September. As I mentioned to you before, Chair, one of the difficulties is we do not know how many people there are who are entitled to settled status but have not yet applied. Because in the past we have never needed to know the nationality of the people here, except that they be a European national. Because up until the end of last year we had free movement of people, which are Europe, U.K. (United Kingdom) and the Channel Islands. It is now progressing quicker. We have had a lot of support from all the honorary consuls, in fact even the Polish Embassy in the U.K. sent people over here to update passports and I.D. (identification) cards. We are continuing our engagement with the consuls, with employers, advising employers to make the application. We now have a status-checker online, where individuals who have made applications can get evidence for their employer or whoever else might need it, that they have made application and it is being processed.

Deputy R.J. Ward:

To come back to that, I think that is the issue really wanting to ask about, on 20th April sitting answering an oral question with notice, you stated that: “The real issue for someone who does not have settled status is that they have difficulty in accessing work, they have difficulty in accessing free healthcare, they will have difficulty accessing benefits and, of course, they will also have difficulty travelling, particularly back from an E.U. (European Union) country and the Common Travel Area.” Can you explain what living in Jersey will look like for anyone who does not have settled status, who may already have been living here for some years, if they do not apply?

The Minister for Home Affairs:

Yes. It is not as a result of any decision of myself or the department, the risk is they will have difficulty, in fact impossible it seems in some cases, of accessing the services and what we might consider rights if they are in Jersey illegally, wherever they are in the world. It is quite a simple operation to apply. If you were resident in Jersey last year 2020, you can apply for settled status and then all of these things, all of these worries fade away.

Deputy R.J. Ward:

I ask this because, as a panel, really the emphasis has been on being able to travel to and from the U.K. and Europe and the problem arising when you arrive at the borders. We have not had the emphasis on that in terms of the answer that you gave on the 20th. Do you think that that message has got across to E.U. residents, that if they do not apply for the status they will have much wider issues in staying in Jersey, as you have mentioned there? What is the mechanism going to be for people? Are people going to have to show their settled status when they go to hospital or for accessing free healthcare? Is that going to be a requirement?

The Minister for Home Affairs:

Anybody who does not have settled status does not have the right, is in Jersey illegally, will not have automatic right to free healthcare. Of course because I do not run the Health Department but I do not imagine anybody is going to be refused healthcare on those grounds. But you cannot employ somebody who has no immigration rights to be here. You cannot apply for income support or other such benefits if you have no right to be here. Certainly, if you do not have settled status and you are flying back from Europe, perhaps then it is likely that you will get stopped at the airport or in the U.K. where you came in from. We are putting out a tougher message now, if you like, to remind people of what the implications could be if they do not make application. What worries me, Chair, is why would people not wish to make application? It is not a difficult thing to do. They do that, they make the application, one go and all their rights are protected and that is what we want to see.

Deputy R.J. Ward:

Yes, I think the issue is if somebody has residency rights here and may have even bought a home but is a E.U. national, they will have that similar problem. I do not think that message has clearly been got across to people, that it would affect in these much wider areas. I understand that the process is important and we are trying to get that message across as well. I think the concerns of the panel is just of the detail of what it will look like in terms of accessing work. What would you be expecting to identify E.U. nationals who have been here a long, long time, 20 years maybe working anywhere but are E.U. nationals, would you expect a sudden requirement for employers to see their settled status and how are you going to identify people?

The Minister for Home Affairs:

No, we are not going out on a witch hunt. We are here to help people, to treat people sympathetically. The simple way of resolving all these difficulties in one go is to fill in the application for, job done, end of story. I can see the look of frustration on your face, Chair.

Deputy R.J. Ward:

No, I completely understand that and I am not suggesting a witch hunt; I think we are going down the wrong line there. What I am trying to say to you is ... how can I put this in a way that it is clearer perhaps? I think, Minister, what is it going to look like? What is the expectation for people who have lived here a long time, perhaps have applied for their settled status? Are they going to have to carry a card around and get stopped? Will they be asked about it in their workplaces? If they are accessing income support and working, it could be a double whammy for them. What could be expected? Because I think that emphasising those points that the settled status is so important will perhaps encourage one or 2 who have simply ... I do not know, perhaps one or 2 may have thought, well I have been here 20 years, why should I have to do this? I think that is an attitude that we will encounter, may sort of just be the little push that is needed to apply for the status.

The Minister for Home Affairs:

Yes, I think you are absolutely right and that is why we have now, in the last month or so, brought more to the fore the difficulties of people who do not apply and could be affected. Those who gain settled status can have a card, a certificate, if they so wish. As I mentioned, we have got the online status-checker, which individuals can access and show their employer or anybody else who might need to see it, might need to have this confirmed ...

Deputy R.J. Ward:

Sorry. Will you be expecting employers to be asking for that from employees that will be there or would it more new employees that it is clear as to where they have come from? Would you expect H.R. (Human Resources) Departments to be going through ...

Acting Director, Customs and Immigration:

I am looking after this, if that helps you at all, Minister ...

The Minister for Home Affairs:

Yes, Luke, that would be very helpful. But I mean it is up to employers to make sure that they are employing somebody legally. But, Luke, yes, please add.

Acting Director, Customs and Immigration:

Yes, Luke Goddard, Acting Director for Customs and Immigration with the responsibility for the settlement scheme. Thank you, Minister. Good morning, Chair and the board.

Deputy R.J. Ward:

Good morning, you are welcome.

Acting Director, Customs and Immigration:

I can see obviously where you are going and the kinds of answers you are after. We have had maybe 2 years now quite close consultation with the Chamber of Commerce, other lists of employers, the federation for the care homes, the construction councils and as many other organisations as we could possibly reach out to, mostly employers to try to get this message across to them. There is not an absolute responsibility for employers to ensure that their employees have the appropriate status. We put this message to them legally. However, we have encouraged them, as responsible employers, to both look after themselves and their E.U. employees to advise them to make application and check that they do have the appropriate status. Ultimately, they do end up in an uncomfortable situation if they find an employee has not yet put themselves forward and made an application and regularised their immigration situation here. Those that are holding a registration card issued by the Social Security C.L.S. (Customer and Local Services) Department is really what the reliability is for the employer and we would expect them to continue doing that. We have a relationship now with Social Security C.L.S. where they will ensure that new cards are not issued to those that they are not satisfied have the appropriate immigration permission. We are working very closely with them to share that data. We will be in a situation where there should not be the ability for someone to get a new one. As you know, you now have to get a new card when you both, I think, change address as well as employer. Those will be something that can be reissued only on the basis that the appropriate immigration permission is there. There is not a requirement for individuals to walk around carrying that status with them. There is no immigration requirement for picking somebody off the street to determine they have the appropriate immigration permission either; it is very much at the border, the point at which they need to access facilities.

Deputy R.J. Ward:

Okay, I see. The registration card remains, there is no requirement for employers but if employees do not have settled status they ... would an employer be breaking any sort of law by employing somebody who does not have settled status? We recognise the work that is being done in encouraging people to apply. We have been through this a number of times and encourage people to apply for settled status. I have done it individually with people in my constituency and elsewhere and said: "Please, do apply." But I am just thinking of the scenario, this has always been the case, this is always going to come to a head at some point, the scenario where people have not applied. I am just concerned as to what it is going to look like for them. I think we were somewhat alarmed when you mentioned, Minister, in regards access to healthcare and work and so on, that we could have people in a very difficult position. It was just reassurances around those that we really want, that if people have been here, have the right to be here but they simply have not, for whatever reason, applied for settled status, that they will have an opportunity to do that or when the deadline is gone, what happens to them? There are some concerns. I think by pointing these out, as I have said before, it means those people, they need to apply because the deadline is the end of June, is it not?

The Minister for Home Affairs:

It is the end of June but we still have the facility in unusual circumstances or reasonable circumstances to extend that in individual cases, where each case will be taken on its merits.

Deputy R.J. Ward:

Whenever you plan for these things you must place a plan for worst-case scenarios; that would be pertinent to do that. If you have somebody who has applied but it has not been processed because you could have ... the other thing I am concerned about is that you may have a huge number of applications in the last week of June and suddenly think, no, I have not done my tax form and I am now thinking I had better get it done but people do tend to leave things to the last minute. When that happens, if somebody does not have their status simply because it is not processed, by no fault of yours, I am not apportioning blame, if employers are looking and saying: "You do not have settled status", it could create problems that are not necessary. Are you prepared for that situation? Are you going to be flexible in terms of saying their application is in process?

[11:15]

The Minister for Home Affairs:

Yes, Luke will tell me if I am wrong, but I think we have always said it, that the important thing is to have the application in before the end of June.

Acting Director, Customs and Immigration:

That is correct, Minister.

The Minister for Home Affairs:

There will be no change in that individual's position until and if the application were rejected. I do not think we have rejected one so far. Luke, I do not ...

Acting Director, Customs and Immigration:

We have had one specific case of a refusal of that application based on criminality. There have been some others based around residency qualifications as well, those people who had not been here for a period of time and made application only after having arrived this year. But in terms of criminality it is just one.

The Minister for Home Affairs:

Okay, thank you.

Deputy R.J. Ward:

Minister, what is your thought in terms of this extra layer that is required for sections of our population who are such an integral part of our Island, may have been here a long time, E.U. nationals who suddenly have to go through this process of extra application? Do you think it is unfortunate that they are having to do this? I know it is not within our grasp but just to perhaps deal with that, people feeling welcome on the Island and the implications of these sorts of dangers.

The Minister for Home Affairs:

Yes. I hope they continue to feel welcome. Yes, it is an unfortunate scenario but, as you know and I know and everybody else knows, it is purely as a result of the United Kingdom deciding to leave the European Union, of taking back control of their borders and work with the U.K. leaving the E.U., Protocol 3 of the treaty falls away, so free movements between the E.U. and Jersey and, indeed, the other Crown Dependencies falls away as well. I can assure you that Luke and his team did not want this extra work. Politically, I did not want this extra hassle but it is just one of those ... and there are many, as we keep finding out, just one of the many results of the U.K. deciding to leave the European Union.

Deputy R.J. Ward:

Okay, thank you. I think I have asked enough on that and I am aware of the time. I will pass on to Senator Vallois with regards some questions on policing. Senator, are you ready?

Senator T.A. Vallois:

Yes, thank you, Chair. Good morning, Minister. The questions I have got for you today are around policing. Could you provide us with an update regarding current policing numbers in the States of Jersey Police force, please?

The Minister for Home Affairs:

Yes, of course. We do have Robin Smith with us. I believe he could probably bring us right up ... yes, I can see him, probably can hear him as well. He will be able to give us the details, if that is all right with you, Senator? Thank you.

Senator T.A. Vallois:

Yes, that is fine.

Chief of Police:

Good morning, Chair. Good morning, panel. Good morning, Minister. Yes, the latest numbers, this is police numbers, although, of course, with everybody else watching as well I must be mindful that we tend to focus, quite rightly, as I understand it, on police numbers but also we have 112 police staff members as well who help us deliver the service to Islanders. In terms of police numbers as of now and this is interesting how we calculate these things, we have 212.23. I am searching for the 0.23 but of course that will be hours and part-time working and that sort of thing, as you will know. We currently have 212. The desire is to have 215, which is our establishment number. Panel members, and in particular the Minister, will know that over the middle of last year and into the back end of last year we also recruited a further 30 officers. That is the biggest intake into States of Jersey Police for a long time. It is going to be a problem for my opposite number in 35 years' time because there will be another big recruitment drive, I suspect. However, I am delighted we were able to do that because we did it during COVID. As panel members will know, we invite or we send our new recruits to Norfolk for their training and we did that as well, which meant that they also went without seeing their families because, ordinarily, they would come back 2 or 3 times. But we did that because we saw it as being important. I am delighted we did. They are now on the ground, they are patrolling in the Island and I am really pleased about it. However - there is always a however - it does represent a bit of a skills gap with getting more recruits. You would rather and we must guard against it over the next few years to avoid boom and bust. It is not good for any organisation. Indeed, as I have said to my H.R. colleagues and finance colleagues, I have used the phrase we should bill fit(?), and by that I mean, all right, the 215 number is the establishment number but taking it as a direct line over the 12 months; I am okay if we go to 216 and 217 because I know I will go to 215 and 214 and 213, as we are indeed at 212. Why is that? Because in any given year we have approximately 13 to 15 leavers. The majority of those are those that are retiring but, of course, we do have leavers as well. The final piece of information I will provide is we are now at 212, we have our projections through the rest of the year. We have now advertised again, which we did about 2½

or 3 weeks ago, to not only look at new recruits in the Island but also to look at transferees from the U.K. The reason for that - and then I will pause for questions - is we do have a skills gap, given by the 30, so we are going to look for a mix of experience from the U.K. but also look at talent that exists - and we have seen it exists - in the Island.

Senator T.A. Vallois:

Okay, thank you very much for that, Robin. You have answered many of the follow-up questions I was going to ask but you have just posed more questions for me to ask anyway. You mention a skills gap, could you explain what you mean by that skills gap in terms of the police force?

Chief of Police:

Yes, I think, Senator, it is skills and experience. What is experience? You need to have attended those issues, investigated those crimes. We have a skills gap and an experience gap, not a huge one but one that you would expect me to want to try and make smaller. In terms of the skills that we would also look for is there is always firearm skills, there are always detectives, specialist detectives, particularly in public protection. We have in the ad that has gone out in some of the police publications in the U.K., we have kept it fairly broad but we have asked for experience. Then depending upon the applicants that we get and, indeed, I have been personally contacted by one officer, who suggested I may need a marine unit; I think that is a specialism we do not need right now but he is keen, we will have excess and in frank terms we will then cherry-pick the skills that we need. But of course what will come before those skills, as always will be the case, is having the right behaviours, the right values, the right work ethic; they come first and then we will decide whether they have got the right skills for us.

Senator T.A. Vallois:

Okay. You have mentioned the numbers, approximately 13 to 15 leavers in any given year, many of them being retirees, surely those with the most experience. In terms of that succession planning and learning off of each other, what is done to ensure that some of that experience is handed down or passed on, whether it is new recruits or whether it is those who do not have specific skills in some of those areas that you have mentioned?

Chief of Police:

If I may say so, Senator, it is a really good question around the broad sort of issue of succession planning. The States of Jersey Police does not have, in my view, a mature succession plan. We are developing our own workforce plan of which an element of that is a good succession plan. We have had a number of meetings, including a senior team away day, although these days we do not go away anywhere, we just stay in the same office, which was dedicated largely just to look at succession planning. That does not just include police because you are right, we can lose someone

with 30 years' service overnight, that is 30 years' worth of experience and then we bring someone in with zero experience. It also includes a number of our police staff. Only this morning I had a conversation about one of our police staff who is retiring and she has particular specialisms around the police national computer. What the plan is in terms of succession planning - I use the phrase buddy but there will be a better phrase than that - is that wherever we identify where we have got particular specialisms, we should identify that and then have a buddy around it. I discovered this morning that we have 2 around that, which is good. In summary, there is more work to be done in terms of to give me confidence that we have got a good succession plan, not just because of the new recruits but because we all should have one, given, if you like, the smaller market that we operate in.

Senator T.A. Vallois:

Okay, no, that is really useful and it is good that you have, of course, picked up on that and are now starting to make some of those changes. I suppose in regards to the numbers that you refer to, so the desire to have 215 police officers, the current number that you stated 212.23, I suppose the question is: do you have an idea of what your minimum operating capacity is? Is that only when you are up to a police skills fully experienced and a proper succession plan in or do you have an idea of that at present?

Chief of Police:

I think that is a really tough question to answer about: what is the minimum? I am confident that in my regular meetings with the Minister and indeed the Assistant Minister, if I may so, will ask me, what are the police officer numbers, which is the reason I keep it close? But I do not know really what the minimum is. I do know that where it was was clearly having an impact on our ability to deliver services, this is before my arrival and the credit to this that goes to my predecessors. This is before my arrival where numbers had got to below 190. Not only was that having an impact on our ability to deliver services, it was clearly having an impact on officer morale. I think it is difficult to give you a number about what the minimum is. We are looking at some demand work to assess, how many police officers do you need? But at the moment and from memory I think the Minister originally asked for about 226, 228 in the first discussions; that is at 215. If, of course, you were to ask me, do I think we need more police officers; I do not think there is a police chief in the U.K. and here who would not say: "I will have some more if there are some going." But I think the 215 is a sensible number. I think we should maintain that number. At the moment I see no reason to increase that number.

Senator T.A. Vallois:

Okay, no, that is helpful.

The Minister for Home Affairs:

Could I just add to that, please, if I may?

Senator T.A. Vallois:

Yes, of course, Minister.

The Minister for Home Affairs:

Robin is absolutely right, before he came the Police Authority and the police management at the time, the police were being led by Deputy Acting Chief James Wileman, he came to me with a very compelling case for 226 warranted officers. I did realise the political and financial situation the States ... and what was proven to me, there is no question about it, is the States of Jersey Police had become reactive, a reactive force, rather than a proactive force and it has switched around very well now. Senator Vallois was a member of the Council of Ministers, I think, at the time and she will recognise the hell of a fight I had even to get it up to what I think is the minimum of 215 and what we have got to do is working to the future that that is at least maintained. That is all I wanted to add, thank you.

Senator T.A. Vallois:

Thank you very much, Minister. I do recall it very well and I do recall the very many challenges in the Council of Ministers but let us not go there, shall we?

The Minister for Home Affairs:

One of my better moments though.

Senator T.A. Vallois:

One question before I finally ask the final round up is about equality and diversity policy in the police force, how that works and how that fits against the current demographics that you have within the police force.

Chief of Police:

Thank you, Senator. Around the end of the summer last year and before we entered into the second lockdown, I invited a former colleague from my previous organisation to come to the States of Jersey Police to do a review of equality, diversity and inclusion.

[11:30]

The policy document that we had was okay but it was rather generic. I invited the head of diversity from my previous organisation to spend 3 days here assessing what he saw and he had focus

groups, et cetera, spoke to many of the senior leaders and of course I spoke to him as well. He wrote a report, which came in around wintertime, I forget the exact date, it might have been around November, which was inviting us to start looking at in more detail an overarching policy for the States of Jersey Police, that better embraces and drivers greater confidence around E.D. and I. (equality, diversity and inclusion). There are a number of recommendations. We have reinvigorated what we call in States of Jersey Police the one-voice group; that is chaired by officers and police staff, not by senior officers. They are the ones that are taking those recommendations forward. I think there is some work for us to do and I think there is some work within States of Jersey Police to drive greater understanding and confidence. One of the recommendations, which I have seen in other places, is, effectively, what is described as ethical dilemma training, which we will be introducing into this year, obviously very well-structured. I generally want States of Jersey Police to be representative in the Island but I also want to be confident to be representative. I want all of my staff to be what they want to be and I think half of that is about trying to better inform and a greater understanding, some of which is there but there is more for us to do. In terms of the last part of your question, which was around how we measure that, we do not. We do not measure around sexual orientation and the like. We can invite it but currently we do not measure and some of that is a bit tricky. But what I would like to be able to do - and it goes back to my former point - is where we have got staff that are very confident to be what they want to be and I would like to get a better sense of a wider diversity, to use that catchall phrase I think, that is representative of our Island within States of Jersey Police.

Senator T.A. Vallois:

That is extremely helpful, Robin, and it sounds like you have got a journey to go on, not just in regards to the diversity and inclusion side of things but also in terms of succession planning and H.R. The final question that I want to ask is more predominantly towards the Minister because this comes into the piece of legislation that we are currently reviewing. I am grateful to the Minister for delaying that until 11th May for debate. But we have just heard the numbers and the skills gaps around the police force. One particular question I have is, in relation to Article 7 of the draft law, there is still a requirement for the Minister to approve for a police officer to serve with another police force. The governance recommendations by the C. and A.G. (Comptroller and Auditor General) suggested around operational independence. I just want to understand why it is considered still necessary for the Minister to approve for an officer to serve with another police force under the law that is lodged and due for debate.

The Minister for Home Affairs:

I must confess, I am not 100 per cent au fait with that or recall that particular Article. I assume that will be a situation where we have a request from a force in the United Kingdom perhaps or Guernsey, who require some support from us. Is that the scenario?

Senator T.A. Vallois:

I am not sure exactly how operationally it would work and that is why I am asking you, Minister. In terms of the requirements under the governance, the C. and A.G. referred to operational independence. A large proportion of that has been moved to the chief officer, quite appropriately. But this one particular Article still requires for the Minister to give approval for the service to serve with another police force. I am just trying to understand, for my better understanding and the panel's better understanding, how that fits with the notion of operational independence. Considering what we have just heard from the chief of police with regards to skills gaps and the ability maybe for some of our officers, if we have the capacity to do so, to send them to certain forces to train. I assume that is what this means and I am just trying to get clarity around this particular Article.

The Minister for Home Affairs:

Certainly, officers do go to other forces to train without any input from the Minister. I am trying to think of a scenario in the last 3 years where I have been asked to give such permission and I cannot recall one. I do have to give permission for officers from U.K. forces or from other forces to come and assist Robin and his team if there are specialities or certain sensitivities, which need to be safeguarded, and I have done that on 3 or 4 occasions in the last year. But I will have to have a closer look at that, Senator, before I can answer you definitively and to what the implications are there. But I do not think it is something that is critical to the independence. I do not know if Robin knows any more about it at this stage?

Chief of Police:

No, but Julian Blazeby may be able to assist us with this.

Director General, Justice and Home Affairs:

The Minister partly answered it. My understanding is that the Minister's role is not about the operational independence, it is more about the authorisation for an officer to operate in a different jurisdiction. The chief of police may request we need specialist skills or additional resources. Or indeed a simple example is a royal visit that comes over from the U.K., it will come with some personal protection officers or if there are people going back. Somebody from the U.K. coming to another jurisdiction require authorisation, crosses ministerial boundaries, so it is not interfering in the operational activity, it is just saying: "Can they come into a different jurisdiction where they operate under different legislation?" to get that ministerial approval.

Senator T.A. Vallois:

That is slightly more clear. So, this would purely be for that type of situation that you have just described, Director General, or would it be for training purposes as well? I am just thinking about

what the chief of police was referring to with regard to skills gaps. If he decided that he needed to send officers away, would he require ministerial approval?

Director General, Justice and Home Affairs:

My understanding is not. The chief of police would make that decision to ensure those skills gaps are maintained or indeed are bridged.

Senator T.A. Vallois:

That is the end of my area of questions, really grateful for your time. I will pass on to Deputy Doublet for the next area.

Deputy L.M.C. Doublet:

The question I am going to focus on is drug and alcohol strategy and I would like to ask the Minister how work is progressing in this regard.

The Minister for Home Affairs:

I said earlier in this meeting, one of the things that frustrates me, and I am sure frustrates most people in this meeting, is the length of time it takes to get things moving. Drug and alcohol strategy is one of those because it was nearly 2 years ago when I met with the Minister for Health and Social Services, when it was Deputy Richard Renouf, to progress a drug and alcohol strategy, which, in fairness, there is a bit of a vacuum here. At last, in the last week or 2, we have seen some real progress and I am pleased to say that some resource has now been identified through health. Health are going to take the lead on this. The priority is going to be harm reduction. That is going to be the main focus. That is not to say that there will not be a significant role for the enforcement agencies, for the police, for customs and immigration. As part of the harm reduction strategy, we are also going to be trying to put into place, even for this year, drug testing at festivals that happens at some places in the United Kingdom. That was raised in the States some time last year and even before that. Because we have all lost a year, have we not? So, that is the sort of thing, it is going to be a health-led approach. It is going to be a harm-reduction approach. But still a major role for enforcement agencies. I know Julian Blazeby has been leading on this with colleagues from Health. It will be helpful if he could give you some detail.

Deputy L.M.C. Doublet:

Can I just follow up on some of the things you mentioned, Minister? Thank you for your answer. The resource is coming from the Health Department but is the political responsibility shared between yourself and the Minister for Health and Social Services or is it with one of you?

The Minister for Home Affairs:

The plan is it will be shared with Richard Renouf and myself.

Deputy L.M.C. Doublet:

But the resource itself, so the officers working on it, are within the Health Department?

The Minister for Home Affairs:

Indeed.

Deputy L.M.C. Doublet:

How will that work? How often will you be meeting with the Minister for Health and Social Services?

Will there be a group that specifically look at this policy?

The Minister for Home Affairs:

I do not have that sort of detail yet because this is very, very new. It has all come together in the last couple of weeks. I am sure, if you let Julian explain how we have got to where we are and where we are planning to go, that might inform some of your questions.

Director General, Justice and Home Affairs:

Thank you, Minister. Thank you, Deputy. It is important to highlight, as the Minister helpfully described, the journey we have been on. It has been on for 2 years. I am very pleased to say that within Justice and Home Affairs and with the Minister's guidance and direction we have been able to identify a gap that needs filling. We all understand that we need to have a longer-term drug and alcohol strategy that can help a variety of people on the Island. So, that focus on harm reduction is critical. The other real important issue to say is that this is a Public Health initiative and not necessarily a Health and Community Services initiative. There is a distinction. The Public Health colleagues that sit within S.P.P.P. (Strategic Policy, Planning and Performance); that Public Health function will lead on this, because it is harm reduction as opposed to Health and Community Services that deal with the impacts of harm, as you probably understand. So, it will be a Public Health initiative. I have had some good conversations with senior Public Health colleagues and they will be taking the lead on this, as the Minister said, with support from myself and others within the department. We have engaged with the Misuse of Drugs Advisory Council, which is an important stakeholder in the equation, which has a range of people on it from the chief pharmacist to the head of probation and other colleagues in the Law Officers' Department, and others. They have generally been supportive as well. As we go forward with the funding that we have allocated towards an officer to lead on the strategy work, it involves colleagues across a number of government departments, and we look forward to a new drug and alcohol strategy that will set the direction for the next, hopefully, 5 years-plus. That will involve political oversight as identified with the Minister for Home Affairs and the Minister for Health and Social Services. We will set up a group similar to some of

the other government structures that will oversee the development of it and get approval through the normal structures.

Deputy L.M.C. Doublet:

Can you just outline consultation for this area? How will the public be involved? Will they be involved in it? At what stage will you get members of the public involved? What will that look like?

Director General, Justice and Home Affairs:

It is a really important question. There will be a lot of work done internally and across different stakeholders and agencies, both in government and third sector. But consultation is quite critical because there will be some significant elements to the strategy that of course we will want to see and consult on. It can be very strategic, to the decriminalisation of cannabis, for example, through to do we deal with people in a diversionary way as opposed to putting them in the criminal justice system. That will require some significant consultation across a range of stakeholders and the public. So that will be developed as we go forward. Of course, we would be really keen to share with this Scrutiny Panel and maybe another one would be key as a stakeholder.

Deputy L.M.C. Doublet:

This is one for the Minister. Minister, how will you ensure that the voice of children will be included in this consultation?

[11:45]

The Minister for Home Affairs:

There is a serious role here for the Children's Commissioner and we would seek her guidance and advice on what is the best way to progress that. I do not want to be too definitive at this stage, but certainly there will be a role for her in this.

Deputy L.M.C. Doublet:

That is obviously related but possibly separate consultation with the Children's Commissioner and then consultation with children and young people. Just to confirm, it is your intention to include their voices?

The Minister for Home Affairs:

It is vitally important, Deputy, because the negative effects of drugs and negative effects of alcohol probably impact on children to a greater extent than any other members of our community. So, it is important that they are involved with any discussions and consultations, which go ahead.

Director General, Justice and Home Affairs:

If I could add, if that is okay, Deputy, we have done some initial research and most, if not all, drug and alcohol strategies in other jurisdictions will have an element of young people. So, you have the normal diversionary activity, there will be some enforcement, but the impact on young people and families is critical in terms of drug and alcohol. So, they will be a significant stakeholder. We have a good opportunity to engage with a range of children and young people and, as I say, families and others, as we go forward.

Deputy L.M.C. Doublet:

Could you just go over timelines please for this work and when will the panel be able to view the proposed strategy?

The Minister for Home Affairs:

If I recall rightly, the last briefing I had, we were looking to have something in the third quarter of the year. If Julian could nod if I have that right or am I being a bit too ambitious?

Director General, Justice and Home Affairs:

One of the challenges obviously is Public Health again lead on this, so it will be a collaborative piece of work. So, Minister, we aspired towards the end of the year and hopefully something in place by quarter 4, Next time the Scrutiny Panel wants to have an update, we need to think about who comes forward and discusses it with you. We could probably offer a private briefing as well with the senior director of Public Health and others so that you can get a feel for what the piece of work looks like and the complexity of it.

Deputy L.M.C. Doublet:

We would welcome that.

The Minister for Home Affairs:

It has all moved very quickly in the last couple of weeks so we are getting it all together now.

Deputy L.M.C. Doublet:

Thank you. Sorry if I have missed this because you did just speak about the consultation. I know that there are some members of the public who have very strong views in this area. Is now the right time for them to contact you to share their views or will that be a bit further down the line?

The Minister for Home Affairs:

A little bit further down the line would be more appropriate when the team have got their feet under the table and got some sort of strategy of how they are going to operate in place. That would be more appropriate rather than getting dribs and drabs in now.

Deputy L.M.C. Doublet:

As far as I understand it, the approach is going to be health-based and focusing on harm reduction. How important is that to you, Minister?

The Minister for Home Affairs:

Vitally important. When we have spoken about this in the past and we thought about it in the past, we have recognised there is a dual responsibility here. There is harm reduction and there is law enforcement and they have to work together. But, of these, the most important of all is reducing the harm to our community. There will, let us not pretend it will not, there will still be a significant involvement of the law enforcement agencies. But the priority, the focus, will always be harm reduction.

Deputy L.M.C. Doublet:

I wanted to ask about harm reduction and enforcement and how the recent reintroduction of the drugs squad, how does that interact with these 2 concepts? Why was that reintroduced? What are the desired outcomes for the drug squad?

The Minister for Home Affairs:

Robin, would you like to take that?

Deputy L.M.C. Doublet:

Could I just ask you, Minister, I think perhaps the first part of the question on balancing politically that harm reduction approach with the enforcement and just your view on that recent reintroduction of the drug squad? I am not sure whether that is a political decision or an operational decision?

The Minister for Home Affairs:

It clearly was an operational decision. I do not organise how the police force is organised down to that detail. As I said before, 3 or 4 times in the last few minutes or so, there is enforcement and harm reduction are going to have to go hand in hand. There is no question about that. The drug squad, as Robin will explain in a moment, is very, very important. There have been difficulties for organised crime to get their products into the market over here because of the lack of shipping and flights. That is all going to change and there is going to be a major threat from organised crime. We know that from the last police inspection. We know that from our own intelligence. The drug squad,

relatively small numbers, 8 officers, are working on some 29 different cases. There is a significant amount of work going on. It is always a matter of getting the balance.

Deputy L.M.C. Doublet:

Would you say then that this increase in enforcement activity is something that would perhaps remain as a short-term activity if, in the long term, we are looking towards a harm-reduction model?

The Minister for Home Affairs:

That is very difficult to say. One would like to think so, if we get on top of the whole thing from harm reduction, but also from the enforcement point of view. Because we can concentrate on harm reduction, but if there are people out there, nasty people out there, who want to infect our young people with these drugs to make their fortunes, then we have to be ready to deal with them and not be caught on the hop.

Deputy L.M.C. Doublet:

Thank you. I would like to hear from the chief if he has something to add.

Chief of Police:

Without the risk of going of going into history, but in 1989 I got my first position in the local drug squad. What does that tell us? It tells us that enforcement is only one part of the solution. So, in January 2021, earlier this year, you will have seen, Deputy, that I reinvigorated our drug squad. That was as a result of knowing that drug dealers, what we call organised crime groups, let us face it they are drug dealers, will be busy during lockdown and they will be entrepreneurial. So will we. So, it is a refocus on the drug squad. It is a dedicated team. It is focused and will be focused on, not only being proactive, but also preventative. In the latest numbers, and the Minister has already referenced some of those numbers, first of all we work very closely with J.C.I.S. (Jersey Customs and Immigration Service), particularly the organised crime groups, and there is a very good successful relationship between ourselves and J.C.I.S. They work here in the police station with us on a day-to-day basis. However, in the briefing note that I had prepared for this meeting, which is illustrative of the point you are trying to make, Deputy, and that is this: the team are also responsible for what we have described here as health-based approaches. That is a member of the drug squad is also going to sit on the Misuse of Drugs Advisory Council, offering advice and guidance to the Minister for Home Affairs and Minister for Health and Social Services. That is the reason why, while I am very keen to catch drug dealers in particular, I also recognise, and I am delighted to see, the solution to this. There are a number of different ways of doing it, but the main and the best and most effective and most long-lasting is health. This is as much a health issue as it is a police issue. I will pause there and then I can give some further information around what the Drug Squad have been doing. But I will just pause for any comment.

Deputy L.M.C. Doublet:

Yes. I am just noting the time. Thank you for that information. We might need to obtain further information via written questions. I just wanted to ask one final round-up from the Minister. Looking at the harm-reduction approach, Minister, will you be considering decriminalisation and regulation of drugs in Jersey as part of that harm-reduction strategy?

The Minister for Home Affairs:

It is funny you should say that because it was 2 years ago, the first meeting I had with the Minister for Health and Social Services, Deputy Renouf. That was one of the things we wanted to look at. So, in simple terms, the answer is yes.

Deputy L.M.C. Doublet:

I do have other questions but I will defer to the chair. Can I ask a couple more or did you want to move on?

Deputy R.J. Ward:

I wanted to ask a couple about the COVID test and trace programme. We have more questions. You are absolutely right, Deputy, we will put some in writing following the meeting.

The Minister for Home Affairs:

Chairman, if I can remind you, and I am sure you will remember, the Minister for Home Affairs has no political responsibility in this area. But Mr. Blazeby has responsibility from the admin point of view and he is quite happy to answer any questions.

Deputy R.J. Ward:

It was because the funding was allocated I believe to Home Affairs in the Government Plan for up until June. There were 2 things I wanted to ask: one was, to put it very quickly, how much have you spent and how much have you got left? Then the second question was: Guernsey is introducing a £25 charge for all inbound travellers from 14th May for all the required tests. Are there any plans to follow suit that you have discussed?

Director General, Justice and Home Affairs:

I will try to answer those questions, Chair. In terms of spend, the budget allocated for 2020 was in the region of £24 million. But in terms of what was spent, and of course it fluctuated because we tried to predict it in the business cases to get the approval for spend, particularly in terms of how much travel and how many tests were to be done at the border. As you well know, that fluctuated depending on the first and second lockdown and therefore the numbers of travellers over the period.

So, the spend up until 31st December 2020 came in at just over £18.5 million as part of the whole test and tracing programme. That was spread across a number of different areas in terms of people, in terms of technology, across a number of different departments. Then, in terms of 2021, a bid for £30 million was put in the Government Plan for the first 6 months of 2021. Again, that was predicated on having to estimate the number of arrivals and therefore the number of tests at the border. Quite difficult to predict as you appreciate. The spend as of 31st March, so the first 3 months of 2021, has been just over £6 million. That is less than what we anticipated. But of course, as I mentioned, the Government Plan has allocated funds until June this year, so we are now preparing business cases to forecast to the end of 2021. Again, a challenge in terms of identifying, not only testing at the border and the 3-test regime that has been agreed as part of the new testing strategy, its greater use of lateral flow devices and other technologies as those are approved to ensure we have greater surveillance across the Island as we go through.

Deputy R.J. Ward:

The £24 million left from the Government-allocated funds until June, I do not know, but I cannot imagine that will be spent in 3 months. In the unallocated funds, does that go back to Government or will you be making a case to keep that money for longer in terms of the test and trace programme?

Director General, Justice and Home Affairs:

We follow the official process, so it will go back into central reserves and then, as I say, we are compiling business cases at the moment to ensure we have funding for the rest of this year. Of course, if that money then comes back into the system, then that will support the latter part of the funding. Your second question was around charging. As you know, as officers we took a number of options to Ministers over the last couple of months around charging options. We have looked at other jurisdictions that do charge. You have mentioned Guernsey. A number through Europe do charge as well. At this time, Ministers made it clear and I saw it publicly recorded last week, Ministers do not propose to introduce charging in Jersey. But that will be kept under review as officers we can bring back those options to the table.

[12:00]

Deputy R.J. Ward:

That is exactly 12.00 p.m. However, I need a couple of minutes. Are there any other questions from members of the panel that you just want to quickly ask before I ask the Minister if there is anything he wants to ask us? Deputy Doublet and Senator Vallois, do you want to ask anything else?

Deputy L.M.C. Doublet:

It is important we hear from the Minister on the new headquarters for the S.A.R.C. (Sexual Assault Referral Centre), if there is time.

Deputy R.J. Ward:

That is one of the questions I have left. Any questions we have left, Minister, while you are looking for your notes, we will put to you in writing and they will be in the public domain anyway, so it is an extension of this.

The Minister for Home Affairs:

I have been updated on the progress recently, briefed on the now shortlist of 3 sites. I expect to be given a briefing in the next couple of weeks with the preferred option, at which point a decision will be taken on the preferred site and then we can move the project forward. But a very exciting, very important project. Obviously, we have consulted with all partners that we can, including the police, therapeutic services, medical, so it is all moving ahead quite nicely now. It always takes longer than you want it to take, but it is happening.

Deputy L.M.C. Doublet:

Just to follow up, do all of those options include disabled access? Have charities such as J.A.A.R. (Jersey Action Against Rape) been consulted as well?

The Minister for Home Affairs:

Yes, of course. It is very difficult in the building we have, as you know. This will be purpose-built so that should not be an issue for disabled access. Yes, of course, all partners involved in sexual offences or sexual assaults are involved in how the S.A.R.C. and the additional services develop. Very, very important.

Deputy L.M.C. Doublet:

Thank you, Minister,

Deputy R.J. Ward:

That was a really important question. We are over time. Is there anything that you want to ask us, Minister, and anything you want to raise at the end of the hearing before we just finish off quickly?

The Minister for Home Affairs:

No, once again I am very grateful as always for these hearings. I am sorry if I have gone on for too long and we have not been able to cover every aspect. But it always helps us, myself, Gregory, to reflect on where we are going. It is helpful to us and we do appreciate it.

Deputy R.J. Ward:

It is also partly we had a lot of questions to ask. So, we will put the rest of the questions in writing. It has also been some time since the last hearing. With that, I will just say thank you to everybody who gave up their time this morning and attending the meeting. Thank you for your answers. I will call the meeting to an end. Thank you very much.

[12:04]