



# Education and Home Affairs Scrutiny Panel Quarterly Hearing with the Minister for Home Affairs

**MONDAY, 14th APRIL 2014**

**Panel:**

Connétable S.W. Pallett of St. Brelade (Chairman)

Connétable M.P.S. Le Troquer of St. Martin

Connétable S.A. Rennard of St. Saviour

**Witnesses:**

The Minister for Home Affairs

Director, Legal Status and Revenue, Customs and Immigration

[10:04]

**Connétable S.W. Pallett of St. Brelade (Chairman):**

Welcome here this morning. If you can make sure your mobile phones are on silent, please, and obviously no food and drink, apart from the drink that has been provided. Obviously, we are here for a quarterly hearing with yourself, the Minister for Home Affairs. I think, before we start, if we could just go round the table, just introduce ourselves for the sake of the microphone. I am Connétable Steve Pallett, I am Chairman of the Education and Home Affairs Panel.

**Connétable M.P.S. Le Troquer of St. Martin:**

Michel Le Troquer, Constable of St. Martin.

**Connétable S.A. Rennard of St. Saviour:**

Sadie Rennard, Constable of St. Saviour.

**The Minister for Home Affairs:**

I am Ian Le Marquand, the Minister for Home Affairs.

**Director, Legal Status and Revenue:**

Steven Le Marquand, I am a director in the Customs and Immigration Service.

**The Connétable of St. Brelade:**

Thank you very much. We are going to get on to Customs fairly early this morning because I see that ... sorry, what is your official title?

**Director, Legal Status and Revenue:**

Director, Legal Status and Revenue.

**The Connétable of St. Brelade:**

I will call you "Director" I think. We will try and get on to Customs fairly soon, but there are just one or 2 issues I just want to go round to start with. One obviously that was in the news, and something that has just been passed by the States, just maybe a little bit more information on it, and that is tasers. Obviously, the decision to have them now has been implemented. What is your timeframe for implementing them?

**The Minister for Home Affairs:**

I authorised that they be purchased by ministerial decision almost immediately and I wanted to do that so as to tie it in with the States decision so the authorisation is strictly upon the basis of that. I think it is a question of training now and obviously purchase; that should not take too long. I think they are quite hopeful of being up and running by the summer of this year. I think I have only picked that up second-hand, I have to say, not from direct briefing.

**The Connétable of St. Brelade:**

Had any training been authorised prior to that decision, or is this something that you need a decision before any training could take place?

**The Minister for Home Affairs:**

We needed the decision, yes.

**The Connétable of St. Brelade:**

I know you mentioned this in the debate itself, but in terms of the actual purchase cost, is that going to be within the budgets that you originally thought?

**The Minister for Home Affairs:**

I have got no more updated information, obviously, on what I had then. Obviously, there was a gap between when I lodged and whether the price has gone up or not, I cannot tell, but if it has, it will be minimal.

**The Connétable of St. Martin:**

Who does the training now? Is it in-house training or is it someone from the U.K. (United Kingdom)?

**The Minister for Home Affairs:**

That is a very good question. I had assumed that the training would involve people from away, and probably the officer who was at the presentation, but that is an assumption. I am not sure what the model is, whether the model is that somebody comes over and there is a big training day and he trains with the 30, or whatever number of firearms officers there are, or whether the model is that a trainer from Jersey is sent away to be trained and then comes back and then does the training gradually. I do not know the answer to that.

**The Connétable of St. Brelade:**

Obviously, to use a taser, it needs to be authorised. Will there be any training for officers that will authorise the use, in terms of appropriate use?

**The Minister for Home Affairs:**

Well, yes and no. In a sense, that has become much easier because, having that tied in with the test of when firearms would be authorised, one would expect whenever firearms are authorised that tasers would also be authorised. That was the whole logic behind the thing. So I am not sure that they are going to need separate training. Obviously, there may well need to be a degree of training in terms of oversight, not the actual authorisation to take out of the box, but obviously you will get some degree of interaction taking place between the officers on the ground and a more senior officer who may be offsite. So, from that point of view, I think there will be a need of training regarding situations in which you are about to react but which are not grounds. There will be other situations in which there will be a definite decision to deploy, to fire the taser, if certain conditions are met. So I would imagine ...

**The Connétable of St. Brelade:**

That final decision will presumably be in the hands of the firearms officer himself, it has to be.

**The Minister for Home Affairs:**

It has got to be, yes. Again, you really need the expert in that area as to what the precise control systems are in relation to that, but that is what I think happens; indeed, you probably have someone far more expert than me present on your board.

**The Connétable of St. Brelade:**

But in all reality, we are going to be looking to the late summer before ...

**The Minister for Home Affairs:**

I think that is right, they are hopeful of doing something by next summer. Yes.

**The Connétable of St. Martin:**

By chance, did the City of London officer give presentations to the Police Complaints Authority and Police Authority itself while he was over?

**The Minister for Home Affairs:**

I do not know. I know that the Police Authority was meeting at the same time, of course, and I know they did receive some sort of briefing, but I do not think it was from him. Certainly, the 2 States Members who were on there told me they had received a briefing.

**The Connétable of St. Brelade:**

Any other questions on tasers? No. This will lead on to Customs. Obviously, this has been a reallocation of under-spends for last year.

**The Minister for Home Affairs:**

Yes.

**The Connétable of St. Brelade:**

Just a few issues with that, if we could just go through them; there are 2 interesting ones there. In relation to funds which have been proposed for use by S.O.J.P. (States of Jersey Police) in terms of disaster recovery and business continuity, what does that mean?

**The Minister for Home Affairs:**

I do not know in the finest detail. Again, you would need to ask somebody specifically from the police as to precisely what this means. I am only aware of it in general terms. If I can just explain

this to you: one of the oddities of the financing of police is that historically there does not seem to have been adequate financing provision within the core budget for equipment-type things. A classic example of that is the replacement of the C.C.T.V. (closed-circuit television) system. That was initially funded out of the C.O.C.F. (Criminal Offences Confiscation Fund). There is a strange dilemma here, if I could explain it to you. In theory, it would be better if everything which was going to happen with the policing was within the core budget; within the medium term financial plan now, previously the annual plans. But if that happened, there would never be any methodology of getting money out of the Criminal Offences Confiscation Fund or the Drug Trafficking Confiscation Fund, and so there has been historically this sort of grey area in which there has been the ability to get access for certain purposes.

**The Connétable of St. Brelade:**

But has there been an over-reliance on that in terms of trying to apply for funds to cover costs in terms of equipment through those funds, and there has not been enough planned ...

**The Minister for Home Affairs:**

I think there has to be a relationship of trust between the Home Affairs staff and the Treasury to keep people knowing what is happening and what the needs are. If I can take you back in time, when I first became a Minister, there was quite a lot of money built into these funds which had been built up and taking money out of those funds was then assumed to be something that would happen. So part of the general funding of things was predicated on there being sufficient monies to come out of this.

**The Connétable of St. Brelade:**

What were those funds specifically set up to do originally? Did they have a specific remit?

**The Minister for Home Affairs:**

They are specifically set up, they are statutory. The statute sets out ... I think, it is regulations, off the top of my head; maybe a law, but in both cases they set out specifically what the purposes are in relation to that. There are sensitivities in relation to certain countries which are not happy to see confiscated monies go into general government funds. There are political reasons for this; partly that they are worried that governments will then start to give priority to areas simply to raise funds, as it were. So there are certain countries which will only co-operate and agree that monies go into these funds provided that it is for these limited purposes. That is why they were both set up in that kind of way. I cannot tell you the precise definition of what their purposes are, but they are basically for fighting crime and dealing with the consequences of crime. In the cases of drugs stuff, it will also go into the area of treatment, and so on, of people affected.

**The Connétable of St. Brelade:**

But specifically with areas within Home Affairs?

**The Minister for Home Affairs:**

No, because other departments account for being able to draw for things like monies for ...

**The Connétable of St. Brelade:**

Mental health issues, things like that?

**The Minister for Home Affairs:**

... drugs treatment issues, and Customs could potentially draw also. Whether there have been specific projects or not, I cannot recall. The Law Officers' Department ...

**The Connétable of St. Martin:**

How do you make a bid for it?

**The Connétable of St. Saviour:**

How do you get the money?

**The Minister for Home Affairs:**

You basically make a bid and it then ...

**The Connétable of St. Brelade:**

For whom?

[10:15]

**The Minister for Home Affairs:**

... it goes to a group of people, including the Attorney General, who determine whether it falls within the criteria. What has complicated this whole area is that the money ran out and suddenly the previous Council of Ministers found themselves with a funding gap. So they basically decided that it would not rely on these funds as part of its general revenues, it would not assume that there was money there but it would budget for the full costs. But, in so doing, it never did really budget for the full cost because there were still exceptional items of equipment, and things like replacement of the C.C.T.V. system ...

**The Connétable of St. Brelade:**

But is there no planned management of replacement of things like C.C.T.V. within the current structure?

**The Minister for Home Affairs:**

This is the difficulty. Interestingly enough, the discussion we are now having is mirroring the discussion we had in the Council of Ministers on Wednesday, which I chaired because the Chief Minister was off-Island. I think I accept the fact that that should be happening and I accept that there should be a process by which the Home Affairs Department, for example, is flagging up within that at the same time as the medium term financial plan, its potential needs for additional funding which are not covered specifically within its budget.

**The Connétable of St. Brelade:**

Do you see that as part of the process of the next M.T.F.P. (medium term financial plan)?

**The Minister for Home Affairs:**

Yes, I do, but the difficulty with it will still remain with the uncertainty of funding. When you have got certainty of funding, that is, if you have got quite a large sum built up in the funds, you can do that quite securely.

**The Connétable of St. Brelade:**

Some of the issues that you are dealing with in terms of funding presumably should not be covered by those funds, that should be covered by proper resourcing, not within resourcing that can go up and down and fluctuate, or not even exist.

**The Minister for Home Affairs:**

Yes. This is the dilemma: if you cover them by proper resourcing, i.e. by central funding, how do you get the money out of the C.O.C.F.?

**The Connétable of St. Brelade:**

It is a chicken and egg situation. I totally agree.

**The Minister for Home Affairs:**

Yes, it is. What I am saying is, nevertheless, situations have remained where the funds have been drawn on from time to time. Other departments, of course, feel this is not fair because Home Affairs potentially, or other departments, have got the ability to draw down on this. On the other hand if we were not drawing down in some cases we would be having to seek to draw down on the contingencies.

**The Connétable of St. Brelade:**

But there has not been a situation where States of Jersey Police have not been able to fund any issues around resources that they need, or have there been?

**The Minister for Home Affairs:**

No, there have not, but of course it does depend upon trust between the various different agencies, it does depend to a degree on myself to say: "Look, I am sorry, I think that is a luxury. I am not going to support you in that bid."

**The Connétable of St. Martin:**

Excuse my ignorance, I am sorry, the Curtis Warren-type seizure of money, the millions that he has to pay, will that go into a fund like that?

**The Minister for Home Affairs:**

If we get it.

**The Connétable of St. Martin:**

If we get it, it would.

**The Minister for Home Affairs:**

Yes. I would expect that to go into the Drug Trafficking Confiscation Fund. Theoretically, that could be millions.

**The Connétable of St. Martin:**

I think where the Chairman is coming from as well, I do not know, any money that fund got should pay for the running costs of the Home Affairs Department or all the different departments that we have got. It is confiscation funds that should be seen as a luxury, surely, and not just part of your funding to run a department.

**The Minister for Home Affairs:**

I do not think they should be luxury. I do not think they should.

**The Connétable of St. Martin:**

When I say "luxury" things that you would not have ...



**The Minister for Home Affairs:**

I do not think you should ever be spending money on luxury, wherever they put it. I say that as a former chief officer; I think it is a bad principle.

**The Connétable of St. Brelade:**

But it is considered part of general funding, it must be seen now, at the moment, as part of general funding, otherwise it would be a luxury sum almost, it would be over and above the funds that you have got. Confiscation monies must be seen as part of the general funding of the States of Jersey Police.

**The Minister for Home Affairs:**

It is not, that is the point, because it is for the specific purposes. That, in a sense, is why I am saying that I think we should be flagging up as part of a 3-year process that during the next 3 years in addition to our running cost, our revenue cost, we anticipate we are going to have the following specific areas of need, for which we are going to need either to delay or to take money out of these funds. But the grey area remains, and I do not think anybody thinks it is entirely satisfactory, but it is caused by the requirement to have funds for specific purposes if we are going to get all countries who share money paying into them, and particularly so with the ... I should probably say with both of them. You get situations for instance where, shall we say, proceeds of fraud, that we find £20 million in a bank account in Jersey which has been money-laundered. Now, normally there would be an agreement with the country from which it comes where it should go back, or the beneficiaries, as to the partition of that. There were understandings that the country that has done all the work to find the money and prove it is this, gets a share. The other complication, just to make it even more complicated is, of course, if you do get exceptional cases like that, there are additional policing costs and additional law officers' costs. They are having to spend money upfront, probably additional sums for exceptional cases in order to arrive at the point where you are going to get money back eventually. So there may, in fact, be a process in which money has been advanced from the service, or whatever.

**The Connétable of St. Martin:**

Who decides the other countries, if other countries are to share the money? Who makes that decision who gets it?

**The Minister for Home Affairs:**

It is normally worked with through the law officers, in practice, as to the partition and so on. In some cases there are agreements, as I understand it, with some countries as to how that will be divided up, in other cases I think it is done on an individual case basis.

**The Connétable of St. Martin:**

That is from the court that seizes the money, so if the money is seized in Jersey, does Jersey decide where the money is going to be shared with other countries?

**The Minister for Home Affairs:**

No. There are different categories, as I understand it. There would be a category where there was money that belonged to somebody; it might be stolen money, it might be the proceeds of fraud, for instance. If a fraudster has been systematically taking money from his government, or perhaps he was the government at the time, and sending it to Jersey, now that money ultimately belongs back to that country, but that country will normally recognise the work that has been done in Jersey in identifying the money. There was a big Nigerian case, but I just cannot think what the name was, which fell into that category, where there was quite a lot of money.

**The Connétable of St. Brelade:**

Those local costs would be covered out of that money that is seized.

**The Minister for Home Affairs:**

Yes, but they would be upfront, the money would go out first and then the monies would come back in. I could be wrong on this, but my understanding is that, for the monies that come back in, there should be first call on refunding those costs and it is the additional sum after that that would go into the fund. I could be wrong on that, but that is my understanding.

**The Connétable of St. Brelade:**

That seems quite a complicated issue.

**The Minister for Home Affairs:**

It is. I think it is maybe not a Home Affairs Scrutiny Panel matter, it may be a Corporate Services matter.

**The Connétable of St. Brelade:**

Yes, Treasury and so on.

**The Minister for Home Affairs:**

The C. and A.G. (Comptroller and Auditor General) some years ago looked at this and recommended it basically all go into one pot, but there are problems with doing that for the reasons I have described.

**The Connétable of St. Brelade:**

We will move on to use of under-spend, and that again, under one of the issues you have got here, is the recruitment of police constables. Is S.O.J.P. currently undermanned? Are you looking for new officers?

**The Minister for Home Affairs:**

No. You have got a degree of movement all the time obviously in something the size of the police force. You have got people who could wait till 55. You therefore have people you know are going to retire because they are going to hit 55, but you have got others who might go earlier, you have got people who decide to change careers, you have got degrees of uncertainty. Because the training process, in order to get people up to speed so that they are of really much use to the organisation, is about 12 months. You have got to be anticipating. In relation to the current medium term financial plan, the plan was to seek to ensure that we would never at any time be less than 227 police officers; not staff, I am talking about police officers with warrant cards. That was the plan. In order to do that, you need to plan ahead in terms of your recruitment process.

**The Connétable of St. Brelade:**

So at the current time are you up to that level?

**The Minister for Home Affairs:**

It fluctuates all the time but it should not be below that level because that was the plan, that we would never be below that level.

**The Connétable of St. Brelade:**

Are we?

**The Minister for Home Affairs:**

Obviously, when you get a group of trainees coming in, your numbers go up, or they are not all usable, and then more will retire and then the group of trainees will come on ...

**The Connétable of St. Brelade:**

To your knowledge, have we sunk below that level?

**The Minister for Home Affairs:**

No, I do not believe so, but it fluctuates all the time if I ask how many we have got, and suddenly the numbers will bump up once a new trainee group will come in.

**The Connétable of St. Martin:**

Do you know how many officers we have got on secondment from the U.K. at the moment?

**The Minister for Home Affairs:**

I do not know the answer to that question.

**The Connétable of St. Martin:**

They will all be senior officers, I take it.

**The Minister for Home Affairs:**

The only one I am aware of on a long-term basis was doing work in the Criminal Justice Unit, but I am not sure if he is still here. He has gone back, has he? Yes, okay. There may be others, but I am not aware at this particular time.

**The Connétable of St. Brelade:**

Is there a strain on numbers of officers, specially on priority Saturday nights at the present time, or do you think that there is a reasonable coverage on those nights? Because they are busy nights.

**The Minister for Home Affairs:**

Friday night, Saturday night we run double shifts. The normal shift is 21, so you are running 42 officers on Friday and Saturday nights.

**The Connétable of St. Brelade:**

Has there been any issue around finding coverage on those nights?

**The Minister for Home Affairs:**

If you get a mass of things going on at the same time, there may be but, on the other hand, you cannot bank on that, but they are double-shifted for those times. Occasionally, they will be double-shifted, I think, on a Sunday night with a Bank holiday following; there will be other occasions. That is basically the way the system operates.

**The Connétable of St. Brelade:**

Another issue in here again for under-spends is in relation to succession planning. What does that entail? What particular positions are you looking at in terms of succession planning?

**The Minister for Home Affairs:**

Sorry, could you just point me to where that is? Because I may read the papers ...

**The Connétable of St. Brelade:**

It is on the Home Affairs under-spends, I think it is £1.45 million. One of the issues mentioned is succession planning, but I just really wanted to know, in terms of those under-spends, where is that money going towards?

**The Minister for Home Affairs:**

Sorry, I have not seen succession planning anywhere in my notes. Can you point me to where that is?

**The Connétable of St. Brelade:**

Yes. It is within the document of under-spends; well, sorry, it was in the press release given out from Treasury and Resources and Home Affairs, one of the issues that was covered under under-spends, after recruitment of police constables, was succession planning. I am just interested to know ...

**The Minister for Home Affairs:**

I think it is the same thing as we have just been talking about. I am not aware of anything different.

**The Connétable of St. Brelade:**

It is not future recruitment of a chief officer or chief officers within departments looking to ...

**The Minister for Home Affairs:**

No. I think things just sometimes get garbled in the translation.

**The Connétable of St. Brelade:**

It is just a generality, rather.

**The Minister for Home Affairs:**

I think it is maintenance of the levels of numbers that we are talking about.

**The Connétable of St. Brelade:**

Can I ask a question around succession planning then in terms of what is current policy within Home Affairs in terms of replacement of chief officers in the future? We have been quite lucky; I think, in terms of Customs, we have had a local appointment but do you ever see that happening, for example, with the States Police?

**The Minister for Home Affairs:**

Yes. We have 2 officers at the moment who have been fast-tracked within the system with a view to taking up senior posts eventually. They are both very capable. One is an inspector at the moment, I think the other one is currently an acting inspector. In different years, they both were accepted as being part of the top 80 young up-and-coming officers in the entire United Kingdom. So each of them in a particular year received specific additional training involved with that. Obviously, we hope that they will continue to develop and we hope that they will be in a position to be applying for more senior posts, including eventually deputy chief officer and chief officer.

[10:30]

**The Connétable of St. Brelade:**

Presumably, much of that training will be done off-Island in other forces.

**The Minister for Home Affairs:**

There is a specific sort of fast-track training for high-flying officers, and both of them were able to get on to that particular ...

**The Connétable of St. Brelade:**

Is that done off-Island?

**The Minister for Home Affairs:**

Off-Island, yes, on to that particular course. What we have been trying to do is improve the level of managerial training for officers generally, which historically was not very good; in fact, there was not very much managerial training. So we are trying to raise the general levels of managerial training of the whole cadre of more senior people. Clearly, for these are both young men, in fact, these 2 officers, it will be some time before they would be in a position to aspire ... I mean, the one who is an inspector need to prove himself as an inspector, then he needs to apply to be a chief inspector, then he needs to apply to be a superintendent. He then would need to do the ... I am sorry, I cannot remember what it is called; it is, again, a U.K.-wide training course for prospective chief officers and deputy chief officers and assistant chief officers.

**The Connétable of St. Brelade:**

So we could be one or 2 chief officers away from having a local ... well, what we all term to be a local candidate, but ...

**The Minister for Home Affairs:**

I would have thought that it was 10 years away from either of them being in a position to be applying for the position of deputy; I would have thought that is realistic.

**The Connétable of St. Martin:**

I am a bit of a cynic, really, because when you get to that stage you have got a lot of other candidates with possibly a broader knowledge, unless the local candidates have spent time as assistant chief officers, deputy chief officers or chief constables in the U.K. It is going to be the same for any top position. I would be very surprised to see a local chief officer in the foreseeable future, in 10 years.

**The Minister for Home Affairs:**

It will not be in my time as Minister ...

**The Connétable of St. Martin:**

Yes, it will not be in my time.

**The Minister for Home Affairs:**

... but we have a process and we have 2 people of the potential calibre such that we could seriously hope to see that.

**The Connétable of St. Martin:**

We have had some really good-calibre officers before, Minister, have we not, who have not really reached there?

**The Minister for Home Affairs:**

That is right. Some of them will go off and do something else, who may decide they really do not want the stresses and strains of being a senior police officer. All you can do is train your potential people and see later on.

**The Connétable of St. Brelade:**

That type of forward thinking, is that the sort of thinking you would be looking at to apply, for example, within the fire service and maybe within the prison service? Have you also looked at possibilities now in those departments?

**The Minister for Home Affairs:**

Yes. I think within the fire service we have a potential future local chief officer, and obviously we are seeking to develop that particular individual. Within the prison service it is more difficult. The

reason it is more difficult is because there does not seem to be across-organisation training courses and facilities within the prison service that there are in the police or the fire service, and so that is more difficult. I have to say, it is something on which we would like to be training our more capable officers who are going to aspire to more senior rankings, but it is difficult to get them experience.

**The Connétable of St. Brelade:**

The experience will have to be gained off-Island for them to come back.

**The Minister for Home Affairs:**

It probably would, yes. If you look at our present Prison Governor, for instance, he has the most extraordinary breadth of experience: of running the largest youth prison in Scotland, of running another large adult prison in Scotland and then of having been in a senior management position. I mean, you could never hope to replicate that sort of level of experience from local people, that is the difficulty.

**The Connétable of St. Martin:**

Just on the police force, do you know what the most senior ranked local officer is at the moment?

**The Minister for Home Affairs:**

Chief inspector.

**The Connétable of St. Martin:**

Chief inspector. That is quite ... I do not mean low down, but it is not a senior position, really, is it?

**The Minister for Home Affairs:**

It depends what you mean by "local" as well.

**The Connétable of St. Martin:**

Well local meaning coming up through the ranks.

**The Minister for Home Affairs:**

Yes. I think it is chief inspector.

**The Connétable of St. Martin:**

Are all the senior management at the moment U.K. officers? When I say "senior managers" superintendents and deputy chief officer; everybody is U.K.?



**The Minister for Home Affairs:**

Yes. One of the chief inspectors, a lady officer, Alison Fossey, I think, transferred over here some years ago; but I do not know if we can count her as local. There is no question that there was a big failure in the system in terms of training officers to get sufficient experience. I have said this to previous Scrutiny panels: a decision was made some years ago by, I think, the Home Affairs Committee that existed that, really, no one could aspire to being chief officer or deputy chief officer unless they had had at least 5 years of experience off-Island. That is never going to happen. I saw a report some years ago, in fact, there was a ...

**The Connétable of St. Brelade:**

Why could that not happen? Presumably, could there not be a secondment to the U.K. where there is a swap where we bring somebody over but that ...

**The Minister for Home Affairs:**

Well, the difficulty is that the age group of people who might be at that level, probably they would be inspectors or chief inspectors at that level, they have probably got families and, if they go away to get a job elsewhere, they are probably simply not going to come back; they do not want to go away in the first place. It just was not practical. It is also not necessary, if I may say, because of the range of courses, the ability to second people, and so on and so forth. There is a paper which I saw produced by former Chief Officer of Police, Mr. Power, which he produced to I think the committee, to persuade them to reduce that from 5 years to 2 years. I still think that is completely unnecessary.

**The Connétable of St. Brelade:**

I am surprised local officers would not have an aim in life to become the chief officer. Yes, they might have a family locally but I think, as part of that process of succession planning, they would know that they would have to spend a reasonable period of time. I cannot believe there are not officers that have not got that wherewithal to want to want to reach that goal.

**The Minister for Home Affairs:**

There are now.

**The Connétable of St. Brelade:**

Which is good.

**The Minister for Home Affairs:**

Obviously I was not Minister then, but I am not convinced that officers were receiving the necessary encouragement, nor that there was a system in place.

**The Connétable of St. Martin:**

The chief officer is appointed, and it comes to the States, all the senior officers are ...

**The Minister for Home Affairs:**

At the moment.

**The Connétable of St. Martin:**

At the moment, yes. All the senior officers around him at the moment then: assistant chief, deputy chief and superintendent, who appoints those? Is it the chief officer?

**The Minister for Home Affairs:**

Deputy chief officer is appointed by the Minister for Home Affairs, superintendents will be appointed as a result of an appointments board. Can I just say this: the deputy chief officer will also be appointed normally as a result of an appointments board (but I do not think the present one was) who will then advise, as it were. That is the way the system works.

**The Connétable of St. Martin:**

That is if they are Jersey police officers. If they are on a secondment from the U.K., as I think some might be, have they had to go through that process or are they just appointed by the chief officer? Can the chief officer just bring somebody over?

**The Minister for Home Affairs:**

One of the superintendents at the moment came over initially as a secondment for 12 months but then went through a competitive process in relation to that particular post. The reason why that officer was brought over for 12 months on a secondment was because, at that particular time, there was not a local officer in a position to make a serious bid for the post of superintendent. That was the difficulty. So this particular officer was brought over for 12 months. At the end of that 12-month period, there then was a competitive process and that officer was appointed, but that was the reason for that particular thing.

**The Connétable of St. Brelade:**

Have you got anything else on that? I want to move on to Customs, if I can, now. Again, I want to move into Customs more generally in a minute, but just on the under-spends, there is mention of a 2-year pilot project within the under-spends. Could you tell me what that is?

**The Minister for Home Affairs:**

That is 2 people during the summer period to provide additional cover, specifically looking for cigarettes. Obviously, they will be looking also for other items, basically duty-frees. That was as a result of the last debate in the States where concerns about that were expressed. We had been flagging up for some time we had difficulties, particularly in the summer, in providing cover for that. So this will be 2 people who will work during the summer months.

**The Connétable of St. Brelade:**

So there are 2 extra people. Just from a general point of view, can you assure the panel that the ports, looking at both harbours and airports, are adequately manned at all times during the day while they are operational?

**The Minister for Home Affairs:**

Steve used to be on that side and has now moved across to the other side, although he can probably express a view. What I have always said in the past is that there have at times been, particularly in the summer months, depending upon the structure of boats coming in and timings and so on, when it has been difficult to provide Customs cover. We will always provide Immigration cover but there are times ... I do not know if Steve can comment on that.

**Director, Legal Status and Revenue:**

That still applies now. I would say there has been an improvement last year and this year because we do not have anywhere near as many transit boats as we used to. Transit boats was when we had to send officers on board to do the Immigration control before it went on to Guernsey; we had to do that as the first port of call in the common travel area. The number of those boats has reduced significantly in the last couple of years so, in that sense, the Customs controls are probably better manned now than they were, say, 2 years ago.

**The Connétable of St. Brelade:**

Because you have got more officer hours available.

**Director, Legal Status and Revenue:**

It is just that you do not have to send 2 officers onboard the boat at the same time as you are doing the land control. So those 2 officers now can be deployed at one of the Customs controls.

**The Connétable of St. Brelade:**

Do you record all Customs and Immigrations checks that you do? Include obviously the ones that you do and the ones that you do not. Is it recorded?

**Director, Legal Status and Revenue:**

Do you mean is there a list kept of ones that are agreed and ones that there is no control on?  
Yes, we do.

**The Connétable of St. Brelade:**

You do. So you have got a record of what is not checked.

**Director, Legal Status and Revenue:**

Yes.

**The Minister for Home Affairs:**

I think we were asked to do that by scrutiny at some point, and were not doing it then and started doing that since.

**The Connétable of St. Brelade:**

You did send us a document some 2 or 3 weeks ago regarding some times and dates where things were not being checked. Do you mind if I comment on that?

**The Minister for Home Affairs:**

Yes. I have not got that in front of me, of course, but presumably ...

**Director, Legal Status and Revenue:**

I can answer questions on that if you want me to.

**The Connétable of St. Brelade:**

Okay. Because there are obviously dates and times on here where ... if I can just mention one that just stands out to me, on a date where there were 16 aircraft missed on one day. For me, that rings alarm bells to some degree. I know it may be that the officers were detained with maybe somebody under suspicion of carrying drugs, for example, but if officers are detained in that way, there is no way of covering those other flights, is that what you are saying?

**Director, Legal Status and Revenue:**

That is correct. If we have got someone in custody, for example, who we suspect has got the drugs concealed internally, that requires 24-hour coverage. It also requires a number of officers to do that, so you need a team to do that. When you have to resource a detained person in those circumstances, it is extremely resource-intensive and it does have an impact on the Customs controls, there is absolutely no doubt about it. As the Minister said, we have to cover the

Immigration controls, there is no option, you have to do that, so we will still do that, but something has to give and it is usually the Customs controls that give in those circumstances.

**The Connétable of St. Brelade:**

But even on the dates and times I have been given, which only really cover a month and a half, there are a huge number of flights that are missed, and there is quite a large number of port movements within the harbour that were not covered. This is a question for the Minister, really: is that acceptable in this day and age in terms of the risks that drug importation poses?

[10:45]

**The Minister for Home Affairs:**

I think it is acceptable. As you know, this panel in a different guise did a report on this within the last 2 years, I think. In a sense, the whole strategy that we operate to is a strategy of significant disruption of supply. Now, that strategy is very much information-led, it is very much intelligence-led, that is, information that a person is coming in, bringing stuff in. What you are going to pick up in terms of drugs I think I would describe as serendipitous, a happy chance occurrence; is that not right? It is just a chance event that you might have somebody who appears to be under the influence or something, or whatever, or is nervous, you might ...

**Director, Legal Status and Revenue:**

If ever we had intelligence that there was drugs coming in on any particular movement, if we had someone in custody, we would find a way of resourcing that. I think you are probably aware that we operate a multi-functional officer arrangement, so everyone is trained to do everything. In those circumstances, we could pull someone out of our Immigration case work section or our revenue and goods control section, financial crime, to resource that. We would look to get assistance from the States of Jersey Police if we had intelligence to that effect, so we would do that. If we have not got specific intelligence though, then it is likely that those movements will not be covered and we would regard that as acceptable. Without specific intelligence we regard that as low risk, if you like.

**The Connétable of St. Martin:**

So with the constraints that you have got, it is unlike the ambulance service where you have to have a service and so people who are on standby are called in; that will not happen with the department.

**Director, Legal Status and Revenue:**

If we had intelligence, then we would call people in, we would move people from other areas to cover that.

**The Connétable of St. Martin:**

On those where you have got somebody in custody for 2 or 3 days that may be waiting to pass drugs, or whatever it might be, unless you had that intelligence, they will not be covered?

**Director, Legal Status and Revenue:**

Correct.

**The Connétable of St. Brelade:**

I know this is going to stray into a slightly different area in terms of Customs, but it is an area I think that is worth touching on. I need to be reasonably sympathetic with this, and I intend to be, is that we did have a very unfortunate death of a young person only a few days ago, and I think 3 other individuals were quite seriously ill as well, from taking a rogue substance, which we are not quite sure what it is now. Are we putting our young people at risk by not having adequate Customs coverage? I think one of the areas where you do cover is, for example, at Jersey Post. Have we got adequate coverage there? Because I think there will be people, certainly parents, that will look at that particular incident and think: "Are my children at risk from the same type of thing?" It is a very unfortunate death and it is awful, but ...

**The Minister for Home Affairs:**

I think that we cannot hope to stop entirely the flow of drugs into the Island, all we can hope to do is, through disruption, maintain a situation in which price remains higher than it does elsewhere. I have often pointed out the fundamental problem of economics that we have: the more successful we are in terms of intercepting stuff and reducing the supply, the higher price will be and the more tempting therefore it will be for individuals. I therefore do not think that we could ever create a model which would completely cut off the supply of drugs and, if we did, then experience shows that people would merely shift to other things.

**The Connétable of St. Martin:**

Shall we go on to that, then? Because drugs that are not controlled drugs are being produced all the time, what sort of contact do you have with the Minister for Health and Social Services to get these new drugs put into legislation? How long does it take to get these new drugs put on?

**The Minister for Home Affairs:**

I have no direct involvement on that, but I think it moves fairly quickly in terms of ...

**Director, Legal Status and Revenue:**

Yes, we have got the Misuse of Drugs Advisory Council that generally deals with those sorts of things, and they meet fairly regularly and if there is a particular need, because of a new drug that is coming online, then they will meet and look at how we could get the substance put on to the Misuse of Drugs schedules. Now, there can be a slight delay in that process happening. In those circumstances, what normally happens is that the Minister for Health and Social Services will request Customs in the interim period to put that substance on their open general import licence and export licence, which controls the importation of goods, basically. So that substance will be put on so that the importation of that substance is controlled until it goes on to the Misuse of Drugs schedule, and that can be done pretty quickly, within 24 hours.

**The Connétable of St. Martin:**

How do you make that known to the public?

**Director, Legal Status and Revenue:**

It is issued, there is a Gazette notice put in.

**The Connétable of St. Martin:**

In a Gazette notice. So anyone bringing it in has to ... okay, I do not know about it, I go to France or go to England, come back with something and I am stopped and detained. Am I committing a criminal offence?

**Director, Legal Status and Revenue:**

You are, yes.

**The Connétable of St. Martin:**

If I have not read the Gazette.

**Director, Legal Status and Revenue:**

I do not know how many people read the Gazette notice, but that is something that we have to do, but strictly, yes, you would have committed an offence against the Customs Law if you bring that substance in and it is on the licence.

**The Connétable of St. Martin:**

Not the Misuse of Drugs?

**Director, Legal Status and Revenue:**

No, it is the Customs Law until it gets on to the Misuse of Drugs Schedule at a later date.

**The Connétable of St. Brelade:**

In terms of M.D.M.A. (methylenedioxy-N-methylamphetamine) or types of M.D.M.A., how are the majority of those drugs imported into the Island? Is it through the borders or is it through Jersey Post? If so, how do you ...

**The Minister for Home Affairs:**

I think there has been a big reduction in the quantities of M.D.M.A., there has been a big reduction in that.

**Director, Legal Status and Revenue:**

M.D.M.A. is reducing substantially.

**The Connétable of St. Brelade:**

How would the majority of those drugs be imported into the Island?

**Director, Legal Status and Revenue:**

If you are talking about the N.P.S.s (new psychotic substance) the majority ...

**The Minister for Home Affairs:**

Do you want to say what N.P.S. is?

**Director, Legal Status and Revenue:**

New psychotic substances. So the majority of those we are seeing coming through the post.

**The Connétable of St. Brelade:**

How easy are they to detect for you at Customs?

**Director, Legal Status and Revenue:**

They are not particularly difficult to detect, it is not a problem to detect them.

**The Connétable of St. Brelade:**

What sort of coverage do you have at Jersey Post?



**Director, Legal Status and Revenue:**

Well, we have officers there every morning, we have a team there generally between 6.00 a.m. or 6.30 a.m. and 8.00 a.m., so again, like the Customs controls at the ports, if we have got someone in custody or we are working on a target operation, or whatever, then again those resources at the post office will not be there, and that can happen. So those new types of drugs, we are mainly seeing those through the post; the more established controlled drugs, heroin, cannabis, M.D.M.A., come through the post as well but the larger quantities we are seeing through the actual ports.

**The Connétable of St. Brelade:**

In terms of Jersey Post, and I know it is not your specific area, but do you know how often they are detected? Is it a regular occurrence?

**Director, Legal Status and Revenue:**

Very regular.

**The Connétable of St. Brelade:**

Daily?

**Director, Legal Status and Revenue:**

I would say pretty much, yes. The resources that we are putting into a follow-up investigation when these substances are seized, I would say, is significant.

**The Connétable of St. Brelade:**

Are we seeing an increase in offences taken through court in regards to these drugs?

**Director, Legal Status and Revenue:**

They are on the increase because when these drugs were first classified as controlled drugs, for people again it was the guilty knowledge side of things, which you have got to prove to get the offenders. People say: "Well, I did not know that they were illegal." Now they have not really got an excuse to say: "Oh, I did not know this was illegal." The amount of publicity there has been on these type of drugs people are aware, the guilty knowledge is there, as a result of that, it is easier to prosecute. So they are on the increase.

**The Connétable of St. Brelade:**

If it is on the increase, and again really this is a more a general question to the Minister, do we need to be concerned? Do parents need to be concerned about young people in terms of drug use at present, or do you think we are doing enough to ...

**The Minister for Home Affairs:**

Well, yes, I do. There have been particular problems, which are concerns all the agencies have had in relation to a particular group of relatively vulnerable young people who have been abusing particular substances, and a huge amount of work has been done through the Children's Policy Group in relation to the various different agencies. Sadly, the reality of the situation is that young people will experiment with things; always did, always will, and when they are taking things that they really do not know what they are taking, what effects it may have on them, that is always going to be highly risky. In a sense, we should seek to counter that in a number of different ways, obviously educational methods, in order to get young people to understand that. But my own personal experience, rather sadly, is that it does seem to me that youngsters do not listen until something really horrendous happens, until there is a fatality perhaps among a year group or whatever, then perhaps others draw back. I am saying something I have observed over the last 20, 30 years; that does seem to be a factor. Can I just chuck something else into the pot? We have talked for some time about the need to have some sort of further study on current patterns of usage of drugs. The C.P.G. (Children's Policy Group) at its meeting on Friday approved in principle the funding for a study in relation to this; the last such study took place, I believe, in 1999. It was done by Imperial College and demonstrated quite high levels of use of heroin at that time. Because the patterns of usage of drugs are very definitely changing and because there are new areas of risk, which we are talking about now, it is quite clearly necessary to have some further study so we can understand what is happening and seek to channel resources into ...

**The Connétable of St. Brelade:**

Have you seen any patterns within offences committed by young people in terms of drugs and some of the offences that maybe are being prosecuted through the Youth Court? Do you see any trend there in terms of drug use?

**The Minister for Home Affairs:**

Obviously, we have got reduced number of offences ...

**The Connétable of St. Brelade:**

We are going to come on to that in a minute.

**The Minister for Home Affairs:**

... being prosecuted in the Youth Court. But I think the pattern more generally is a move away from use of heroin and an increase in age group for heroin users. One of the significant things that came out of the last Building a Safer Society annual report was the figures in terms of the numbers of people utilising the alcohol and drug service for heroin-related addiction who are under 25. Those numbers are very definitely dropping, thus demonstrating a changing pattern, an ageing

pattern. I was used to, when I was a magistrate, at times coming across addicts, I can think of 2 girls in particular who were heroin addicts at the age of 14. Now, I am not going to say there are not any like that now, but I think it is less likely. So patterns are changing and we need to really get this kind of study done to understand where we should be putting the resources.

**The Connétable of St. Brelade:**

Patterns may be changing but one of the risks is it may change because of the availability of one drug over another, for example, and it is trying to reduce that availability again.

**The Minister for Home Affairs:**

Yes. I am sure that is right. Yes, we want to create significant disruption; the effect of creating a significant disruption is that people may then want to go on to methadone programmes or other programmes. They may then shift to other things. My own personal view, and I think this is borne out by the experience in other parts of the world ... I mean, I was just talking to Steve about when we had a meeting of Ministers with responsibility in relation to this sort of area, across the British Irish Council that took place in Jersey I think about 2 years ago. It was interesting, we were then starting to see changes in pattern, and they were saying: "Oh, we have been seeing that for some time. We have been seeing this movement away from heroin and the other traditional drugs to new things." So it does seem almost demand-led, if you like. Yes, if we could reduce the supply that might help with people moving across, but I think ultimately people move to other things when they decide to move to other things.

[11:00]

**The Connétable of St. Martin:**

Can I come in here? Just a quick question: do you know how long the study will take? Who is going to lead it? How much?

**The Minister for Home Affairs:**

I think it will be some outside organisation. It was just approved in principle. I cannot remember if we are asking Imperial College to do it again, or precisely who, or whether there is going to be a process of seeking quotations from different organisations.

**The Connétable of St. Martin:**

Because what the public do not want to see, and I certainly would not, is another ... I say "another", like all these studies, a huge document comes out, nobody reads it, it gets filed, it is too big to read anyway and nothing happens as a result of it, it just tells us what we know in the first place. I am not being negative ...

**The Minister for Home Affairs:**

No, I understand exactly what you are saying, but I think from the point of view of C.P.G., the Children's Policy Group, and the Adult Policy Group, we want something to help guide our future strategy in terms of allocation of resources, that is the issue.

**The Connétable of St. Martin:**

I know you have to have policies to take things forward but people do become, in the end, blasé to them because: "Oh, it is just another report that has come through." We see so many reports ourselves as States Members and, in the end, there is just so much to read that you think action is better than reading things that somebody has ... we know we have got a problem, we have had alcohol policies and reports, we know we have got a problem on Friday and Saturday nights, we know we have got heavy drinking in the Island, but how do we deal with it?

**The Minister for Home Affairs:**

Well, we think that this report will help us in decision-making, that is the point of it. Clearly, the previous study is now out of date. The previous study did help in decision-making, it did lead to a situation in which a policy of risk reduction came out. The world is moving on now, it is interesting, I cannot think what the words are, but whereas "risk reduction" was very much the phrase, it is now moving on to something else, I cannot remember exactly what, but I think in terms of helping people to get their lives back together again, it is more rehabilitation than risk reduction is the emphasis.

**The Connétable of St. Brelade:**

I just want to move off Customs. There is just one large question: cannabis and legalisation of cannabis. I think your own personal opinion, or your own personal view has been made quite clear. Is there going to be any flexibility within the law to allow the use of cannabis?

**The Minister for Home Affairs:**

I think the question as to whether there could be cannabis prescribed for people with specific conditions is really a medical question.

**The Connétable of St. Brelade:**

There would need to be a law change to allow that, would there not?

**The Minister for Home Affairs:**

I think I have seen an opinion on that recently ...

**Director, Legal Status and Revenue:**

They can issue a licence, can they not?

**The Minister for Home Affairs:**

I think they can issue a licence. The problem is there have been attempts to isolate different aspects of ... cannabis contains a whole bundle of different drugs, and there have been attempts to isolate those features of it which might have pain-killing properties, or those features which might help people with, I think, multiple sclerosis. Obviously, if those can succeed, that is brilliant because if there are pain-killing properties and you can take away the psychotic side of it, that is what you want to do. But if you went to a G.P. (general practitioner) and he said: "I am going to prescribe you this which may help you with your pain but, incidentally, it is going to have a mind-altering affect on you" you would go to another G.P., would you not? It is not a sensible approach, I think. If you can identify particular properties and particular parts of it and prescribe those, that would be much more positive.

**The Connétable of St. Brelade:**

Have you got anything else? By all means, if you have somewhere else to go ... if you are prepared to sit through for the next half an hour or so.

**Director, Legal Status and Revenue:**

Have you finished on Customs?

**The Connétable of St. Brelade:**

I have finished off Customs, absolutely.

**The Minister for Home Affairs:**

If we have finished Customs ... thanks very much, Steve.

**The Connétable of St. Brelade:**

Thank you, Director. If we could move on to youth crime then because you mentioned it just now. Obviously you must be very pleased with the current levels and where we are with youth crime at the moment but do you think the figures represent a true reflection of where we are with juvenile crime in the Island at the present time?

**The Minister for Home Affairs:**

I think certain figures must be. The figures in relation to cases before the Youth Court, there are limitations on that because obviously you get the more serious matters going there, you also have a certain quantity of motoring matters within these figures, which have to go there. My

understanding is that there has been a tendency in recent years towards being more cautious in terms of criminalising youngsters in children's homes or whatever so that behaviour which would be dealt with internally within the family and so it does not become sucked into the criminal justice system. I think that has been so. I think also the police have tended at lower levels to be less wanting to arrest people and charge them but more wanting to take them back to their home and tell their parents what they have been up to and that kind of thing. So there would be effect of that. I did have a complete breakdown of the current figures, which I have not brought with me, I am sorry. I have brought lots of stuff with me, but you might be interested to see the complete breakdown. The complete breakdown is the breakdown of 238 number of offences detected. That gives you the range.

**The Connétable of St. Brelade:**

It does, which is interesting, because you have a drop of between 2011 and 2013 from 179 cases taken to court down to 62 last year, which is a two-thirds drop yet the number of offences detected dropped from 343 in 2011 to just 238 in 2013, which is only a third drop. How would you explain that difference?

**The Minister for Home Affairs:**

I think there has been a conscious pattern of trying to have more matter dealt with at parish hall level. I think that has been happening.

**The Connétable of St. Brelade:**

An aim to not criminalise young people is that what you are ...

**The Minister for Home Affairs:**

In order to not criminalise young people, yes. But can I say that is never going to take away from the really core more serious stuff. Of course, if you look at the other measures which would go along with that, the Young Offenders' Institution numbers and see how few people are going into the Y.O.I. (Young Offenders' Institution), the under-18s, and if you look at the Greenfields Remand criminal charge related and see the low numbers there. You have to add those 2, if you add them in 2012 you get 10, 2013 you get 9. Those are extremely low levels compared with the historical kind of position.

**The Connétable of St. Brelade:**

Do you think we have moved away from - and it was something I was conscious of 3, 4, 5 years ago - the serial offending person?

**The Minister for Home Affairs:**

Yes.

**The Connétable of St. Brelade:**

We have moved away from that?

**The Minister for Home Affairs:**

I think that is very much so. I was magistrate from 1999 and took on the Youth Court from 2001, and in 2001, 2002, 2003, the sort of numbers we were looking at then in terms of cases as specified here were in the 400s then and we had lots of youngsters who were repeat offending. The figures slightly skew this because the methodology of counting includes also breaches of probation. So if we have youngster who reoffended and breached their probation order or ...

**The Connétable of St. Brelade:**

It was compounded at that time.

**The Minister for Home Affairs:**

That counts as 2.

**The Connétable of St. Brelade:**

Yes, it was compounded on top, yes.

**The Minister for Home Affairs:**

That was compounded and what was always interesting was looking at the ratios between the 2, that gave you your clue. Certainly the serial offending young person was much, much less of a phenomenon.

**The Connétable of St. Brelade:**

I was quite interested in one of the comments you made in regard to the changes of levels of youth crime being less not only here but elsewhere. You explain that could be down to the advent of internet usage being a contributing factor.

**The Minister for Home Affairs:**

If you have time to spend I have brought with me a copy of the report produced in April 2013 by one of my colleagues, which I will leave with you, if I may, and that includes some figures of the youth offending team themselves. That was the conclusion because the pattern that we have been seeing ... it is more spectacular in Jersey, it is like falling off a cliff, it has been far more

spectacular in terms of speed of numbers but the pattern is a pattern that has been seen elsewhere in the U.K., I understand also in Europe.

**The Connétable of St. Brelade:**

Is that also because there is a strong sense that restorative justice is the right way to deal with young people rather than criminalise them and the parish hall system has been quite good at dealing with matters.

**The Minister for Home Affairs:**

Yes, very good. Yes, I think so but that does not really fully explain the drop on a more serious side.

**The Connétable of St. Martin:**

This is happening in the U.K. as well?

**The Minister for Home Affairs:**

Yes.

**The Connétable of St. Martin:**

They do not have a parish hall system.

**The Minister for Home Affairs:**

No, I think our drop off has been more spectacular but I think there are some figures in there ...

**The Connétable of St. Brelade:**

That has been a very multi-agency effort, I think you would agree with that as well.

**The Minister for Home Affairs:**

Yes, absolutely. The danger of my talking about the internet, it means more young people stay in at home and communicate with each other and do not go out to hang around the street corners, is it does not do full credit to the early intervention work or the agency work and so on.

**The Connétable of St. Brelade:**

Obviously with the internet and more internet usage by young people and the risks that are involved with that usage, e-safety and issues around that, is the States of Jersey Police putting extra resources into protecting young people in regards to internet usage?



**The Minister for Home Affairs:**

Yes, we have a particular post, which I am just trying to remember a question from somebody recently as whether they had started or not. I think they were about to start. We have a particular additional post to work in this kind of area. The risks to young people lie in various different areas. Obviously one of the risks is if your life is so tied up with your ... what people say about you on the internet, if you get vicious comments against you, then that is going to impact quite badly on you. One of the paradoxes is that although we see a reduction in crime at the same time, in my understanding from my role in the C.P.G., we are seeing an increasing level of self-harm, an increasing level of mental illness among young people. So they are obviously still experiencing stress but whereas that stress may have come out historically in terms of offending behaviour, it seems to be coming out in different ways now.

**The Connétable of St. Brelade:**

Do you think that is something that can be dealt with by the other agencies as well, I know the Youth Service do a fantastic job in dealing with issues of stress with young people, certainly through education and through the exam period.

**The Minister for Home Affairs:**

Yes, I talked before about a particular group of relatively vulnerable young people who all the agencies have had great concerns for. One of the factors I observed when I was a magistrate was that you had basically what I would call risk-taking behaviour. Some of the crime I saw was really risk-taking type behaviour in which youngsters took risks with their own physical safety and so on. Now, that risk taking type behaviour can manifest itself in different ways. It can manifest itself in taking motor vehicles and driving them like a complete idiot but it does not do that very much these days. But it manifests itself in using substances that you do not know what they are. It is basically the same thing. People wanting some sort of excitement and being willing to take risks and not understanding that they are mortal.

**The Connétable of St. Martin:**

How long have the reductions been going on now? The reduction in youth crime? It seems to be ...

**The Minister for Home Affairs:**

I have brought my latest news release which was the March 2014 one and if we look at 2009, the number of cases, there were 344. Now, I was Minister for the first time in 2008 and I think we were running in the 300s then, probably over the year. If you look at the figures here: 2009, 344; 2010, 253; 2011, 179; 2012, 71. I thought 2011 was fantastic at 179. I could not believe 2012.

Then 2013 about the same levels. So you can see the dropping off was taking place over about a 3 or 4 year period.

**The Connétable of St. Martin:**

I know I have mentioned it before, at what stage do you start looking at the services you are providing. Do we need such a big police force, do we need such a big prison? Do we need so many staff at these?

**The Minister for Home Affairs:**

Well, patterns are changing. I think we had 17.5 per cent ... no, it was less than that, 17.2 per cent reduction in crime figures last year compared with the year before, which was very spectacular. Now ...

[11:15]

**The Connétable of St. Martin:**

All recorded in a different manner?

**The Minister for Home Affairs:**

Now, falls in youth crime do have a fairly substantial effect on overall figures because youth crime was always a significant portion of the overall crime. But the nature of risk is changing. The growth area that we have at the moment is domestic violence. We think that is being caused by greater confidence on the part of women in particular, men also, in asserting themselves, a greater confidence they will be believed and action will be taken and so on and so forth. We think that is a positive sign.

**The Connétable of St. Brelade:**

There has been greater emphasis on taking matters through court, certainly, based on evidence obviously. But I think there has also been, and probably you would have a better idea of figures, a number of cases that fail in the Magistrate's Court or are dropped. Do you think there has been too ...

**The Minister for Home Affairs:**

Are you talking about domestic violence?

**The Connétable of St. Brelade:**

In terms of domestic violence.

**The Minister for Home Affairs:**

That has always been so. One of the difficulties is whether the complainant will continue to maintain the complaint. It has always been a problem with domestic violence. I would say part of ...

**The Connétable of St. Brelade:**

But that could also come down to sometimes cases being prosecuted - I am not picking on any particular case - where the evidence probably is not as strong as maybe it should be. Would you say that has been a problem at times, where there has been too big an emphasis on trying to prosecute domestic abuse? I am not trying to underplay domestic abuse in any possible way because it is clearly something that is totally unacceptable.

**The Minister for Home Affairs:**

That is a matter for prosecutors, is it not? Prosecutors should be properly testing whether there is sufficient evidence to meet the evidential test.

**The Connétable of St. Brelade:**

But do you know the percentage of cases that are dropped or fail?

**The Minister for Home Affairs:**

No, I do not. I do not, I know that the police policy generally at the moment is to encourage prosecution. Whether that policy is having undue effect upon prosecutors who thereby are then prosecuting cases which are less strong evidentially I really do not know. We need to do some analysis of the numbers of cases. That is really a prosecution function rather than a ...

**The Connétable of St. Brelade:**

Has that been looked into, do you know?

**The Minister for Home Affairs:**

No, I am pretty sure it has not been looked into. It will be a prosecution function. If the courts were concerned about that I would expect the courts to be signalling in some way that they thought too many cases were coming before them which were weak. That has not been happening. It is also a bit of a balance.

**The Connétable of St. Brelade:**

I was just interested whether anything had ... whether there was a move to do any investigation into that side of it.

**The Minister for Home Affairs:**

It would be a matter for the ...

**The Connétable of St. Brelade:**

It is more the prosecution side?

**The Minister for Home Affairs:**

It would be the prosecution side, yes. If there were a huge number of cases being dropped and huge implications in terms of costs, you would expect the law officers to be picking that up.

**The Connétable of St. Brelade:**

I want to finish on the prison if I can right at the end but there are a few issues that we would just like a little bit more information on. In terms of police user pays, have you got any idea of a timeframe on drafting instructions in regards to that?

**The Minister for Home Affairs:**

Drafting instructions have been produced. I have brought some notes with me. If I can explain the sort of things that we are looking at here. In a sense we are not looking at trying to deal with the particular difficult subject of policing of major events because we do not think we have a problem there, what we are trying to do is to provide a statutory basis for charging for services which historically we have charged for and despite the anomalies of Jersey that things have been charged for historically probably on a contractual basis without a statutory basis. So that gives you an idea of the sort of things we are looking at. Things like road traffic reports, vehicle examination reports, reconstruction reports, plan, drawings, copies of witness statements, police interviews, police officer witness statements, custody records, interview records, audio/video recording, fingerprint sets, crime report, incident log, disclosure of information, data protection fees - that would be covered under that anyway - freedom of information law fees, vetting fees.

**The Connétable of St. Brelade:**

Some of those I can understand where clearly there is a user that can be reasonably easily identified. In terms of user pays, how would ... you have fingerprinting under there, for example, where would the user pay aspect of that be ...

**The Minister for Home Affairs:**

I have to say as I read that one out I was not sure what it meant, I was just repeating what was there. Obviously in the criminal justice system we have got duties of disclosure. We do not charge people when we are disclosing things but sometimes you have legitimate third parties with an interest, particularly in road traffic accidents and so on ...

**The Connétable of St. Brelade:**

Which would relate to road traffic presumably if it was a third party wanted a report done and it is was something that the police could carry out.

**The Minister for Home Affairs:**

If they had a legitimate interest. There are data protection issues which can arise in these cases which have to be carefully looked at. It is that kind of area. The recovery of costs for the training in specialised skills. You may have a situation where somebody comes along and says: "Look, could you please help us with some training on security matters?" Now, we have no statutory basis for this at the moment. If you like it parallels exactly what we did with the fire service where we created a whole list of different aspects where we could charge.

**The Connétable of St. Martin:**

User pays for the police has not got a good record, has it, really? I have looked up over the weekend going back to 2000 and it has been to the States and withdrawn and been to the States and withdrawn. I know that was more so for event and things like that ...

**The Minister for Home Affairs:**

That was events, yes. Can I tell you what the problem was, which I was unable to resolve and still have been unable to resolve and am not even going to attempt to go there. What we are talking about here is not in this area. The difficulty is, basically, this: if the police say: "Look, in order to run with this particular event you are going to need to have 20 police officers come over from the U.K. to assist with it" is that reasonable or is that not reasonable? How do you then have an appeal process against that requirement? That is the problem, the difficulty. There is no one else in Jersey with the ability to determine that kind of level. In practice it has kind of gone away from the heady days when huge numbers of police officers were brought over to police Jersey Live and Jersey Live effectively paid quite a lot of money for that. But we very rapidly, in the period when I was Minister, moved down to a much lower level of police presence and then to a point where what was really happening was that the organisers were being required to provide their own security.

**The Connétable of St. Brelade:**

I am just a little conscious of time. So in terms of this, is this something that we will likely see before the summer break?

**The Minister for Home Affairs:**

I hope so. That is certainly ... anything that requires regulations I am still very hopeful of being able to lodge for debate before summer break.

**The Connétable of St. Brelade:**

Okay, moving on to the Young Offenders (Jersey) Law. I know that it has gone back to children's policy groups to be looked at. Have you got any further information on that?

**The Minister for Home Affairs:**

Yes, I have a draft for you, if you would like to have it.

**The Connétable of St. Brelade:**

I will. I will have a look at it in due course.

**The Minister for Home Affairs:**

Yes, is that the 19th March one? Yes, C.P.G. approved the principles of taking this forward, this is the current draft of it. So obviously we are meeting, I think, on 28th.

**The Connétable of St. Brelade:**

Is that likely to be changed in any great detail?

**The Minister for Home Affairs:**

I do not think so, no. I think that is ...

**The Connétable of St. Brelade:**

So that is more or less the final document.

**The Minister for Home Affairs:**

... the current draft, yes. I think ... I am pretty sure ... well, that is the last draft that Steven had.

**The Connétable of St. Brelade:**

Okay, fine, well that is something that we can look into. The amendment to the Sex Offenders (Jersey) Law, again is that ... I understand that is almost completed. Is that at a stage where ...

**The Minister for Home Affairs:**

Yes, I thought it was. We had had some debate with the Law Draftsman on that but I thought I had won the argument on that particular one. So I think we should be in a position to let you have a draft. I will chase that up when I get back.

**The Connétable of St. Brelade:**

All right. I presume the same applies to the Rehabilitation of Offenders (Jersey) Law? Again, I understand that is almost complete as well.

**The Minister for Home Affairs:**

Yes.

**The Connétable of St. Brelade:**

We have seen a draft of that and there are various issues around that that we will need to look into but ...

**The Minister for Home Affairs:**

Sorry, can I just try and find the item on my voluminous action plan. Where has it gone? This is the most up-to-date information. We were waiting for the result of a consultation process, that was okay, I am just trying to remember where that has taken us now. Here we go. No recommendations from the finance industry, some minor changes have been made, Minister to go forward with a briefing on 28th April with a particular gentleman from the Financial Services Commission. Intend to lodge 6th May. Law Draftsman preparing marked up version of regulations. So there were some slight minor changes, further changes we are making there.

**The Connétable of St. Brelade:**

This is really a general question and I think it is something that ... I do not know if it has been discussed at Council of Ministers, obviously you have ... I think that sort of sums up the legislation that you are going to be bringing forward before the summer but from your own personal point of view as Minister for Home Affairs - and it is something, as I say, that may have been discussed at Council of Ministers - do you think there is enough scrutiny time being factored into your lodging periods in terms of allow us to do the work that we are going to need to do. Because I know I am fairly conscious of limited time between now and 6th July, but has scrutiny been factored into these lodging periods?

**The Minister for Home Affairs:**

I think there is always a scrummage toward the end. When trying ...

**The Connétable of St. Brelade:**

It depends which side drops the ball though, does it not?

**The Minister for Home Affairs:**

Yes.

**The Connétable of St. Brelade:**

Or is accused of dropping the ball.

**The Minister for Home Affairs:**

But there is always a scrummage towards the end of the 3-year cycle because departments basically try and run too many projects and they have a process by which they reduce down the number of projects they can reasonably achieve by a certain date. Some are more realistic than others in their assessment of that. Then basically they go for what is left. They just focus entirely on what is left. We have been at that point for some months now. I am very realistic about what we can achieve and what we cannot. Obviously we are trying to get to a point where we can get stuff to you. Some of the stuff like the sex offender stuff is really technical to do but then has been massively chewed over by working parties consisting of 3 or 4 lawyers who have struggled to come up with the right solution but now I think we have. So it is going to be very difficult for you to scrutinise that effectively.

**The Connétable of St. Martin:**

With your experience, Minister, are we going to have the same in May 2018? At the moment the workload ... the work that you are producing, the legislation that is coming out, is not taking 3 years to produce, it is coming out immediately before the end of term and so we could have the same situation but instead of it being in July/August it could be 6 months later on the next ...

**The Minister for Home Affairs:**

I think that is what will happen. I think that is what will happen for exactly the reason I have described. Because all the departments are trying to run far more things than they going to bring to fruition. At some point they then have to start to focus in on the things they really can achieve and then they seek to run with all those.

**The Connétable of St. Martin:**

Things fall away or things get through on the nod because there is just not enough time to do everything?

**The Minister for Home Affairs:**

No, we just put them back. For instance, we gave up on the alternative to wheel clamping some time ago. It still has to happen, we know what needs to happen but we just did not have the law drafting time available.



**The Connétable of St. Brelade:**

But do you think realistically what you put forward is achievable between now and July?

**The Minister for Home Affairs:**

What I am currently dealing with, the Criminal Justice Young Offenders (Jersey) Law, yes, because we have a draft law there. I think that is fully achievable.

**The Connétable of St. Brelade:**

Sex offenders is a minor?

**The Minister for Home Affairs:**

Sex offenders is relatively minor. We have given up, for this term, on extending the prison interference with wireless telegraphy stuff, we have given up on Part 5 of the Police Procedures and Criminal Evidence Law.

[11:30]

**The Connétable of St. Brelade:**

Rehabilitation of offenders?

**The Minister for Home Affairs:**

Rehabilitation of offenders, if we do not do it this time it is not the end of the world. It can be done next time.

**The Connétable of St. Brelade:**

It can roll over.

**The Minister for Home Affairs:**

It is not a core thing. It is really we are doing something for the finance industry here. It is not at all a Home Affairs thing. But we will do it if we can.

**The Connétable of St. Brelade:**

Okay, I think you have given us a ...

**The Minister for Home Affairs:**

The States of Jersey Police Force subsidiary staff ... we need to deal with the loss of full pay if we can, the disciplinary system of the Chief and the Deputy Chief, we need to deal with the stuff we

just talked about in terms of charging. If we can we need to deal with the allocation of policing powers, particularly to officers who transport people, move people around. That we should be able to do. The explosives law we are fairly well advanced on.

**The Connétable of St. Brelade:**

We are aware of that and obviously we are in the middle of ... I have not brought that up because obviously we are in the middle of reviewing that at the present time. Passports we are getting in a couple of weeks' time.

**The Minister for Home Affairs:**

Yes, can I just I explain on that, I have got an amendment now. I was unable to get the Law Draftsman to agree to the request, Connétable.

**The Connétable of St. Martin:**

I understand why, thank you.

**The Connétable of St. Brelade:**

We have accepted that.

**The Minister for Home Affairs:**

It is a practice where ... it is only one article.

**The Connétable of St. Brelade:**

In terms of the senior officers, we have accepted that.

**The Minister for Home Affairs:**

It goes in that article, yes. Where else are we? That is about it, I think.

**The Connétable of St. Brelade:**

Okay, we are fairly satisfied with that.

**The Minister for Home Affairs:**

I think it is achievable. It is tight ... I think the most difficult tight area, potentially, is going to be the chief officer and deputy chief officer's new disciplinary arrangements because we still do not have those drafted.

**The Connétable of St. Brelade:**

Okay, I am going to on, again, to some more general questions really, some policy procedures at the prison. Certainly we will come back to the inspection report going back to 2013. A lot of recommendations made during that report. I am just going to start on one in terms of female prisoners. In that report itself, in regards to women, it said that services could be improved by more careful and active consideration of the specific needs in custody. In terms of their needs within custody, have you seen an improvement at the prison?

**The Minister for Home Affairs:**

I am not going to be able to answer detailed questions on this, I am afraid, because we really will need to get Bill, the Prison Governor, he was working on a response document, which I have not yet seen the draft response document. I think the fundamental problem we have with the women prisoners is the numbers have just fallen off a cliff as well. That is related to changes in patterns of drug usage because large numbers of our female prisoners were drug couriers. So with a reduction in the number of couriers that has really shown. It is there more difficult to run as diverse a programme for a smaller group.

**The Connétable of St. Brelade:**

Can I ask you a general question around the policy and procedures at the prison then? Have you carried out any review into procedures in regards to visitors to the prison over the last couple of months in terms of have you made any changes to policies and procedures at the prison over the last couple of months?

**The Minister for Home Affairs:**

I am not aware of any.

**The Connétable of St. Brelade:**

Has there been a review into any of the procedures?

**The Minister for Home Affairs:**

Sorry, what are you talking about specifically?

**The Connétable of St. Brelade:**

Well, just procedures into contact between visitors and prisoners in terms of any potential contraband getting into the prison. Has there been any tightening up of procedures?

**The Minister for Home Affairs:**

That had already taken place. Obviously with the new building being commissioned that has enabled us to have much better levels of control and security.

**The Connétable of St. Brelade:**

Can you explain what that new type of security meant within that unit reception area?

**The Minister for Home Affairs:**

Again, I am weak on detail, I am afraid. You will have to talk to Bill specifically. But obviously the new building is designed that when people come in there are search mechanisms and so on as they come in. You have got better C.C.T.V. control of what is happening. But all that happened whenever we commissioned the new building. I am struggling to remember when we opened it. It is 12 months ago.

**The Connétable of St. Brelade:**

I think your comments within the Chamber suggested that improvements had been made over a period of time since 2008/2009 and there has been a gradual improvement to where we currently are now.

**The Minister for Home Affairs:**

Yes, one of the difficulties ... the rather strange Mail on Sunday report, which frankly was not credible, produced a side effect in which ... I can only describe it this way, that a certain number of disaffected existing or past officers decided that they wanted to go public with details of matters where there had been misbehaviour on the part of staff members in the past. Unfortunately although the outline of what was being said had some basic truth, the details were inaccurate as to what had happened and so on and so forth.

**The Connétable of St. Brelade:**

We said the outline had some basis of truth.

**The Minister for Home Affairs:**

Yes, there were individual officers who had been disciplined for individual things but for instance there was an issue at one stage in terms of lack of interviewing rooms, meaning that sometimes individual prisoners would be interviewed within cells. That changed not when the new visitor's accommodation was built, that changed when the new blocks were built. So all that was changing back in ... again, I am trying to remember when we opened the new block. About 2009. So there were changes to practice going back that far. Obviously with the new accommodation now we do

not have a situation where people are being interviewed in their own rooms, there are now more interview rooms, they are booked in, et cetera, there are more controls.

**The Connétable of St. Brelade:**

But even in 2013 one of the recommendations made by the inspector was that, and I quote: "All staff delivering drug and alcohol services should be subject to case management reviews and supervision to ensure counter visiting professional standards." Is that something that had been implemented prior to that or been implemented after the report? It is not a damning statement but it certainly would suggest there needed to be some tightening up of the services being provided.

**The Minister for Home Affairs:**

Well, tightening up had happened already. They seem to be talking about a further tightening up. That is the 2013 report.

**The Connétable of St. Brelade:**

It is, yes.

**The Minister for Home Affairs:**

Certainly levels had tightened up. There was ... there are always potential vulnerabilities in terms of relationships between inmates and staff members. There are always potential vulnerabilities, it is very important to have checks and balances in place. But you would have to ask Bill specifically on that one as to what additional changes are taking place.

**The Connétable of St. Brelade:**

Okay, just in terms of complaints made by inmates, again this is probably a question more for Bill Millar than yourself but I would like to know what your view is on it, one of the recommendations made again in the report in 2013 was that investigations into staff related issues should always be thoroughly investigated. That would suggest that they are not thoroughly investigated. Again, has there been any tidying up or any further vigour put into any staff related issues in terms of their investigation? Or do you think they are thoroughly investigated?

**The Minister for Home Affairs:**

I thought they were. One of the issues I tried to explain in the Assembly is that there were huge amounts of information floating around within the prison, officers are encouraged to provide information in relation to concerns on other officers, if this is to do with proper professional standard within the prison and so on and so forth. That information provided slight suspicions of this or that or the other. So inevitably you have got a process by which that kind of low level intelligence has got to be assessed and you have to decide at what point you have got -- you

arrived at a point where there was something that warrants looking more deeply into it. That is difficult, but in terms of complaints by prisoners, I would have thought those were always investigated. Again, you would have to talk to Bill as to whether there is a screening process for that.

**The Connétable of St. Brelade:**

Okay, I think there is a job of work for us to do with the Governor himself so I think that is something that we will, at some early stage, look at. Just one other question with regards that, in terms of current alcohol and drugs support within the prison, does one-on-one support still take place and do you know how that would be managed.

**The Minister for Home Affairs:**

It will not do, but, as I say, it is happening since, I think, 2009 off the top of my head. It had been happening by prearranged interview rooms. You are always going to have this issue that there is a need for there to be confidential counselling and that kind of work. It is not just: "I have got a drugs issue." You could have that with the probation department, in a sense, coming in. You could have that with the chaplain, say.

**The Connétable of St. Brelade:**

But is that one-to-one contact currently managed? As it is currently managed, is it managed by video recording it or ...

**The Minister for Home Affairs:**

No, you could not video record their conversations because that would breach the ...

**The Connétable of St. Brelade:**

No, but you could video without any sound, any actions taking place within a ...

**The Minister for Home Affairs:**

I do not think that happens. I think what has happened is there is C.C.T.V. in the areas around the actual interview rooms but you have to respect a certain amount of confidentiality in relation to this. Again, Bill can tell you the precise background. I am going from memory of briefings I have received in order to assist me to answer questions.

**The Connétable of St. Brelade:**

Do you know how safety would be maintained for any visitor?

**The Minister for Home Affairs:**

There has to be a risk assessment. There has been to be a risk assessment obviously in relation to. There is at least one secure interview room with glass panels separating so that can be used whenever it is deemed to be appropriate.

**The Connétable of St. Brelade:**

But presumably anybody on a one-to-one ... carrying out one-to-one contact would be regularly checked and ...

**The Minister for Home Affairs:**

Yes, there is either going to other officers around in the area, yes. I mean there is medical staff as well obviously, if patients are seeing a doctor ... sorry, if prisoners are seeing a doctor or nurse or whatever, there is a need for a degree of confidentiality there as well.

**The Connétable of St. Brelade:**

If I was summarising, you are generally happy with the way the prison is currently run in terms of the contact between prisoners and any potential businesses or any potential professional services that are provided within that prison.

**The Minister for Home Affairs:**

The key issue from our point of view is the number of cases in which we are finding either drugs or mobile phones or whatever within the prison. Again, Bill can give you the exact numbers but those numbers massively fell off another cliff. Once the ...

**The Connétable of St. Brelade:**

That is included within the report I think.

**The Minister for Home Affairs:**

Yes. Once we got the new accommodation, but the other key issue ... and there were staffing changes around about the same time, but the key issue, I think, in relation to this has been in relation to the change we made whereby the day workers, that is the people who are going out to work during the daytime and coming back at nighttime, no longer came back within the perimeter. Now that, I think, was a very, very significant change. We did that by utilising the old Young Offenders' Institution accommodation. That meant the pressure that was previously upon people going out during the day and coming back, potentially bringing stuff back in with them, was removed. We think that that probably was one of the single most significant changes. Having spoken to counterparts, certainly my counterpart in the Isle of Man when I visited their prison

there, that is a very big problem there because their outworkers are still coming in. They do not have that ability to do that. The figures are massively ...

**The Connétable of St. Brelade:**

They are, compared with U.K. prisons, they are ...

**The Minister for Home Affairs:**

They were completely unacceptably high around about the period of 2008-2009. There is no question about it. But we were vulnerable in a whole number of different ways at that time.

[11:45]

**The Connétable of St. Brelade:**

I am just aware of the time. Have you got any other questions?

**The Connétable of St. Martin:**

Just moving away from the inspection, is there any inquiry going on at the moment for the allegations in the Curtis Warren report with the prison governor? Is he carrying out a review, an inquiry? Has he reported back to you yet?

**The Minister for Home Affairs:**

Which one are you talking about?

**The Connétable of St. Martin:**

The allegations of what was happening in the prison recently. Or what happened 5 years but recently.

**The Minister for Home Affairs:**

With a particular individual?

**The Connétable of St. Martin:**

Yes.

**The Minister for Home Affairs:**

No.

**The Connétable of St. Martin:**

As far as you are concerned the matter is closed, and the prison governor?



**The Minister for Home Affairs:**

The allegation in the *Mail on Sunday* was nonsense, frankly. In as much that the claim was this person was regularly having sex within a cell with a person, and that was nonsense. That simply did not ... it is just not possible within the arrangements that then existed. Whether the person concerned had a particular improper relationship of a non-sexual nature with the person we cannot tell. That particular officer was challenged in relation to a particular issue, which did not directly concern Curtis Warren, and resigned and left. So there is no further action that can be taken in relation to that.

**The Connétable of St. Saviour:**

Are there not 2 more staff that have also left?

**The Minister for Home Affairs:**

Are you talking about this year? Yes, there are 2 staff who have left this year as a result of being challenged in relation to their behaviour. I will tell you more details but not publicly, if you want me to. We need to go into private session and I will tell you the details of those.

**The Connétable of St. Brelade:**

But it would be fair to say there is a turnover of staff every year. People do leave for various reasons?

**The Minister for Home Affairs:**

Yes, I was asked a question by Deputy Le Hérissier on that and produced some figures over the last 5 years. I did not consider anything exceptional there. You always seem to get a turnover of people deciding they want a different career or their family are leaving the Island or whatever. I do not think there is anything exceptional there at all. If you want details of that, those particular 2, I will do those but not in open session.

**The Connétable of St. Brelade:**

Would it be fair to say there is a policy with the prison that if one of the staff does something that is inappropriate they have an opportunity to resign before they are disciplined? Would that be a fair comment?

**The Minister for Home Affairs:**

I think that there are detailed questions with numbers on this. I think there are various different stages. There is the stage in which there may be a suspicion about a staff member, then there is a stage where there is sufficient information gathered for that person to be challenged in relation to

this and subsequently a formal disciplinary investigation to take place. Now, there have been some occasions, there are not a huge number in fact, and again I provided figures of those, over the last 5 to 7 years where people when challenged - and a particular individual we discussed before was one of those - have resigned and has simply left. That is not any basis for an internal disciplinary.

**The Connétable of St. Brelade:**

But it presumably is something if a criminal action is found, they would be prosecuted?

**The Minister for Home Affairs:**

That would be passed on to the police for investigation.

**The Connétable of St. Brelade:**

It would be the Centenier's decision ...

**The Minister for Home Affairs:**

No, if something of a criminal nature was discovered by the prison, they would then pass that on to the police for investigation of the criminal aspects. The police would then investigate and provide a file for a prosecutor. There have been cases over previous years where there have been allegations of a criminal nature and that process has been gone through and there have not been prosecutions as a result.

**The Connétable of St. Brelade:**

Well, I dealt with one myself so I know ...

**The Minister for Home Affairs:**

Did you, yes. That is right. Again, I provided quite a lot of details over ... I think over the last 7 years we had figures and ... what I think it does show, if I may say this, is that we have a system that holds officers to account. If there is information which indicates misbehaviour they will be held to account.

**The Connétable of St. Brelade:**

Would it be fair to say that the actual number of prosecutions backs up what you say around the improvement in the prison, the fact that there have been so few prosecutions of officers since 2007, 2008? I remember at the time ... and also prosecutions within the prison of inmates as well in possession and ...

**The Minister for Home Affairs:**

The latter, the pattern has changed. There were quite serious problems back in 2008 and 2009, that was reflected in terms of cases. I was certainly coming across cases as Magistrate and then in my early period as Minister. Those numbers have fallen away. When you talk about prosecutions, what one is principally talking about is drugs because prosecutions do not normally happen in relation to matters relating to mobile phones or S.I.M. (Subscriber Identity Module) cards. It is more likely to be dealt internally, yes.

**The Connétable of St. Brelade:**

One last question and it just relates to the previous scrutiny panel's report. In terms of camera surveillance, you have given a response, which I have in my hand here, to the report. I think we had written to you asking for some more detailed responses to that report. Do you know whether they are going to be forthcoming?

**The Minister for Home Affairs:**

I am very sorry if we did not send the information on to you. I approved ... initially I approved comments but without indications of whether we accepted or did not. Subsequently ...

**The Connétable of St. Brelade:**

Yes, that was our comment. We were not sure whether you had accepted them or not accepted them.

**The Minister for Home Affairs:**

Have you not had this version? It seems to have ... we subsequently went through and I approved the part accepted, rejects, accepts, et cetera. Have you not had that?

**The Connétable of St. Brelade:**

Not that I am aware of.

**The Minister for Home Affairs:**

Well, I am very sorry if you have not. Can I leave a further copy with you then? I approved that some time ago.

**The Connétable of St. Brelade:**

If you could let us have that, we will look at that and obviously if we did have further comments to make or wanted any further information, we will let you know. That may well be a copy that we have already got but I certainly would like to look at that.

**The Minister for Home Affairs:**

Yes, yes, I will pass it over. That additional work was done very soon after ... it was pointed out that I put out a comment without any indications. It is just an extra column.

**The Connétable of St. Brelade:**

Yes, I have a suspicion this is ... we will ask the panel's scrutiny officer, because we have a substitute today, what exactly he was looking for from your report.

**The Minister for Home Affairs:**

Okay. Can I just comment on the C.C.T.V. because again the Council of Ministers approved, in principle, although it was not their decision but the Minister for Treasury and Resources brought it to the Council of Ministers to get ministerial support, the funding for the cameras - here we go - out of the Criminal Offences' Confiscation Fund in a sum of £569,000.

**The Connétable of St. Brelade:**

Just for the record, for the tape point of view, can you tell us what that consists of?

**The Minister for Home Affairs:**

Yes, I can. That is what I was going to do. Previously we had 23 cameras and those 23 are going to be replaced by 22 if we resite one of them. In addition to that, there are proposals for 12 cameras and the funding for which is £100,000. That has been approved in principle but it is not intended to go ahead with that before going through the processes which we agreed with the scrutiny panel.

**The Connétable of St. Brelade:**

I was just about to say, I am just looking at some comments within here and presumably there will be a consultation process to go through before then?

**The Minister for Home Affairs:**

Yes, that is precisely it. I think that will have to happen with the 2 for one as well. It may have to happen with that, but certainly I made that clear to my colleagues that although they were approving this in principle that the drawdown of that would be dependent upon having satisfactorily completed the other processes.

**The Connétable of St. Brelade:**

But the funding for the whole of that system is now available?

**The Minister for Home Affairs:**

The funding has been agreed in principle, yes. Including the extension of 12 ...

**The Connétable of St. Brelade:**

It may be a question for the scrutiny of Treasury but where is that funding coming from?

**The Minister for Home Affairs:**

The C.O.C.F. Again, we go back to where we started, there never was an in budget position for the replacement.

**The Connétable of St. Brelade:**

Yes, yes, sorry.

**The Minister for Home Affairs:**

It is one of those categories of things. Generally speaking, if I could say, the areas where there has never been proper provision have been in the areas of equipment type things. That is generally speaking.

**The Connétable of St. Brelade:**

Have you got anything you would like to tell us or anything you would like to add?

**The Minister for Home Affairs:**

No. No, thank you very much for a very pleasant morning. I think we are meeting on 28th April, are we not, to discuss a couple of items?

**The Connétable of St. Brelade:**

Do you want to stay behind for 5 minutes just for us to go through those one or 2 issues?

**The Minister for Home Affairs:**

Yes, all right. I will need to get somebody to phone to Cyril Le Marquand House to tell them to go ahead with the meeting without me.

**The Connétable of St. Brelade:**

Okay, I will officially call the meeting to an end. Can I thank you, Minister, for giving up nearly 2 hours of your time this morning because I know you have a busy day, so I very much appreciate that. I thank the press and other members in the gallery, if you could leave first and then we will ask the Minister to respond privately.

[11:56]