

Education and Home Affairs Policing of Events - User Pays Review

TUESDAY, 13th NOVEMBER 2007

Panel:

Deputy D.W. Mezbourian of St. Lawrence (Chairman)

Deputy J. Gallichan of St. Mary

Witnesses:

Connétable K.P. Vibert of St. Ouen (Chairman of the Comité des Connétables)

Centenier J. Le Masurier (Chairman of the Comité des Chefs de Police)

(Please note: All witnesses and Panel Members were given the opportunity to comment upon the accuracy of the transcript. Whilst the transcript remains a verbatim account of proceedings, suggested points of clarification may have been included as footnotes to the main text.)

Deputy D.W. Mezbourian of St. Lawrence (Chairman):

I would like to welcome you here. Thank you for coming to attend this hearing of the Education and Home Affairs Scrutiny Panel. As you are aware, we are looking at the Home Affairs proposal to introduce policing of events, a user-pays charge for commercial and profit making events. As witnesses you are covered by privilege and there are details of that on the desk in front of you. I would like to thank you for the submission you have already made to us in writing. Obviously we will be referring to that during the hearing. For the record, we will introduce ourselves. I am Deputy Mezbourian of St. Lawrence, Chairman of the Panel. To my right is ...

Deputy J. Gallichan of St. Mary:

Deputy of St. Mary, Juliette Gallichan, Vice Chairman.

Connétable K.P. Vibert of St. Ouen (Chairman of the Comité des Connétables):

Yes, I am Connétable Kenneth Vibert. I am Chairman of the Committee of the Connétables.

Centenier J. Le Masurier (Chairman of the Comité des Chefs de Police):

I am Centenier Le Masurier, Chairman of the Comité des Chefs de Police.

Deputy D.W. Mezbourian:

The hearing is being recorded and it will be transcribed and eventually uploaded to the Scrutiny website and will become a public document and, as you are aware, the hearing is public. You will be sent a transcript of the hearing in order for you to check whether there are any inaccuracies in what you have said. I think the best thing for us to do is to start by asking you some question that we have pre-prepared. They are general questions about the Honorary Police in respect of the policing of events and then, as I said, we will move on to the submission that you have made which has been very useful but it has raised some more questions with us. First of all, I think we will start with the current arrangement. If you could explain broadly what role the Honorary Police plays at events within the Island?

Centenier J. Le Masurier:

At the present moment in time it depends a lot on the event but we are mainly involved with traffic management and it depends entirely on the event. If the parish has got an event taking place within its boundaries and feels that it needs more manpower then it asks the other parishes for assistance and if we are unable to manage then certainly States Police and Honorary Police work together.

Deputy D.W. Mezbourian:

You say if you are unable to manage; how are the policing levels decided in any given event?

Centenier J. Le Masurier:

One looks at the event, decides how many officers would be ideal then asks for volunteers. We are a voluntary force and there is no compulsion on anybody to do anything, especially when it is major events like this. We rely on people volunteering their services.

The Connétable of St. Ouen:

I think it is important to realise that if it is a case of merely traffic control at a particular event it is not difficult to work out how many junctions you have to control and it is normally divided into 3-hour shifts.

Centenier J. Le Masurier:

Yes. I mean, one looks at the event. Every event is different. There is no such thing as a master blueprint because every event is different.

The Connétable of St. Ouen:

At the same time, of course, every parish will know exactly what is required in its own parish.

Deputy D.W. Mezbourian:

How much notice do you tend to get of events within your parish?

Centenier J. Le Masurier:

That also varies enormously.

Deputy D.W. Mezbourian:

Presumably it would impact upon the policing you are able to provide if you are notified very late?

Centenier J. Le Masurier:

Yes. Most of the major events are run every year and we know about them. There are car rallies and things like that and we are able to manage them reasonably well. Some events are virtually totally Honorary policed, and I am thinking of the car rally, for instance. The Jersey Marathon, which is a fairly new event now (I do not have figures with me. We are Honorary Police, we do not sort of write down our hours, as it were, we give of our time quite freely) that was virtually 100 per cent Honorary Police as well.

Deputy D.W. Mezbourian:

How is it decided whether an event is policed entirely by the Honorary Police or whether there is going to be some presence from the States of Jersey Police? Who makes that decision?

Centenier J. Le Masurier:

The States of Jersey Police decide if they need to police it themselves and it depends entirely on the event. Something like the Marathon, it is not a question of disorder it is really a question of making sure the roads are clear. There is an awful lot of preparation that goes on beforehand. So, there really is no need for States Police involvement. Something like Jersey Live where there could be disorder then obviously the States Police are much more heavily involved in that.

Deputy D.W. Mezbourian:

How do they notify you, say, for Jersey Live; that the event is taking place? Who notifies you in the first instance of the event?

Centenier J. Le Masurier:

There are meetings held between States Police and Honorary Police and organisers well in advance.

The Connétable of St. Ouen:

Plus, of course, the Bailiff's Panel gets involved in major events. The Connétables recently met with the Bailiff to discuss the workings of the panel and it was obvious from the comments that were made by the Bailiff that he would really require a longer notice period of events to ensure that the panel adequate time to prepare for an event. That was fairly highlighted at the most recent Jersey Live where, in fact, the panel had not made a decision yet and the tickets were being sold.

Deputy D.W. Mezbourian:

I was going to ask you about that, Connétable, because I noticed in your submission that you say that you as a body are of the opinion that events must be organised well in advance and, in fact, you suggest that if a public entertainment licence is required from the Bailiff then it should be issued at least 6 months prior to the event. I was going to ask you whether you had addressed that to the Bailiff or to his panel.

The Connétable of St. Ouen:

Yes. That comment came from our meeting with the Bailiff.

Deputy D.W. Mezbourian:

Is it something that is going to be carried forwards? Is it going to be a prerequisite, do you think, or is it just at this stage an item for discussion?

The Connétable of St. Ouen:

I certainly feel that from the meeting we had with the Bailiff that he is going to be pressing for a 6-month period.

Deputy D.W. Mezbourian:

The meeting that you had with the Bailiff on this issue, at whose request was this meeting held?

The Connétable of St. Ouen:

It was at the request of the Connétables. We invited the Bailiff along to discuss that and other issues.

Deputy D.W. Mezbourian:

So have you, in fact, made suggestions as to ways in which you think the working of the Bailiff's Panel could be improved?

The Connétable of St. Ouen:

We have not made any suggestions in that direction but we certainly stressed to him the need to involve the parish authorities and special parish Honorary Police, who are always involved in any event which happens in that parish.

Deputy D.W. Mezbourian:

Is it customary for the Connétable or representative, perhaps the Chef, to attend at meetings of the Bailiff's Panel when large events are being discussed?

The Connétable of St. Ouen:

It is, yes. It is my understanding that the parish authority gets invited but that there is also an Honorary Police representative on the panel who is not necessarily from that parish. That is my understanding.

Deputy D.W. Mezbourian:

Can the Centenier confirm whether that is correct?

Centenier J. Le Masurier:

I am afraid, no. I cannot confirm or ...

Deputy D.W. Mezbourian:

Okay, thank you, because that is the first time that I have heard that there is an Honorary Police representative on the panel. I think we will make inquiries about that ourselves.

The Deputy of St. Mary:

Could you also clarify; we have been told that it is a Constable who is required to give permission for an event in a parish, historically, certainly. Can you comment on that?

The Connétable of St. Ouen:

That may well be but as with a number of other events now they seem to take place without that. That may well have been in the past that they would not have been able to hold an event in the parish without the Connétable's permission. I suspect that now the Connétable is informed but no formal permission is required.

The Deputy of St. Mary:

So it is not sort of stage one in the process that you get the Constable's permission first?

The Connétable of St. Ouen:

That is not my understanding at the moment, no.

The Deputy of St. Mary:

Okay, thank you.

Deputy D.W. Mezbourian:

Is the Connétable of any parish informed in writing from the Bailiff's Panel that they have issued a licence for an event to be held in any particular parish?

The Connétable of St. Ouen:

I do not know; we have never had one in the parish. I have had one in the next door parish and I do recall getting a copy of the risk assessment papers for my comments. But I do not recall whether I got an official notification that permission had been granted.

Deputy D.W. Mezbourian:

Thank you. I think we will follow up on that.

The Connétable of St. Ouen:

But as I say, the event was not in my parish. It affected one road in my parish which was why I got involved.

The Deputy of St. Mary:

Could I just ask; apart from the Honorary Police services, are there any other demands placed on a parish by the holding of major events?

The Connétable of St. Ouen:

What was the question, sorry?

The Deputy of St. Mary:

Are there any other demands placed on the parish by holding large events? Are there any other things which parishes are required to do?

The Connétable of St. Ouen:

Not directly but indirectly there are. I know that, for instance, Trinity with the Jersey Live, a group of ladies in the parish come in and do refreshments for not only the Honorary Police officers but also the paid police officers as well. I do not think there is any direct involvement.

The Deputy of St. Mary:

Moving on now to the development of the current proposals, can you tell me what consultation has occurred with the Honorary Police during the course of development?

The Connétable of St. Ouen:

Very little. When the first proposal was mooted, if you recall, I stood up in the States and complained that the Honorary Police had not been consulted. Leading to what we have at the moment, we had a joint meeting of the Connétables and Chefs where the Minister was invited to come along. But I cannot really say that a great deal of discussion took place. The impression we were given was that it was going to happen. I think our concerns were not so much based on what was going to happen as far as the States of Jersey Police were concerned, but more what was going to happen as far as the Honorary Police were concerned. It is a very difficult subject for us to come to a decision. The whole *raison d'être* of Honorary Police is free service.

Deputy D.W. Mezbourian:

Has anything changed since you had the meeting with the Home Affairs Minister?

The Connétable of St. Ouen:

No, I do not think anything has changed.

Deputy D.W. Mezbourian:

So, was it worthwhile having the meeting?

The Connétable of St. Ouen:

Certainly we have had a meeting which is more than we have had before. I cannot really say that we had a great deal of input into it either at that meeting or following it, no.

The Deputy of St. Mary:

Can you just give us some information on your perceptions of changes in recent years, with regard to scale, frequency, the type of event? Anything that could have led to this user-pays charge being mooted?

The Connétable of St. Ouen:

Well, the events have got larger; attracting a larger audience. Of course, I suppose, we always come back to the Jersey Live event, which is the big event. Of course, it is

a profit-making event as against parish events. I think that there lies one of the problems with the whole policy in that who is going to make the decision whether it is a profit-making event or a community-led event? I think that it is very difficult to draw the line.

The Deputy of St. Mary:

In fact, we have heard some evidence that although some events are meant to make a profit for their organisers they become part of a community anyway. So there is a blurring, perhaps.

The Connétable of St. Ouen:

I think the West Show is a perfect example. I have to say that, from wearing my West Show Vice-President hat, we do not normally involve the paid police in the organisation of the West Show or the policing of the West Show. The 4 parishes together organise the policing.

Centenier J. Le Masurier:

Absolutely. I think there is a great fear of getting sidetracked by Jersey Live. The frequency of events has increased. I think everybody will know that Victoria Avenue is getting closed more frequently and each time Victoria Avenue is closed it puts pressure on the Honorary Police involved in it - in other words, St. Helier, and St. Lawrence.

Deputy D.W. Mezbourian:

Certainly, I am aware of the number of times the avenue is closed because I live just off it.

Centenier J. Le Masurier:

I think you will have noticed, as everybody will have noticed, that frequency has increased from basically once a year, possibly twice for the air display, to quite a number of occasions now.

Deputy D.W. Mezbourian:

Does that closure have any particular impact upon the Honorary Police of St. Lawrence or St. Helier who are the ones who are most affected? How do the public react to them when they are forced to change direction and sit in the traffic queue?

Centenier J. Le Masurier:

I do not know how the public react to them; I have not been on duty on an avenue for a long time. However, it means that it is another almost non-policing event that those Honorary Police have to do and it means that they have to ask other parishes quite frequently for help.

The Connétable of St. Ouen:

The increase in number of events certainly puts considerable pressure on St. Helier Honorary Police and St. Lawrence to a lesser extent.

The Deputy of St. Mary:

Your bringing up the West Show has triggered a few little questions in my mind. Obviously there are certain parallels you could draw. It is a completely different ... or not necessarily a completely different target audience to, say, Jersey Live because I know it very much encourages families to go along; I know the organisers are trying to do that. There is a rural setting; there are the same beer tents, food tents, 2-day festival. Do you know, roughly, how many people attend the West Show?

The Connétable of St. Ouen:

I think at the last one, over the 2 days, 17,000 or 18,000. It was a very large number.

The Deputy of St. Mary:

Yet that is managed without the States Police involvement at all?

The Connétable of St. Ouen:

We did not ask for States police involvement; we got them but we did not ask them.

The Deputy of St. Mary:

How did that come about?

The Connétable of St. Ouen:

They just decided to turn up.

Deputy D.W. Mezbourian:

Was there any form of risk assessment completed by them, do you know?

The Connétable of St. Ouen:

I have no idea. I am not even sure that the West Show did either. The problem with an event like that is it started very small scale and it just builds up. Every consecutive event is bigger than the last one. But I think that, maybe naively if you like, we do not believe that it is the sort of event which is going to lead to trouble.

Deputy D.W. Mezbourian:

You said the States Jersey Police turned up. Did they enter the arena or were they on the periphery?

The Connétable of St. Ouen:

No, no, they walked up and down the arena.¹

Deputy D.W. Mezbourian:

What contact did they have with the Connétable of the parish involved?

The Connétable of St. Ouen:

I have no idea. It was St. Peter's who had the event. They did talk with the honorary officers who were on duty. I may be totally wrong here. It may well be that the Chef de Police of St. Peter invited them, I do not know.

Deputy D.W. Mezbourian:

I think perhaps what we will do is we will address some questions to the parish of St. Peter on this issue.

The Deputy of St. Mary:

¹ The witness has indicated that 'arena' in this instance meant the showground at the event in question.

This is necessary, you understand, to get a broad feeling for events generally. As you said before, it is easy to get sidetracked by a particular event but we need to consider others.

Centenier J. Le Masurier:

It is for the States Police to make their own comment but I do believe that they look at events and just make their own decision as to whether they feel they need to be present. You have the Gorey Fete as well, which has been going on for years and years and years and historically has been policed by the Honorary Police. But I do believe, and I stand to be corrected, that States Police sometimes feel that maybe they ought to be seen to be there.

Deputy D.W. Mezbourian:

I wonder if we could come now to the submission you have made to us in which, as I have said, we identified a number of questions.

The Connétable of St. Ouen:

Can I first of all, apologise for the lateness of arrival of this but the process is that the Connétables drew it up and accepted it and it was then passed to the Chefs for their consideration. It was only signed by me yesterday morning.

Deputy D.W. Mezbourian:

We have been able to give attention to it, Connétable, so thank you for that. Under the heading Rationale Behind The Proposition, item 1, the comments were made that policing in Jersey is undertaken by the States of Jersey Police and also by the Honorary Police of each parish. It is a joint responsibility and each has a specific role to play. I wonder if you could broaden that, please, and explain a little more behind it, particularly on the specific role?

The Connétable of St. Ouen:

Traditionally at events the Honorary Police has done the traffic control. We are looking at specifically in Trinity with Jersey Live. But when they do the hill climb, for instance, they do not get involved with any crowd control at the hill climb itself,

they merely make sure that the public can get to and from the event. I think that has traditionally been the role which the Honorary Police has played.

Centenier J. Le Masurier:

Yes. The Honorary Police are not frontline in public disorder situations. I think that is almost where you could make the demarcation. The States Police have the training, the resources and the experience and are paid a salary to undertake those roles. The Honorary Police, by virtue of what they are, are the lower key and this is why events where there is almost no likelihood of public disorder occurring, tend to be totally Honorary policed.

Deputy D.W. Mezbourian:

We know that the States Jersey Police have core responsibilities, such as the preservation of law and order, prevention and detection of crime, would you say that there are core responsibilities too for the Honorary Police?

The Connétable of St. Ouen:

I think there are but they are not necessarily written down as the States of Jersey Police.

Deputy D.W. Mezbourian:

What would your understanding be?

The Connétable of St. Ouen:

I think my understanding is that they are there to help the public.

Deputy D.W. Mezbourian:

We understand that a Memorandum of Understanding was signed fairly recently between the States of Jersey Police and the Honorary Police. I do not know whether you would have a copy of that with you here today?

The Connétable of St. Ouen:

I do not, no.

Deputy D.W. Mezbourian:

We wanted to discuss that with you. I wonder if it would be possible for us to have a copy to look at.

Centenier J. Le Masurier:

I cannot see a problem. That, I think, is a very broad spectrum, all-encompassing document which is not certainly strictly for events, it is policing in general. Ultimately we are all police officers and everybody has merely their own perception. But I can only sort of reiterate what I just said; that it is a personal view which is shared by quite a number of my colleagues. It is, really, we are not frontline public disorder. We live in quite an unfriendly environment at times as we have seen in the streets of St. Helier, the football situation 2 or 3 years ago. Now the Honorary Police will not be pushing themselves forward. We do not put ourselves forward (we established) and things like that. That is why we come back to this business of where there is a chance of serious public disorder, drugs and the like, then the States Police are better equipped, better trained. But we talk to the States Police; we have meetings with them on a regular basis. Members of the Comité des Chefs meet with our counterparts in the States Police on a regular basis and we have reasonable liaison with them.

The Connétable of St. Ouen:

It is a bone of contention with many members of the Honorary Police that we feel underused.

Deputy D.W. Mezbourian:

Yes. I wonder, Connétable, whether that would lead us then to the comments that you have made in your submissions - I need to find it - which refers to the proposed introduction of Special Constables. That is item 21 in your submission.

The Connétable of St. Ouen:

I can maybe point out that I served for 6 years on the Home Affairs Committee and I know that this is a topic which rears its head regularly enough. So far the Home Affairs Committees, which have sat in the past, before the advent of Ministry, took the view that the Honorary Police were the Island's Special Constables. But I think

that it is fairly obvious that the States of Jersey Police hierarchy would like a proper constituted Special Unit which in itself can be called out and, dare I say, controlled by Police headquarters. Whereas I know for a fact that the chiefs at headquarters feel that they do not have that control over Honorary Police who are, at the end of the day, giving of their service. Anyone who gives of their service cannot be expected to turn out as and when the States of Jersey Police expect, whereas they sign on to turn out as and when their parish duty rota expects.

Deputy D.W. Mezbourian:

Do you know, Connétable, how recently this issue has been discussed?

The Connétable of St. Ouen:

Not recently because the Minister has been in for 2 years now and I cannot, off the top of my head, recall at which moment it was discussed at the previous Home Affairs Committee but it certainly was. But without reference to minutes, et cetera, I cannot be too specific.

Deputy D.W. Mezbourian:

I would like to go back now to earlier in these submissions. I notice in item 3 that we were told that - quite rightly as we know - all Honorary Police officers are volunteers and none are paid, although out-of-pocket expenses are reimbursed. One of the parishes calculates those out-of-pocket expenses by partial reference to the number of duties undertaken by an officer; that this is not considered a payment for the duty. I wonder why you say that if it is based on the number of duties.

The Connétable of St. Ouen:

It is not considered a payment by the parish concerned. It is not for me to comment on how that parish makes that decision.

Deputy D.W. Mezbourian:

How are the other out-of-pocket calculations made for other parishes?

The Connétable of St. Ouen:

They vary across the parishes.

Centenier J. Le Masurier:

They vary enormously. Some are almost nil and some are a token. It is fair to say it is something towards out-of-pocket expenses. As I said earlier, because we are giving our service freely and the main aim is to assist the community in which we live we tend not to write down every minute we put to it and every gallon of fuel we use in our vehicles. I do not know how much mileage I have put in to go on Honorary Police duties. I do know that the parish gives me something towards my expenses and I have absolutely no doubt that my expenses are greater than that which I receive, likewise, all our officers. I think that is throughout the Island.

Deputy D.W. Mezbourian:

Thank you, Centenier. Item 5 says that event organisers have always been appreciative of the assistance given by the parish and Honorary Police and have no hesitation in assisting with specific costs incurred for refreshments, equipment, et cetera and I wonder how they are notified of those costs. Is there something that is agreed before an event is held? Do they agree that they will pay X amount for refreshments? How is this handled?

Centenier J. Le Masurier:

Once again, there is no blueprint. It depends on the event; it depends on what is required and all the rest of it. When it can be quantifiable then there is no problem, but frequently it cannot be. If you need specific signs for a specific event then the organiser will frequently get some signs made up. If, as in Jersey Live, it is the case, then refreshments were offered to the officers during their duty or on arrival of duty. That was easy to quantify and the organisers were quite happy to meet the cost of that.

Deputy D.W. Mezbourian:

Thank you, Centenier. Item 7 says: "It has been suggested that the event organiser should make a donation to a charity." Do you know who suggested this?

The Connétable of St. Ouen:

I think one or 2 of the Connétables have suggested that that might be a way around the problem. But it is not a decision that has been made, although I do know that

Trinity did receive a donation from the organisers of Jersey Live which they gave to charity - which the parish gave the cheque to.

Deputy D.W. Mezbourian:

Yes, we were told about that. Is that something that the committee would approve of?

The Connétable of St. Ouen:

I think they probably would but I suspect that ... sorry, I have just had a minute pointed out to me of when we met with Senator Kinnard and that she suggested that that might be a way of dealing with the Honorary Police side of policing. But I know for a fact that that the Connétable of Trinity had already gone down that line before the suggestion was made. I think ultimately, if it were to become a regular occurrence; if events were to be become sort of - heaven forbid - every fortnight, then it may well be that the whole issue may have to be referred back to parish Assemblies who ultimately are the body that pay the Honorary Police bill in the first place and should probably be asked to decide how they wish to handle monies coming back, if that were the case.

Deputy D.W. Mezbourian:

Item 8 is: "The States of Jersey now plays a more prominent role in major events." I wonder when that started.

The Connétable of St. Ouen:

Can I just ask you to repeat the question; I did not quite get the total of it?

Deputy D.W. Mezbourian:

Item 8 states that the States of Jersey now plays a more prominent role in major events.

Centenier J. Le Masurier:

You are looking at a different 8 to us.

Deputy D.W. Mezbourian:

I wondered when you think it started and it brings me back, really, to the statement you made earlier about the West Show; that they turned up; they were there. Now that is a major event and they are playing a prominent part there by appearing, perhaps for the first time. Is it fairly recently that they have begun to take part in major events?

The Connétable of St. Ouen:

I think there must have been a decision made at headquarters that they should look at all events and decide which ones they feel there is a danger to the public which they need to address. But as far as I know it has never been discussed with the Honorary Police or with the event organisers as such. I certainly do not recall it ever being discussed at a West Show meeting. But that is not to say that the Chef de Police of St. Peter has not decided to consult with the States of Jersey Police when faced with the policing of the event in St. Peter.

Deputy D.W. Mezbourian:

Thank you, Connétable.

The Deputy of St. Mary:

I would just like to pick another point in that paragraph that States of Jersey Police may determine that only their officers can be involved, thus affecting the role of the Honorary Police. Has that ever happened, to your knowledge?

Centenier J. Le Masurier:

Not to my knowledge.

The Deputy of St. Mary:

But does it give you concern that it could happen?

Centenier J. Le Masurier:

I hope we are able to maintain reasonable relations with the States Police that that would not happen.

Deputy D.W. Mezbourian:

Are you saying there that it is possible that the States of Jersey Police could turn round to the Honorary Police and say: “We do not want you at a particular event”?

The Connétable of St. Ouen:

It is possible, yes. Highly unlikely because they are not particularly keen on traffic control at the best of times.

Deputy D.W. Mezbourian:

Is that in the Memorandum of Understanding?

Centenier J. Le Masurier:

No.

The Connétable of St. Ouen:

No. No, the Memorandum of Understanding is much narrower than that. The Memorandum of Understanding is really on the use of communications between the 2 forces.

Centenier J. Le Masurier:

Yes. It tries to set out a minimal amount of guidelines as to how the 2 work.

The Connétable of St. Ouen:

It sets out the responsibilities of the control room.

Centenier J. Le Masurier:

To a great degree.

Deputy D.W. Mezbourian:

You state in section 8: “The parish must continue to be involved in the organisation of events within its boundaries.” So, really, have you ever been told that you cannot be? That is just you reinforcing ...?

The Connétable of St. Ouen:

Yes.

Deputy D.W. Mezbourian:

In section 22 you state that in reference to Jersey Live there have been some changes this year and that States of Jersey Police officers were rostered on traffic duty (you have said that they do not like doing that) with Honorary Police officers and there was excellent co-operation. How would you describe the relationship in general between the Honorary Police and the States of Jersey Police?

Centenier J. Le Masurier:

As I said before, we meet on a reasonably regular basis at different levels. I hope that it is quite reasonable; it has to be, we are all on the same side.

The Connétable of St. Ouen:

At the man-to-man level it works very, very well, indeed. We have a community police officer in St Ouen who attends some of our police meetings. We do not just ask her to come along for the bit that might involve her, she will sit in the whole meeting. We have nothing to hide. I think that at a working level it works quite well.

Centenier J. Le Masurier:

We have extended an invitation too. The Comité des Chefs have extended an invitation to one of the very senior police officers to come to one of our meetings and he has accepted and will be coming so that we can discuss different issues. I have only been in my post for some 6 months and at the present moment in time I do not have a problem.

Deputy D.W. Mezbourian:

Do you ever have any direct contact with the Chief of Police?

Centenier J. Le Masurier:

There is a set up where we meet once or twice a year with him.

The Deputy of St. Mary:

Shall we move on to something slightly different now? You have mentioned in paragraph 11 that requests are now received for assistance from the Honorary Police

for duties such as escorting wide loads. Has there been a change of policy from the States Police then? As I understand it, they always used to provide this service.

The Connétable of St. Ouen:

Well, they did and they provided it free but there is now a charge for doing that. As a result the people are moving to asking the Honorary Police, knowing there will not be a charge from that direction.

The Deputy of St. Mary:

Do you know when the charge came in?

Centenier J. Le Masurier:

No, I do not. But I think that this is one of the very major underlying dangers. If user pays came in then we could be seen as the cheap option and people did not join the Honorary Police for that reason. People have joined the Honorary Police to serve their community and it opens up a whole debate as to where does your community stop. We know where it starts but where does it stop?

The Deputy of St. Mary:

You have mentioned also in your submission that there should be an appeal process for the policing requirement which is determined by the States of Jersey Police. Have you got any idea - you said it should be an independent body separate from Home Affairs - who would be the best person to carry out that role?

The Connétable of St. Ouen:

In our discussions it was felt that in this day and age that we have now moved to was it fair for the States of Jersey Police to decide on the level of policing and then charge for it; whether there should not be some independent body somewhere in the middle of that decision-making process.

The Deputy of St. Mary:

But you do not have any particular person, right?

The Connétable of St. Ouen:

No, we did not have anybody.

Deputy D.W. Mezbourian:

Was that something that was not discussed between yourselves and the Minister for Home Affairs?

The Connétable of St. Ouen:

No, I do not think that particular item was discussed.

Deputy D.W. Mezbourian:

When the States of Jersey Police - I cannot remember if you have already answered this question because I know we have addressed risk assessment – when they carry out a risk assessment for a certain event, do they have discussions with the Honorary Police from the parish in which the event will be held, to discuss the risk assessment?

The Connétable of St. Ouen:

I cannot answer that question because, as I say, I have never had one in St. Ouen.

Centenier J. Le Masurier:

I think it depends, again, on the event. I do know that my colleague in Trinity was involved with certain discussions with the States Police over Jersey Live.

Deputy D.W. Mezbourian:

In section 10 we are told by you that unnecessarily onerous risk assessments have led to the demise of the food fair at St. Aubin. Presumably, that unnecessarily onerous risk assessment was completed by the States of Jersey Police?

The Connétable of St. Ouen:

As far as I know.

Deputy D.W. Mezbourian:

I am conscious of the time and we do have some questions for you on the proposed arrangements for the user-pays charge. I think perhaps if we have identified any further questions from your submission we may write to you for those answers. You

say that there has not been much discussion, really, between yourselves and the Home Affairs Minister. So, what type of involvement would you expect to have in the administration of the proposed arrangements if they were to be approved by the States?

The Connétable of St. Ouen:

That would very much depend on where we sit in them. It would very much depend on whether we are involved in receiving an amount of money or not. I presume that if it is going to be a charge merely for States of Jersey Police assistance that we will not be involved in it at all.

Deputy D.W. Mezbourian:

What sort of events do you feel it would be appropriate to levy a user-pays charge if you feel it is appropriate at all?

The Connétable of St. Ouen:

Here we are moving into maybe some personal opinion rather than a Connétables' opinion. I think that there needs to be parameters set as to exactly what sort of event would be charged and what sort will not be. It is a very grey area when you look at the Battle of Flowers compared to Jersey Live. It appears to me, personally, that the potential for public disorder is just as great in one as the other.

The Deputy of St. Mary:

So you would like to see that taken into consideration as well as whether it is simply a for-profit event?

The Connétable of St. Ouen:

Well, you know that the Battle of Flowers has not made any profits. I was always under the impression that it was designed to make a profit albeit not for shareholders. I am not sure that Jersey Live is for any shareholders, I think it probably for individuals who take over the organisation.

Centenier J. Le Masurier:

I think it would be interesting to know what their definition of it is or what is the procedure, definition of, for profit because these events may be ... if there is no profit in it they would not be held. But also they are held for a reason, for the community. I think the question is where do you draw the line?

The Deputy of St. Mary:

I think that is a very good point. We are trying to gather evidence on some different areas because there are, as you say, more things to consider than just profit. There is community involvement; there is benefit to the Island; the diversion into event-led tourism. It is a complex issue.

Centenier J. Le Masurier:

Every single one of these events could be described as having benefit for the community.

The Connétable of St. Ouen:

If I can maybe wear my political hat for a second, I think there is a question to be asked as to where we go when you have one States department sponsoring the event and another one charging for parts of it. It seems to me that there is a question which is a very big question and needs to be addressed by someone.

The Deputy of St. Mary:

We have already been thinking in general terms about that - maybe it will be

Deputy D.W. Mezbourian:

Referring back to your submission, section 19: "The Connétables could only support the user-pays proposition if it is solely to pay for assistance required from the UK." Do you think, Connétable, that P.94, which has been the thorn, or the new report ... have you seen the new report? I believe you have because you have made reference to it in your submission.

The Connétable of St. Ouen:

Yes.

Deputy D.W. Mezbourian:

Do you think it makes it clear how the user-pays charge would be levied or upon what resources?

The Connétable of St. Ouen:

No, I do not think it does. I think it needs to have much more detail in it if it is to be understood by the people that are necessarily going to get charged by it.

Deputy D.W. Mezbourian:

Looking at the report that was dated 28th September, which is for the Home Affairs Department, I note that following a meeting with the Honorary Police to develop a workable and agreed approach, it seems to me that reading this I get the impression that the Home Affairs Minister believes the Honorary Police are supportive.

The Connétable of St. Ouen:

Which page is that on?

Deputy D.W. Mezbourian:

Do have this, 28th September, the front page?

The Connétable of St. Ouen:

Yes. As I say, there is only one single meeting we have had.

Deputy D.W. Mezbourian:

I beg your pardon, Connétable, I think I am referring to a document which you possibly have not seen.

The Connétable of St. Ouen:

No, no, I do have it in front of me here, but it is the only meeting we have had.

Deputy D.W. Mezbourian:

On 23rd July?

The Connétable of St. Ouen:

On 23rd July 2007.

Deputy D.W. Mezbourian:

Because it says in there that ... it refers to that meeting of you and that the first report and proposition has been amended to reflect the essence of the discussions, and I wondered whether you believe it has been and how. My reading of it is that the Minister believes that she has done something following that meeting with you, but the impression I have from you is that nothing has been decided.

The Connétable of St. Ouen:

I have to say that it was certainly was not my impression of that meeting that we had managed to make any substantial changes to the way the Minister was intending to go.

Deputy D.W. Mezbourian:

I think then it is for us to ask the Minister how she perceives ...

The Connétable of St. Ouen:

I think it is, yes. And she may see it very differently from us, but I cannot say that we were overly impressed with the consultation which occurred.

Centenier J. Le Masurier:

I do not think that anybody walked out of that meeting with views that any agreement had been made.

The Deputy of St. Mary:

I wonder would it be possible for you to let us have a copy of your minutes of that meeting. Would you be able to share those with us?

Deputy D.W. Mezbourian:

I wonder if can refer to the working agreement, which is appendix A in that document, and ask whether you would be in agreement with the proposals in the working agreement.

The Connétable of St. Ouen:

If you are looking at appendix A, you will note that we are conspicuous by our absence in that document.

Deputy D.W. Mezbourian:

I notice that the Honorary Police is listed at the bottom.

The Connétable of St. Ouen:

Yes, we have now had ourselves added on to that list, yes. I apologise for that; I was looking at the wrong piece of paper.

Deputy D.W. Mezbourian:

I wonder if that is the amendment, then, that the Minister believes has been made to ...

The Connétable of St. Ouen:

There has not been a formal one produced, a memorandum of understanding.

Deputy D.W. Mezbourian:

I believe this is a consultation.

The Connétable of St. Ouen:

Okay, I now have a copy of the draft in my hand, sorry.

Deputy D.W. Mezbourian:

Because it does say in there ... can you just bear with me one minute. I note in here, Connétable, that it does say: "Any charge for States of Jersey police services either provided locally or by another police force will be based on the actual costs incurred." So I inferred the charge would not be only for the mutual aid cost of calling in officers from the U.K. and yet and you have specifically told us in your submission that as a Comité you would only be prepared to endorse this if it was for mutual aid costs.

The Connétable of St. Ouen:

That was the decision of the Comité, yes.

Deputy D.W. Mezbourian:

Does the Home Affairs Minister know that? Did you make her aware of that at the meeting?

The Connétable of St. Ouen:

No, I think that that came from discussion at subsequent meetings.

Deputy D.W. Mezbourian:

Okay, thank you.

Centenier J. Le Masurier:

Just having read it ...

The Connétable of St. Ouen:

This is only a draft.

Centenier J. Le Masurier:

Right, and we have not received it, so appendix A: "In addition, the expenses incurred by the Honorary Police will also be recharged if deemed appropriate by the Comité des Chefs de Police." We have no knowledge of that.

Deputy D.W. Mezbourian:

So would you say that there has been, again, a lack of consultation?

The Connétable of St. Ouen:

Definitely.

Centenier J. Le Masurier:

Without question.

Deputy D.W. Mezbourian:

Communication could be improved, perhaps, between Home Affairs.

The Connétable of St. Ouen:

Well, certainly I think that there should have been an invitation by the Minister to first discuss any changes in the memorandum of understanding before it was published.

Deputy D.W. Mezbourian:

I do not believe that it is a public document, but even so it has been put forward as a draft.

The Connétable of St. Ouen:

It will become a public document.

Centenier J. Le Masurier:

If this is a public hearing, it is in the public domain because we have just referred to it.

Deputy D.W. Mezbourian:

Yes. I wonder, just finally ... I do not know whether we have discussed whether you would see, perhaps, that there would be any potential impact upon the Honorary Police if the user-pays charge was introduced. Do you consider that there may be?

Centenier J. Le Masurier:

I think without question there could well be. We are in an extremely difficult position because we are not politicians; we are not part of the law-making process, really, and we do our level best to help maintain and carry out the laws and that which governs the community. This is why we have not been spearheading a reply but coming together with the Comité des Connétables on it. We will have discussions when decisions have been made, as to our best way forward as to dealing with it, but I think that it is inevitable that there will be effects on the Honorary Police.

Deputy D.W. Mezbourian:

Can you give us some examples, perhaps, of how it will affect the Honorary Police?

Centenier J. Le Masurier:

When an event is held and the States police are putting in a charge, we have to decide ... we cannot charge for our services per se; we are an honorary force. If we make a charge, we then cease to become an honorary force. An honorary service is a service without payment to that person, and we are fiercely proud of the fact that we are honorary officers serving our community without looking at cost and without counting the cost. We give of our time and we are fiercely proud of that fact. If you have a States police officer on one junction who is putting in a charge indirectly by the States police to the organisers for their being there and you have an Honorary Police officer possibly on the same junction standing alongside him, doing it for nothing, it is a bit peculiar. That is a very simple thing. If money is paid, then we are back to what the Connétable was saying earlier. There is a cost to the Island, obviously, and to the parishes for the Honorary Police, not for personnel but equipment, radios, insurance and the like. If the States police are putting in charges, maybe the ratepayer is going to say: "Well, hang on a minute, should there be ...?" And this is 12 parishes of ratepayers who are going to look at it all differently, I have absolutely no doubt. There could be ramifications right the way down to the line to that.

Deputy D.W. Mezbourian:

Thinking about Jersey Live and the way the event has grown and the fact that the States of Jersey police are very much in evidence there, as opposed to the fact that the West Show is seemingly very well policed by the Honorary Police, possibly drawn in from other parishes apart from St. Peter, I wonder whether you envisage, if the States of Jersey police was to levy this charge, do you think it is possible that organisers of events could call upon the Honorary Police to provide more resources to offset the possible charges by the States of Jersey police?

Centenier J. Le Masurier:

This is a major fear.

The Connétable of St. Ouen:

I think that the question that is asked is who is going to make that decision. If the States of Jersey police are going to decide that they need X number of police officers

at an event, then I do not think that anybody, not even the organisers, are in a position to change that decision.

Deputy D.W. Mezbourian:

My understanding is that ...

The Connétable of St. Ouen:

I know what you are trying to say; could they go across and say: “Well, will the Honorary Police do it for nothing rather than us have to pay?” But the way I understand the arrangement, that offer is not ever going to be on the table.

Deputy D.W. Mezbourian:

You see, my understanding is that that the States of Jersey police do take into account the number of Honorary Police that will be available at any event, and I am looking to ...

The Deputy of St. Mary:

Certainly we have had evidence that that is a belief, but I do not think we have had any hard evidence of any basis for a calculation. I think that is something ...

Centenier J. Le Masurier:

I think it goes back to depending on the event, because we are, the Honorary Police, are involved in events at one scale from Jersey Live to ... and I am talking Island wide, really, more than ... to a local fete. We will assist a local fete in the same manner, same sprit as we assist Jersey Live and they are 2 vastly different events. We encompass the lot, so, as you can imagine, this is a minefield in terms of user pays.

Deputy D.W. Mezbourian:

Do the rank and file of the Honorary Police, say at Jersey Live, feel aggrieved, and that may be too strong a word, knowing that they are there for 2 days supporting a commercial event for which the States of Jersey police are giving their time, but also receiving payment?

Centenier J. Le Masurier:

Everything we attend the States police are paid a salary, we are not. I think I can reiterate ... I mean, there are 2 ways to look at Jersey Live: the organisers make a profit; the youth of the Island receive a benefit because they have an event to go to. What is it? Is it a commercial event run for profit; is it an event run for the community?

The Connétable of St. Ouen:

I think one of the questions which needs to be asked, trying to answer your question indirectly, but I do not think anybody made a comment one way or the other on that. I think the difference is that the Honorary Police officer may well have to do 6 hours on a Saturday and 6 hours on a Sunday and be back at work on 8.00 a.m. on a Monday, whereas the police officer, even if he is doing it on overtime, is quite likely not to be on duty the following morning.

Deputy D.W. Mezbourian:

I wonder if it would impact perhaps on your recruitment.

The Connétable of St. Ouen:

I think it may well do because ultimately, as John said, the raison d'être of the Honorary Police is to serve the community you live in. If you are going to be approaching prospective candidates for the Honorary Police and saying: "Well, certainly once a month you are going to be required to go and police an event somewhere else in the Island" then it may well have an effect, yes.

Centenier J. Le Masurier:

I think it has to be said that the bulk of honorary officers, especially in the country parishes, have joined the Honorary Police to serve the community in which they live; their parish. They are quite happy to go and assist other parishes for specific events, but if that number of events gets too large then that alters the focus, and also we have a finite number of hours. People are able - forget the word 'prepared' - to give X amount of hours and it depends on every single individual. Now, if we are busy doing these huge events, then we are not able to do so much community policing, and we are community policemen, in our area. So it can have a knock-on effect and the whole thing is something that we shall be debating in due course, excluding user pays,

but obviously we shall have to take into consideration what decisions are made by the politicians on that point.

The Connétable of St. Ouen:

Can I be allowed just to make a small comment on the appendix A under the title: “Charges.” First paragraph. Halfway through the paragraph: “Based on information held, the chief officers of these departments will decide whether it is appropriate to levy a charge.” Having just had the Honorary Police added on to the bottom of the top list, which was not there originally, I am not sure who they are going to ask that question of, because we do not have a chief officer.

The Deputy of St. Mary:

That is something we will have to discuss.

Deputy D.W. Mezbourian:

I think my understanding initially was that it would be the chief officers of Home Affairs, E.S.C. (Education, Sport and Culture), E.D.D. (Economic Development Department), in conjunction with the chief officer of the States of Jersey police, in fact those agencies who were noted at the top. But, of course, as you say, you have been added and so you have drawn to my attention, certainly, a question which I had not realised should be asked, but we will now do so.

The Connétable of St. Ouen:

Thank you.

The Deputy of St. Mary:

Can I just go very quickly to one last thing. We did discuss how to determine whether or not to charge; obviously, that is an open issue at the moment. Do you have any idea who could be an appropriate person to appeal to in that situation as well? Not to discuss the level of charge but in fact whether or not to charge.

The Connétable of St. Ouen:

Not at the moment; I will need a bit of time to think about that.

Deputy D.W. Mezbourian:

I think as far as Deputy Gallichan and I are concerned, we have no more questions to ask you. Connétable, you just made an additional comment; is there anything else that you would like to say to us before we draw the hearing to a close?

The Connétable of St. Ouen:

No, I think the only thing that I would say is that the Connétables realise that this is a very difficult one to address because of the totally distinct difference between States of Jersey police and the Honorary Police. Although we are both there to maintain the public peace and look after the peace of the Island, we do come from very different directions to that point. The tradition of Honorary Police, which I always thought came from the 1500s, but I was told on Tuesday at the Société came from 900 and something, is one which has served the Island really well. It has, over the last 15 or 20 years changed dramatically in its approach to the work it does and has demonstrated quite clearly that it has no fear of change. But, at the same time, it is there to provide a service to the general public which traditionally it has not charged to do and the feeling of the Comité des Connétables, and the Chefs shared the feeling, was that that voluntary service should continue. So there is quite an issue about how you go about charging.

The Deputy of St. Mary:

Wise words on which to end.

Deputy D.W. Mezbourian:

Yes, thank you, Connétable. I would just like to finish by saying I omitted to advise you at the start of the hearing that Deputy Pitman is not here as she is ill today, so my apologies for that. I would like to thank you for coming to speak to us today.