



Education and Home Affairs Scrutiny Panel Quarterly Meeting with the Minister for Home Affairs

TUESDAY, 17th MARCH 2015

Panel:

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

Deputy S.Y. Mézec of St. Helier

Deputy J.M. Maçon of St. Saviour

Witnesses:

The Minister for Home Affairs

The Assistant Minister for Home Affairs

Deputy Chief Officer, States of Jersey Police

Chief Officer, Home Affairs

[15:15]

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

Okay, shall we begin. Thank you for coming everybody. This is the quarterly public hearing with the Minister for Home Affairs of the Education and Home Affairs Scrutiny Panel. Minister, you have a statement just in front of you there. Have you read and understood that?

The Minister for Home Affairs:

I have, thank you.

Deputy L.M.C. Doublet:

Yes, and thank you to the members of the public and the media, I think, in the gallery there. There is a code of behaviour, I think, on your seats and it is on the wall. Please make sure your mobile phones are turned off. Okay, I will introduce myself, I am the Chair of the panel, Deputy Louise Doublet of St. Saviour.

Deputy J.M. Maçon of St. Saviour:

Good afternoon, Vice chair of the panel, Deputy Jeremy Maçon, also representing the Parish of St. Saviour, District Petite Longueville.

Deputy S.Y. Mézec of St. Helier:

I am Deputy Sam Mézec, Deputy for St. Helier No. 2, Chairman of Reform Jersey and not chair or vice chair of this panel unfortunately.

Mr. M. Robbins (Scrutiny Officer):

Mick Robbins, Scrutiny Officer.

Assistant Minister for Home Affairs:

Deirdre Mezbourian, Assistant Minister for Home Affairs and I had to think about that.

The Minister for Home Affairs:

Deputy Kristina Moore, Minister for Home Affairs.

Deputy Chief Officer, States of Jersey Police:

Hello, Deputy Chief Officer for States of Jersey Police.

Chief Officer, Home Affairs:

Chief Officer, Home Affairs.

Deputy L.M.C. Doublet:

Okay, so I believe you have had our list of questions and we have changed the order around slightly to accommodate I think the needs of your officers. So I will just let you know now the order which we are going to take the questions so you know what to expect. So we are going to stick with numbers 1 and 2 as our priority questions to begin with and then we were going to go with

numbers 8, 9 and 10 which I believe one your officers would like to be here for and then we are going to go to number 7 and then 3, 4, 5, 6. Does anybody want me to repeat that?

The Minister for Home Affairs:

That is fine, thank you.

Deputy L.M.C. Doublet:

Okay, so the first question then. How do you intend to absorb the required 2 per cent cuts?

The Minister for Home Affairs:

Your list is different. It is numbered differently to ours. Okay, so I will find the relevant number.

Deputy J.M. Maçon:

So scratch that.

The Minister for Home Affairs:

I was so impressed by your organisation. Okay, there we go.

Deputy L.M.C. Doublet:

I think you must have the list that we sent as a possibility from your department to the officer but did not adopt that list.

The Minister for Home Affairs:

Right, well, there are a variety ways that we are going to address the 2 per cent cuts for this year. Essentially in thinking carefully about recruitment, not recruiting many positions, and then there are some initiatives ... taking the police, they have cancelled their G.P.S. (Global Positioning System) mapping project. They are extending the desktop P.C. (personal computer) life from 5 to 6 years, making a reduction in I.T. (information technology) budget and those are the projects. In Home Affairs and Executive Department we are making a saving by not replacing the Chief Office post upon the retirement of our current Chief Officer. At the fire and rescue service, the 2 flexible duty fire posts are being lost. Customs and immigration, there is a renegotiation of rental charges. Currently customs and immigration pay a substantial amount to the Ports of Jersey and with the incorporation of the ports we are reducing that rental charge. At the prison there is some reduction of staffing levels and general savings with overheads, and as the Registrar the removal of a contract staff budget, and the field squadron are cutting back on their maintenance projects. That is it generally.

Deputy L.M.C. Doublet:

Okay, I am just looking at my list to see if you have covered everything I had on my list. Can I ask you just further about these different sections of your department. So are you asking 2 per cent savings from each section or are you looking at 2 per cent across the department and some parts will be harder hit than others?

The Minister for Home Affairs:

I think on this occasion officers have looked ... taken a 2 per cent saving on each of their budgets.

Deputy L.M.C. Doublet:

Each budget, okay. Could you perhaps talk a little bit more about the prison, please, and the things that will go ... I think you said ... you mentioned staffing reductions there.

The Minister for Home Affairs:

Well, they have a couple of vacant posts at the moment that will not be filled.

Deputy S.Y. Mézec:

How is that going to affect the job the prison does then?

The Minister for Home Affairs:

The hope is that there will not be any impact on the general day to day running of the prison. The ...

Deputy J.M. Maçon:

The hope is that? Can you explain how it has been assessed, please?

The Minister for Home Affairs:

Well, that is a very good question. Perhaps the Chief Officer might assist us in that?

Chief Officer, Home Affairs:

Yes, are we talking about 2015, Chairman? So it is right that we have taken equal misery this year because there is very little planning time, of course. But this year ... and the staffing only amounts to 2 FT (full-time) and that is basically running light in back office and the rest is basically managing overheads and the non-staff budget. So there is nothing too drastic this year. Clearly if you have successive year on year savings then you have to look to other areas but we think it is manageable this year.

Deputy L.M.C. Doublet:

We understood that actually prisoner numbers had fallen quite significantly so is there scope for cutting more, are you planning cutting more staff or is it just those 2?

The Minister for Home Affairs:

Well, the prison population is generally about 144 at the moment, which is considerably reduced. It was edging towards 200, 2 to 3 years ago. So savings have been made probably in the way the prison is run but they have also been able to improve the prisoner offering in that there is a greater focus on rehabilitation and education for prisoners.

Deputy L.M.C. Doublet:

Will any those kind of enrichment things be effected by the cuts?

The Minister for Home Affairs:

Not with these current cuts, no.

Deputy L.M.C. Doublet:

Okay, that is good to hear. Does anyone want to pick on anything specifically?

Deputy J.M. Maçon:

Yes, just also within that 2 per cent, in order to bolster income, are there any plans for service or user pays charges which the Minister is planning to bring in within the next few years?

The Minister for Home Affairs:

We do not currently have any plans to introduce user pays charges, however, the M.T.F.P. (Medium Term Financial Plan) has not been agreed yet and so there may be ... I would not say user pays charges but one of the considerations that we have been approached by the press has been introduction of on the spot fines, perhaps, and that could be seen as an increase in revenue. Something that we are considering but have not yet made a decision on.

Deputy J.M. Maçon:

Thank you.

Deputy L.M.C. Doublet:

You mentioned, I think it was within the police, with regard to recruitment, that you were going to be not recruiting many. Could you just elaborate on that?

The Minister for Home Affairs:

Well, we are not recruiting at all in the police this year. There is currently 7.5 vacant posts and they will not be filled.

Deputy L.M.C. Doublet:

Right, and what affect will that have on services?

The Minister for Home Affairs:

I think officers are being moved around in different units and departments to cover any shortfalls, but generally we are content that the savings are manageable.

Deputy L.M.C. Doublet:

Okay, and what evidence do you have that it will not impact on the services?

The Minister for Home Affairs:

Well, we have good confidence in our officer, Chief Officer and Deputy Chief Officer who are in charge of maintaining staffing levels and controlling budgets, and they have good control of their staff issues.

Deputy L.M.C. Doublet:

Okay, and would you maybe update scrutiny on that over the year?

The Minister for Home Affairs:

I am sure as the year progresses we will ... certainly will touch upon these issues.

Deputy L.M.C. Doublet:

Thank you. Before I ask my final one, any more or any specific comments?

Deputy S.Y. Mézec:

Not specific comments, no.

Deputy L.M.C. Doublet:

Okay, so just going back to your briefing that we had from your department in January, where you outlined your priorities, are any of these desired priorities at risk of failing to be achieved because of the cuts?

The Minister for Home Affairs:

At the moment we are talking about savings rather than cuts.

Deputy L.M.C. Doublet:

Right.

The Minister for Home Affairs:

We remain focused on the priorities and achieving them all, and certainly working towards them.

Deputy J.M. Maçon:

Although, from what you said, it sounds like in some cases what will just happen is there will just be a deferral of some projects which will then be reintroduced the year after, presumably?

The Minister for Home Affairs:

There might be time delays. Some work might have to take precedence over others but we intend to remain focused on our priorities and achieving them.

Deputy L.M.C. Doublet:

Could you just elaborate on the G.P.S. system?

The Minister for Home Affairs:

Yes, the G.P.S. project was to provide a street mapping service that was available to police officers and it has been decided that that was in the “nice to have” bracket rather than the essential and so it has been scrapped for the time being.

Deputy Chief Officer, States of Jersey Police:

We will continue with this but in fact by dealing with the project in a different way. We can cease paying a subscription to a piece of software, so we can progress things just by rearranging the project but making a savings on subscription costs.

Deputy L.M.C. Doublet:

What were the aims with that project?

Deputy Chief Officer, States of Jersey Police:

It is to identify the local of officers and vehicles, and Honorary Police officers and vehicles, as they move around the Island.

Deputy L.M.C. Doublet:

Okay, thank you very much. I think that is everything on that one.

Deputy S.Y. Mézec:

I have a couple of final ones. The 2 per cent we are talking about here which you have had answers to pretty much everything we have asked, that is just the beginning, there may well be more, there may well be significantly more. At what point do you stand the chance of being asked to provide savings where you will be really struggling and where potentially frontline services can only be affected if you are being asked for savings of about 7 per cent. At what point does that hit?

The Minister for Home Affairs:

I am not quite sure what you mean in terms of at what point. Are you talking about at what level of savings in terms of percentage of the budget?

Deputy S.Y. Mézec:

Yes, each department may well have scope for certain savings without particularly affecting any services, you know, taking away “nice to haves” or whatever, and 2 per cent may well be acceptable but then what if next time around you are asked to find another 5 per cent, but you do not necessarily see you have scope for? What scope for cuts can you see before services are affected?

The Minister for Home Affairs:

The intention is to maintain frontline services but obviously to give the most effective service to member of the public and protect members of the public, particularly protect the feeling of safety that is enjoyed and appreciated by the members of the public of Jersey. There are discussions at the moment as we lead up to the M.T.F.P. about how further savings could potentially be made. They will sometimes be difficult discussions and difficult decisions but we keep in mind the protection of frontline services particularly as most of our costs, over 80 per cent of our costs, across the department are staff based. In the fire service it is over 90 per cent. So you will begin to understand why protecting those frontline services will be ... could lead to difficult decisions.

Deputy S.Y. Mézec:

Within the Council of Ministers you will obviously be advocating for your department, how ideologically signed up are you to this principle of cuts and at what point, as Minister, could you find yourself uncomfortable? If you argued your case in Council of Ministers and you do not necessarily get the figure you like, you get something that you think is slightly or potentially drastically more than you as Minister can identify as being something you could comfortably deliver on, and what point do you become very, very uncomfortable with what you may be asked to do?

The Minister for Home Affairs:

We are talking in a very hypothetical sense here so if you take, for example, the Sunday night, early Monday morning events, where there were 2 fires that caused the retained service to be called out to assist those fire-fighters who were on duty, there is a real “all hands to the pump” situation, and 2 weeks prior to that there had been 3 road traffic accident in one afternoon, a fire and a medical emergency that the fire service had attended as well. So they were stretched to the limit and it would become difficult if, in hypothetical terms, we were unable to man a fire service that was able to answer all of those emergency calls, because obviously being the emergency services you never know exactly when calls will arise. We need to make sure that we can attend to them.

[15:30]

So that would be the position where I become uncomfortable, but that is a hypothetical question and in all of the decisions that we have to make we have to maintain that thought in the front of our minds that we have to be able to answer all emergency calls as they arise and look after, protect the safety of the public and that is our job to do so.

Assistant Minister for Home Affairs:

If I could just say, the fire chief made it quite clear that the 2 incidents that they had to attend on the same day this week clearly seconds counted. That hits home to us because, you know, it is life and situations. So we are very aware of the impact that potential reductions could have on the effectiveness of the emergency services.

Deputy L.M.C. Doublet:

Following on from that and giving the essential nature of these services, will you be subject to any growth bids for increasing any of the ...

The Minister for Home Affairs:

No, we will not.

Deputy J.M. Maçon:

As you will appreciate we are still deciding our work programme for the coming year or so and I wonder if you could inform us if there are any legislative changes being brought to the States Assembly over that period?

The Minister for Home Affairs:

I think you have received a list of the legislation that we have.

Chief Officer, Home Affairs:

I have brought it with me, Minister.

The Minister for Home Affairs:

Well, the Chief Officer will distribute the list.

Chief Officer, Home Affairs:

If I may, I will give you a list of the legislation

Deputy L.M.C. Doublet:

Yes, please.

The Minister for Home Affairs:

So I will talk you through it if you are happy to?

Deputy L.M.C. Doublet:

Yes, please.

The Minister for Home Affairs:

So there some subordinate legislation to the States of Jersey Police Force law. That is changing some regulations regarding the Chief Officer, Deputy Chief Office functions, States employees.

Deputy J.M. Maçon:

Is that finally looking at the disciplinary procedure over the Chief and how that is going to be dealt with?

The Minister for Home Affairs:

Yes, it is.

Deputy J.M. Maçon:

Okay, thank you.

The Minister for Home Affairs:

Then there are amendments to prison law and prison rules, it is bringing that law and those rules into line with the U.K. (United Kingdom). For example, at the moment the penalty for escaping prison, although we do not have a problem with escapees, we have a zero rate and we have had that for the 5 years that I have been provided records for. But currently if someone were to escape

the penalty would be 2 years and the intention is to bring that up to a period of 10 years. The rules are also bringing into line ... at the moment it states only cigarettes and alcohol are prohibited from entering the prison and this would provide for the quite obvious items of illicit drugs, explosive devices or substances, weapons and communications equipment. If we move on to the amendment to the Police Complaints and Discipline (Jersey) Law, the States of Jersey Police will be preparing law drafting instructions for amendments to be made to the above. They both need revision to take account of best practice and case law. The Young Person's Placement Panel Regulations, which is deciding where it is most appropriate for young people to go if they are to be remanded into custody.

Deputy L.M.C. Doublet:

Can I just ask you to repeat the last one, please. I am not sure I have got here.

The Minister for Home Affairs:

Sorry, the Police Complaints and Discipline (Jersey) Law 1999 and the Police Complaints and Discipline (Jersey) Law 2000. Then the Fireworks Regulations.

Deputy J.M. Maçon:

Again

The Minister for Home Affairs:

Which is under way.

Deputy J.M. Maçon:

What is happening with them now.

The Minister for Home Affairs:

Well, I think they are being drafted at the moment. They were agreed by the States in July last year.

Assistant Minister for Home Affairs:

It was the Explosives (Jersey) Law, was it not, that was agreed last year?

The Minister for Home Affairs:

Yes.

Chief Officer, Home Affairs:

We are meeting the law draftsmen on Thursday to get the actual drafting under way.

The Minister for Home Affairs:

We have got listed here the introduction of fixed penalty notices, an alternative to wheel clamping. The Law Officers' Department are dealing with this. They are developing a legal framework for dealing with cars parked on private land, which is, I believe, an item that has been raised recently. So upon receiving that expert opinion from the Q.C. (Queen's Counsel) they are developing a legal framework and we will then develop legislation in that regard.

Deputy J.M. Maçon:

I was going to ask, what instructions have they been given?

The Minister for Home Affairs:

The law drafting instructions? Well, I think at the moment they are deciphering the opinion that has come in from the Q.C. in the U.K., and then they will develop a legal framework.

Deputy J.M. Maçon:

When was that advice received by your department?

The Minister for Home Affairs:

I am not entirely sure of it exactly.

Chief Officer, Home Affairs:

In the last month. Yes, it was in the law officers for quite some time but there has been a legal challenge in the U.K. that we have to take account of now.

The Minister for Home Affairs:

Then the legislation relating to the European Convention on Cyber Crime. Our part of this is being drafted at the moment and I am about to sign a ministerial decision once I have completely understood all of the proposed law drafting instructions which have taken some translation for me. But essentially it is to provide for the policing powers and giving them opportunities to deal with cyber crime in terms fraud and ease of computer information.

Deputy L.M.C. Doublet:

So it does not relate to cyber bullying?

The Minister for Home Affairs:

Cyber-bullying is being dealt with by the Economic Development Department who are about to produce a Green Paper ... it becomes a bit confusing. They are focused more on the Electronic

Communications (Jersey) Law which takes into account those elements, cyber bullying, harassment ...

Deputy L.M.C. Doublet:

Are you communicating with the department?

The Minister for Home Affairs:

We are indeed, yes. We had a meeting with them recently and we are happy with the Green Paper they are going to produce.

Deputy J.M. Maçon:

I wonder if we can just ask on that point, on the cyber bullying, how much of a demand on your department, if I am not crossing some lines here ...

Male Speaker:

Getting close, but that is fine.

Deputy J.M. Maçon:

Roughly, if you could just tell us how much of a drain or resource on your department is that becoming?

The Minister for Home Affairs:

Cyber bullying? I do not think it would be considered a drain at all. At the moment the police deal with complaints under the harassment laws and generally, I think, they fit into harassment laws, but the extra powers to make it more watertight and particularly to deal with one-off incidents where people feel that there has been abuse over the internet and I think it enhances the descriptions of the telecommunications materials that people use, because obviously the law was written before we had Snapchat and Facebook.

Deputy J.M. Maçon:

We will cover that in more detail later.

Deputy L.M.C. Doublet:

Yes, we will come back to that. Please continue.

The Minister for Home Affairs:

Then we move on to items with the Law Officers' Department. This being some legislation under the Immigration Act, which is again bringing items into line with the U.K. We have an officer who

has been working on these items essentially looking at the Island's position within the common travel area. The Vetting and Barring legislation, this is going to go out to consultation. So it is the Safeguarding Vulnerable Groups Act 2002, which was brought in in the U.K. looking at protecting people following Sara's Law, for example, which ... okay, following Soham when the 2 girls Holly Wells and Jessica Chapman were taken away, there was a trusted individual involved in that despicable murder and so since that moment there have been a tightening of laws ... you will be aware of the C.R.B. (Criminal Records Bureau) checks and the processes that people now have to go through to prove that they do not have a criminal record if they are going to be placed in a position where they have a trusted relationship with a young person or a vulnerable person. So we are working to update our safeguarding.

Deputy L.M.C. Doublet:

So what specific areas within that will you be updating?

The Minister for Home Affairs:

It is an introduction rather than an update.

Deputy J.M. Maçon:

Yes, because I think if I recall correctly, and if you can possibly remind me, there was one proposed system under the previous Labour Government and as soon as Jersey was preparing for that particular change the new government coalition came in in the U.K. which kind of scrapped what was proposed and what came forward was a system whereby people could register into a system, is this correct?

Chief Officer, Home Affairs:

Good recollection, Deputy. Yes, carry on.

Deputy J.M. Maçon:

They could register into the system, and is this basically making that apply to Jersey now?

Chief Officer, Home Affairs:

Yes, we got to the point where they had finished their review, they dropped certain things, as you said, out of the original proposals but because it is an Act it goes through the Law Officers as opposed to the law draftsmen and they are very close to finishing the draft Order in Council in the Law Officers now. As the Minister said, the next thing after that will be to consult because it obviously touches all society.

Deputy L.M.C. Doublet:

Is there, as part of that, a plan to be able to check information on individuals who come into the Island to maybe ask other police forces from other jurisdictions about this individual?

The Minister for Home Affairs:

An element of that occurs already. For example, there is an exchange of information regarding sexual offenders, particularly people who are on probation, the probation service would be in contact with other jurisdictions if people were known to them and moving.

Deputy L.M.C. Doublet:

So, say, for example, if someone came from a European country to work in Jersey and they wanted to work with children, do you have access to their full past criminal records?

Deputy Chief Officer, States of Jersey Police:

We have routes through the National Crime Agency, we do not have a direct link into Europe at the moment, we have to go through a U.K. route to get offender information but we can do it, yes, and we do.

Deputy J.M. Maçon:

Depending on which country they come from?

Deputy Chief Officer, States of Jersey Police:

Yes, yes.

Deputy L.M.C. Doublet:

So are there some countries that you do not have access to at all?

Deputy Chief Officer, States of Jersey Police:

No, we can try ... we try to approach all countries but some take a long time and some do not respond so it depends on the nature of the request and where they are in the world. It is not ideal.

Deputy L.M.C. Doublet:

So if a country does not respond and you do not have that information, is the C.R.B. check not granted?

Deputy Chief Officer, States of Jersey Police:

Well, the information we may have available locally from other aspects of the U.K. would be provided to prospective employers and we have to notify them we have not received a response from

the source country, maybe. It is a matter for the employers to make a judgment at the end of the day.

Deputy L.M.C. Doublet:

That is interesting, okay, thank you.

The Minister for Home Affairs:

Right, we will move on to Export Control Order, which is relating to trade in military goods and strengthening our laws in relation to changes that have been made in the U.K. to broaden it so that the provisions include intangible items such as software, rather than just purely weapons and such like. Then we have some ...

Deputy J.M. Maçon:

Has there been any discussion within the department which has been brought to the front about antiquities ... the new story, of course, antiquities coming out of the Middle East being snapped up and in particular talking about updating the U.K. law in order to capture that and make it much tighter. Has there been any discussion in the department in that particular area?

The Minister for Home Affairs:

That is not an area we have considered yet. I was not aware of that issue, so thank you for raising it with us, Deputy.

Deputy J.M. Maçon:

It may not have any impact on Jersey, I am just interested if it had been thought of.

The Minister for Home Affairs:

Perhaps something we can ask the Customs and Immigration if they have seen any such movement.

Deputy J.M. Maçon:

Okay, thank you.

The Minister for Home Affairs:

Sorry, there are some more items on the list. So the extension of the prisons, these are in abeyance at the moment. This is really because the proposal is now outdated because technology has moved on so it is not really considered necessary. Part 5 of the Police Procedures and Criminal Evidence Act Law, this is in abeyance pending the outcome of the access to justice review, which is currently ongoing and so it was felt that it would be best to wait for the conclusions

of the access to justice review before continuing on that piece of work. And then we also, in our discussions more recently, with the police have been looking at amending some laws to include some further items, particularly to improve the protection of victims of violence. Those being bail, giving greater powers of arrest for breach of bail; legislation relating to prostitution, which has been well covered in the press.

[15:45]

Domestic violence protection and notices and orders, which would allow the police to prevent perpetrators of domestic abuse from returning to the home within 28 days of the act.

Deputy L.M.C. Doublet:

Is this a priority?

The Minister for Home Affairs:

I would consider it to be a priority, yes.

Deputy L.M.C. Doublet:

Okay, do you have a timescale for that?

The Minister for Home Affairs:

Sadly, not at the moment but it is something we are very keen to discuss with Law Officers and we are asking them if they can put it into their schedule.

Deputy L.M.C. Doublet:

We would be keen to hear more about that as it progresses.

The Minister for Home Affairs:

Threats to kill is also on the list, as is witness intimidation, stalking and restraining orders for offences other than harassment. Possession of bladed articles and replica firearms, which would be required by the Firearms Law Liaison Group, which the Assistant Minister chairs. An extension of the Regulation of Investigatory Powers (Jersey) Law to assist in investigations into missing persons or unexplained deaths when no offence has been committed. There you are, that is our legislation list.

Deputy L.M.C. Doublet:

Would you like to ask any questions on any of those? Okay, I am going to move to ...

Deputy J.M. Maçon:

I have just one, if I may, within that, again, are there any other significant ministerial decisions in the next 6 months that the Minister is considering making that should be raised to the panel's attention?

The Minister for Home Affairs:

I referred to the law drafting instructions for cyber crime. At the moment I cannot think of a particular ministerial decision that is coming to us?

Deputy J.M. Maçon:

Okay, thank you.

The Minister for Home Affairs:

That is not to say they will not happen.

Deputy L.M.C. Doublet:

Okay, the next question is about customs. So it is question 8 on my script.

The Minister for Home Affairs:

Okay, let me see if we can find it. Yes, I think that might be question 8 on ours too. About the temporary staff?

Deputy L.M.C. Doublet:

Yes. So last summer Customs employed 2 extra temporary staff to check for importation of cigarettes and alcohol, will this be happening again this year?

The Minister for Home Affairs:

So, as you are aware, the Assistant Minister has delegated functions for Customs and Immigration, as well as Fire and the Registry, so perhaps she would like to answer.

Assistant Minister for Home Affairs:

I am happy to answer that question and to tell you that it is not intended to recruit extra staff to undertake this role in 2015, based really upon the result of the employment of these 2 extra staff last year. During ... the busy 3 month period for Customs really is July to September and 4,252 passengers were challenged by Customs officers at the ports during that time, but of those 4,252 only 304 were actually identified as having goods in excess of the duty free allowance. The officers seized, during that period, 40,700 cigarettes, the duty equivalent of that was £9,700, 14.5 kilos of hand rolling tobacco with an equivalent duty of £4,200; 33 litres of spirit only, which was

about £430 worth of duty and £6,000 in duty. With those seizures during that period it reinforced the J.C.I.S. (Jersey Customs and Immigration Service) assessment that cigarette and tobacco smuggling is not a high risk in the Island at the present time. So clearly what they did was they had anecdotal evidence that this was taking place. They employed the 2 extra staff, the evidence showed that those 2 extra staff were not needed for this year. Again, to answer your question, no, they will not be doing that.

Deputy L.M.C. Doublet:

Are there any further actions your department will be taking in this area at all?

Assistant Minister for Home Affairs:

In what way?

Deputy L.M.C. Doublet:

In the area of importation?

Assistant Minister for Home Affairs:

Well, I think what they will be doing is continuing to meet arrivals and they act on intelligence obviously and they also act on precedent so they will continue operationally as they have done in the past.

Deputy S.Y. Mézec:

Can I just briefly ask, of those who were bringing in more than they should have, do you know if ... I mean it is a quite specific question so I do not know if you will know, in terms of those who were caught, what proportion of those were people who were bringing in more than they should but for whom the quantities may have been such that perhaps it was just a mistake - they may have just brought a couple of extra packets - and how many were quite deliberately trying to bring in a lot more than what they were meant to?

Assistant Minister for Home Affairs:

I am not sure whether the officers make those distinctions.

Deputy S.Y. Mézec:

Of course, yes.

Assistant Minister for Home Affairs:

I can try and find out for you. I think your question was what sort of levels of additional, say, cigarettes or alcohol were imported by passengers ... no, you are going to have to tell me what the question is.

Deputy L.M.C. Doublet:

Whether it was intentional or ...

Deputy S.Y. Mézec:

It is entirely possible that somebody is coming into the Island and say they have only got one extra bottle of spirit on them, you can guess that perhaps that was just an accident. Whereas if someone comes in and they have 20 extra bottles, it is quite clear that they are up to something. Both have done something they should not have but one is clearly an accident and one is clearly someone who needs to be dealt with.

Assistant Minister for Home Affairs:

Okay, well it seems to me that the Minister may be able you with that.

The Minister for Home Affairs:

I can draw your attention to a case that went to the Royal Court recently where 2 people pleaded guilty to importing a significant quantity of cigarettes. One of them had evaded duty equivalent of £2,292 and the other £9,800. They had a considerable number of cigarettes on their person and would have clearly known it was above the legal limit.

Assistant Minister for Home Affairs:

But specifically I do not think they break that down because if it is above the limit, it is above the limit.

Deputy S.Y. Mézec:

Yes.

Deputy J.M. Maçon:

But there is an issue of, if for example there are many people only fractionally breaking the rules then there is a case for an education campaign for greater clarity, et cetera. But then if there is not ... is that recognised?

Assistant Minister for Home Affairs:

An education campaign?

Deputy J.M. Maçon:

Not just an education campaign but just greater clarity around the rules because I know you do get stuff printed on tickets and what have you so I am well aware of it but is it making any sense to say that if there is a situation whereby it is found that only small amounts of fractional transgression has been found that perhaps there is a role around awareness which might be ... because it is a better use of officer time in order to take it that way than to prosecute people and go through that process.

Assistant Minister for Home Affairs:

I think the onus is on the retailer to make the customer aware of what their limits are in tobacco and alcohol purchases. Clearly it has to be.

Deputy L.M.C. Doublet:

Okay, let us move on to Deputy Mézec now.

Deputy S.Y. Mézec:

Okay, this is question 9 on my list, it is the one about passports. We have known for some time that there as going to be a transition with Jersey no longer printing them to it being done in the U.K. At what point in that process are we at at the moment?

Assistant Minister for Home Affairs:

That is easy. That is me. The move to centralise passport printing when live on 6th March, so I can tell you that as a part of the initial roll out, 11 passports were processed through the centralised system and 6 passports were processed through the local facility, and all were processed successfully. The passports that went through the central facility, i.e., off Island, on 6th March were received back in the Island on the 10th. So it took 4 days. That is only the printing process. The pre-printing process, all the administration, remains as part of the J.C.I.S. function so is dealt with over here. Do you want to come in on that?

Chief Officer, Home Affairs:

No, that is correct, Assistant Minister, yes.

Deputy S.Y. Mézec:

In terms of that transition then, were there any problems that were run into. Did the department regret that it was having to send out to the U.K. for the printing services to be done or is it ... has it worked out in the department's interest, this new arrangement?

Assistant Minister for Home Affairs:

I do not think the department can regret it because it is a requirement that the passports are printed centrally, so that all crown dependencies and overseas territories now have their passports printed in the U.K. because it was deemed to be the most secure and cost effective way of making sure that U.K. passports were produced, with the ability of being upgraded for security reasons. So we did not have an option on this. What we are pleased about is that the cover of the passport has retained the identity of it being issued by Jersey as a crown dependency.

Deputy S.Y. Mézec:

What provisions are there in place for people who need emergency travel documents then; for whom waiting several days for a passport is simply not an option for them?

Assistant Minister for Home Affairs:

We have retained the ability to print, in an emergency, passports in the Island, but that is the exception rather than the rule.

Chief Officer, Home Affairs:

Yes, Deputy Mézec, we also bought ahead a large stock of blank passports so that we have got quite a number of years' worth for emergency passports.

Assistant Minister for Home Affairs:

You talk about an emergency passport. There are actually criteria for that. I would be if somebody needed to travel for the treatment of a serious illness, if it was relative to a life and death situation as examples of emergency issuance really.

Deputy L.M.C. Doublet:

So that is about medical emergencies, what about if somebody just forgets to apply and they are going on holiday and it is an emergency to them. I know at the moment they can pay extra, is that the sort of ...

Assistant Minister for Home Affairs:

No, what I would say is the criteria is compassionate grounds not bad memory.

Deputy L.M.C. Doublet:

So is there still the facility for the individual to pay extra to have it rushed through?

The Minister for Home Affairs:

Yes, there is an express facility.

Assistant Minister for Home Affairs:

Sorry, the express facility, yes.

Deputy L.M.C. Doublet:

Okay, would you like to come on anything with that? Okay, this is my question 10, I am not sure what number you have, about Prison? Me! No Way! So how is the Prison? Me! No Way! scheme being funded now and is there provision for it to continue?

The Minister for Home Affairs:

Well, the department provides a grant of £60,000 annually for Prison? Me! No Way! It is part of one of our best initiatives, building a safer society, and one that we support wholeheartedly. There has been a reduction in youth crime and we support education that helps to keep that trend low.

Deputy L.M.C. Doublet:

So are there any plans to expand the scheme or alter it in any way?

The Minister for Home Affairs:

Well, I think they are always developing the scheme and recently there has been a particular focus on substance misuse, I believe. And they continue to do that, to work with the different departments, particularly with the police, but also fire and rescue and so they consider what it is deemed to be appropriate to focus on.

Deputy L.M.C. Doublet:

Okay, so in what specific way is it being kept sharp and up to date? Is there feedback from the children that take part in it and teachers to help you keep it really up to date or anything like that?

Deputy Chief Officer, States of Jersey Police:

Yes, indeed, there is feedback from all the participants, but also the various agencies that contribute to the running of the scheme and they do have their eyes open to see what is topical and relevant to people going through the scheme at that particular time. So it is constantly updating and there is a lot of consultation within those groups around that.

Deputy L.M.C. Doublet:

Minister, when you were speaking in the Youth Parliament earlier today I think you were questioned ... one of the young people was questioning you on issues around rape and you were talking about educating pupils about issues of consent. Could you just elaborate on that?

[16:00]

The Minister for Home Affairs:

Yes, there is the Ask, Listen, Respect campaign which is for young people and adults. It has been a particularly high profile campaign that the police have produced and reintroduced this year. There is livery on all of the police van depicting quite macho men who say: "I understand that no means no." People are also being directed to a website, an Ask, Listen, Respect website which offers advice to people, whether they feel they have been victim of a sexual offence and also talking about the issues of consent. There is apparently also a Facebook campaign that likens the question of consent to if you offer somebody a cup of tea and they say no, that means they do not want a cup of tea.

Deputy L.M.C. Doublet:

So is there anything specifically in schools that you are doing with children perhaps alongside the Prison? Me! No Way!?

The Minister for Home Affairs:

I think the campaign is more of a broad campaign. It is designed to attract all members of the public really. I do not think we have any particular plans to go into schools other than through the Prison Me No Way campaign.

Deputy L.M.C. Doublet:

Do you think there is scope for that, given there is some research coming out now that is showing that children need to learn these lessons early on so it is embedded by the time they get to adulthood?

The Minister for Home Affairs:

I would imagine that P.S.H.E. (Personal, Social and Health Education) teachers would be aware of the current issues of the day and I think it is a big issue of the time. I would hope that they would be able to approach the police and request information if they require further information. But, as I say, the website is quite descriptive and thorough and offers a great amount of advice on different topics.

Deputy L.M.C. Doublet:

Is that something that you could perhaps commit to discussing with the Minister for Education, on whether that is happening within P.S.H.E.?

The Minister for Home Affairs:

I would be very happy to.

Deputy L.M.C. Doublet:

Thank you. Okay, we will move on to question 7 then, which is Deputy Mézec.

Deputy S.Y. Mézec:

What is the department's position and agenda now in terms of tackling cyber crime and cyber bullying?

The Minister for Home Affairs:

Well, as I said earlier, we are involved with Economic Development who are bringing forward a Green Paper and amending the Electronic Communications (Jersey) Law. We, ourselves, are ... I am just looking for the relevant page, it will help me to give you the best answer. So we are producing our law drafting instructions, as I said. This is to meet Council of Europe Convention on Cyber Crime. We are amending our Regulation of Investigatory Powers Law in order to do this, bring it up to date, and it is something we are very much committed to. You will be aware of the great success that our team had at the police recently and they played a great part in cracking a paedophile ring that was prolific and active on line. One of our police officers received a particular commendation from a member of U.S. (United States) police force that they were working with, which was a great accolade to show their very good work.

Deputy S.Y. Mézec:

With cyber bullying based on Island what sort of complaints and how many complaints do the police get from people who feel that they have been cyber bullied to a point where it is necessary that they feel that action needs to be taken.

The Minister for Home Affairs:

Let me have a quick look here to see if I have got those figures because I have recently been looking at them. The police at the moment deal with them under harassment. I do have them here. I have so many different figures, you will just have to bear with one minute while I find the right ... I am sure I do. Okay, perhaps I do not. I have looked at them recently, but it is a small number, about 25 I would say from memory but I can get to you the more specific figures. I would have to get back to you with the specific figures but I think it is most certainly lower than 30, probably around the 20 mark annually.

Deputy S.Y. Mézec:

So do you have any idea how many of those end up in prosecutions then?

The Minister for Home Affairs:

A very small number.

Deputy S.Y. Mézec:

Do you think that is a problem?

The Minister for Home Affairs:

Well, it is a matter for the judiciary and sentencing really. It is a problem for people who are distressed by cyber bullying and issues that affect them in their personal lives, yes, but ...

Deputy S.Y. Mézec:

Do you have any idea in terms of the demographics of people who complain? Is it predominantly young people, people at school, or is there a significant number of people who are adults? Or some people potentially in their 50s and 60s who witness it or are victims of it. Does that come up much?

The Minister for Home Affairs:

No, that is not something I have been made aware of but I can certainly ask.

Deputy S.Y. Mézec:

I think that is important because one of the solutions that is sometimes spoken about cyber bullying is that better education will help but does the department recognise then that actually many perpetrators of cyber bullying are people who are well above school age. I know of some who are in their 50s who should know better but are engaging in this anyway. The victims of those people, certainly at the moment, feel like there is nothing they can do at all about it. They complain, they do not feel they are listened to. They see people who are regular perpetrators who appear to just be completely unaccountable for what they are doing.

The Minister for Home Affairs:

I would be very sad to think that people would feel that they are unaccountable or the perpetrators of cyber crime and I have laid my eyes on the correct piece of information here. Last year there were 21 official complaints made to the police relating to online harassment and I will remind you, as I mentioned earlier, that the police can deal with such incidents under the Harassment Law. Four offenders were taken to court. There were a variety of reasons for these and also they can ... they have given words of advice to some individuals. There was one restraining order so that shows that people can ... the authorities can take things further and implement restraining orders. Three people withdrew their original reports. So it is something that the police take very seriously

and deal with effectively. I think there is a great sense among the public generally, and it is a great thing that cyber crime, and particularly cyber bullying is being talked about quite a lot in the press at the moment because people are realising that this can be very distressing and very harmful, particularly to the mental health of young people who are the victims of such abuse.

Deputy S.Y. Mézec:

Not just young people, people with mental illnesses. In my experience of cyber bullying I have witnessed, often those people are specifically targeted by people who use fake online identities. So on Facebook it is very, very easy to set up an account with a fake name. There are hundreds of millions Facebook accounts, Facebook will not spot it. The chances of them realising it is a bogus account are very low. Twitter is the same, and some of the security functions on Twitter and Facebook like blocking are not that good. So what powers, if any, does the department have to ascertain the identities of these people? Because those who are doing that are presumably the ones who are the least accountable because a victim may not be able to attribute a specific name of someone to complain about when they are being targeted.

The Minister for Home Affairs:

This is a good reason and a good example of why the relevant amendments are being made to Regulation of Investigatory Powers (Jersey) Law. What I can also do ... I was quite interested to hear you refer to targeting of vulnerable adults as something that, I have to say, I was not aware of but part of my role ... I sit on the Children's Policy Group and the Vulnerable Adult Policy Group and so perhaps it is something that I could take to that group and ask them to ...

Deputy S.Y. Mézec:

I can give you a website address if you would like it.

The Minister for Home Affairs:

That would be most helpful. Yes, okay.

Deputy S.Y. Mézec:

But can the department find out who are behind these anonymous things? I know in the U.K. there have been occasions where people on Twitter have targeted people who have been involved in high profile campaigns and threatened them with rape and all sorts of horrible things. Some of those have resulted in prosecutions. I do not know if those people were acting anonymously or behind the scenes or anything, can the department find out? Do they have the power to get in touch with organisations like Facebook, like Twitter or email providers and say: "We want to know about this person because we think they are committing a crime"?

The Minister for Home Affairs:

We have some very skilled officers who are particularly adept at using internet and electronic communications for investigatory use. As to whether they have the powers, I presume that is why we are amending the law and perhaps Mr. Taylor can fill us in if there is any further information.

Deputy Chief Officer, States of Jersey Police:

Thank you, Minister. Yes, the law is limited at the moment and that is why the work is being undertaken by ourselves and with the E.D.D. (Economic Development Department) to look at how we can better improve that, mirroring some of the things that have taken place elsewhere. We do take up complaints of cyber bullying and cyber harassment very seriously and we have to operate within the framework that currently exists within the law - and the Minister has already alluded to that - which is the Crime (Disorderly Conduct and Harassment) (Jersey) Law 2008 which means that a person has to have pursued a course of conduct against a victim. So that does not cater for one-off events, sadly, and that is why the law needs to be changed to cater for that both on and offline. The Telecommunications (Jersey) Law 2002 concerns the use of public communication systems to send messages which may be grossly offensive, indecent, obscene or of a menacing character. Again, there are limitations around that in taking cases forward but we do investigate these things as soon as they come to our notice and operate within the terms of the law at the moment. The consultation paper that will come out shortly from the E.D.D. will hopefully widen the powers that there will be available to target these offenders wherever they may be across the world.

Deputy J.M. Maçon:

I wonder, for the benefit of the panel, if you could just outline what powers the police currently have and what is being thought of.

Deputy Chief Officer, States of Jersey Police:

Well, the powers that exist within, as I say, the harassment law and the telecommunications law are very limited. Some of the issues that have been raised in the Draft Green Paper I think are to extend the scope of the law to look at one-off events including the spread of cyber porn and also single events and harassment around that. We need to target those and have the ability to identify where those are being sourced from.

Deputy L.M.C. Doublet:

On a previous answer, Minister, you mentioned you were reducing the I.T. budget so will this have an impact on detection and reduction in cyber crime?

The Minister for Home Affairs:

That is a very good question but I would think that they were quite separate. I think the general I.T. budget and the skill that we have within the department that looks after that area is not being reduced.

Deputy L.M.C. Doublet:

Okay.

The Minister for Home Affairs:

Yes.

Deputy Chief Officer, States of Jersey Police:

This is a growth area and we have invested in a hi-tech crime unit and put in appropriate staff in there. That is a very effective team and we want to make sure we continue that.

Deputy L.M.C. Doublet:

Just one more then and then we will move on.

Deputy J.M. Maçon:

Yes, thank you. We have concentrated heavily on the cyber bullying aspect of this but, obviously, Minister, the cyber crime aspect and the fraud aspects of it, you have said that you will bring changes in order to investigate. Can you just outline what the pressure points in the department have been in the area of cyber crime?

The Minister for Home Affairs:

What the pressure points have been?

Deputy J.M. Maçon:

Yes.

The Minister for Home Affairs:

I think really that the Regulation of Investigatory Powers (Jersey) Law 2005 was written prior to the introduction of a lot of the electronic communications that we use so freely now and so it just does not cover those areas and so it has to be looked at in quite a broad sense which is why they use harassment laws, et cetera.

Deputy J.M. Maçon:

So we are not looking at cases of cyber fraud or mass cyber attacks on websites and things like that or ...?

The Minister for Home Affairs:

That is the nature of the current work.

Deputy J.M. Maçon:

Okay.

Deputy Chief Officer, States of Jersey Police:

There is a facility at the moment to do with cyber fraud. It is referred to a U.K. based unit called Action Fraud where all the details there are collated from wherever they may come from and then the information is passed back to the host force, as it were, for appropriate investigation. The reason it goes to a central repository is because these complaints come from anywhere across the world and they piece together snippets of information or intelligence and identify potential sources, so who the offenders might be, and then it is passed back to the appropriate force to deal with. So that is in place now for fraud related offences that are dealt with by way of the internet.

[16:15]

Deputy L.M.C. Doublet:

Okay, thank you. We will move on to my question 3 around domestic violence. Minister, what is the detection rate for domestic violence in Jersey, please?

The Minister for Home Affairs:

Well, there is no single crime category. These are recorded as either common assault, grave and criminal assault, harassment and domestic sexual offences. I can tell you that what they have done, very helpfully, is provide me with the figures for each of these crimes where the offence has taken place in a domestic environment.

Deputy L.M.C. Doublet:

Okay.

The Minister for Home Affairs:

So I could tell you that, last year, there were 408 offences covering those 4 categories in the domestic environment and that is 39 per cent of all offences against the person.

Deputy J.M. Maçon:

So when you say: "408", is that just as recorded by the police or goes to successful prosecution or how is that ...?

The Minister for Home Affairs:

No, that is reported incidents, yes.

Deputy J.M. Maçon:

Okay, thank you, yes.

Deputy L.M.C. Doublet:

That is reported. I am not sure if this is doable but do you have any figures on how much is not reported?

The Minister for Home Affairs:

Well, it is very difficult to say. There has been a steady increase. If you take 2009, for example, the total was 243 offences in those categories so there has been a considerable increase in reporting. It is felt that that increase in reporting is because people feel more confident in coming forward and reporting those offences and it is also hoped that that is the reason rather than it becoming more of a prolific crime.

Deputy L.M.C. Doublet:

Right, okay. So have you made any changes into how the officers deal with these crimes that have made a resulted increase in reporting?

The Minister for Home Affairs:

Well, we have an excellent Public Protection Unit who are highly trained particularly in dealing with sexual offences. We have 2 I.D.V.A's (Independent Domestic Violence Advisers) who are especially trained to assist victims of these crimes and the department takes it very seriously. There have been various campaigns targeting awareness of sexual abuse explaining that this is a crime that should be reported. The most recent campaign was earlier this year and the campaign was carried out in 4 different languages in Thai, Polish, Portuguese as well as English. I thought it was a very hard-hitting campaign saying: "Your silence is their weapon." As I say, there have been a number of different campaigns and focuses on different aspects. Next year, what we hope to do is to develop a Violence Against Women and Girls Strategy which is something that has been done in the U.K. through the Home Office and I think it would be something that we would very much like to do here in Jersey as well and so that work has begun. In fact, a meeting was held today with officers who are preparing the initial steps. What we feel that we need to do to

start is commission some research so we properly understand what the levels of crimes are and whether there are any gaps in our understanding and knowledge. Because other than just following what is done in other jurisdictions, we need to understand what are the peculiarities of the Jersey situation and whether there are any particular crimes that are more prolific here than others and such like.

Deputy L.M.C. Doublet:

Okay, so going back to that figure you gave us, the 408, that is the reported crimes.

The Minister for Home Affairs:

Yes.

Deputy L.M.C. Doublet:

That comes under the domestic category. So do you know how many of those resulted in a prosecution?

The Minister for Home Affairs:

Prosecution. That is the piece of information we have been waiting for and I apologise, we have not yet received it, but they are working on it and, hopefully, we can give that to you.

Deputy L.M.C. Doublet:

Okay, so you will send that to us when you have the figures.

The Minister for Home Affairs:

Yes.

Deputy Chief Officer, States of Jersey Police:

It does have the detection rate there.

The Minister for Home Affairs:

Well, that is a good point, yes. So thank you.

Deputy Chief Officer, States of Jersey Police:

That is probably the number that have gone to court.

The Minister for Home Affairs:

Yes, true. In the case of the detection rate, apologies, these that have gone to court would be 170 out of the 408.

Deputy L.M.C. Doublet:

Okay.

The Minister for Home Affairs:

A total detection, sorry. No, the detection rate is 46 per cent. I cannot read my own table, sorry. There are 189 total detections. Yes, perhaps you can elaborate.

Deputy Chief Officer, States of Jersey Police:

I will just clarify that. There are 189 total detections of that 408 of which 170 would have been dealt with through the court process. There are a number of others, 19, which are called administrative detections and this is, for some reason, why maybe the complaint has been withdrawn although it is unlikely that the prosecution would stop in a domestic setting. It is where there have been evidential difficulties maybe because of the age or the health of the offender or the offender may have died, for instance, or the prosecution is unlikely to succeed in the eyes of the Law Officers' Department because it is not in the public interest or there is insufficient evidence to proceed. So where the offender is known and they can be detected administratively, they do not go to court for those reasons there.

Deputy L.M.C. Doublet:

Okay.

Deputy Chief Officer, States of Jersey Police:

So the total number of that 408 has 189 detected, of which 170 have gone through the court's process.

Deputy L.M.C. Doublet:

Okay. You just said then: "It is unlikely that the prosecution would stop in a domestic setting." Can you tell me what you mean by that?

Deputy Chief Officer, States of Jersey Police:

Where a victim withdraws their complaint, it may be possible to continue with a prosecution if evidence is available from elsewhere. It could be that an injury has been witnessed by somebody else or a course of behaviour has been seen by somebody. There are other witnesses who could give testament to that, whatever the circumstances of that case, without relying on the victim having to give evidence for his or herself.

Deputy L.M.C. Doublet:

Okay, so if the victim withdraws and they do not want to prosecute, is that ever pursued against the ...?

Deputy Chief Officer, States of Jersey Police:

Yes, very often. Yes, often in a domestic violence setting, the prosecution will proceed anyway.

Deputy L.M.C. Doublet:

Despite the fact that the victim said they do not want to pursue it?

Deputy Chief Officer, States of Jersey Police:

Yes.

Deputy L.M.C. Doublet:

Okay. If we could have some figures on maybe how often that happens.

Deputy Chief Officer, States of Jersey Police:

Okay.

Deputy L.M.C. Doublet:

I do not know if that is available. Okay. Do you have any plans to do more in terms of preventing domestic violence in Jersey?

The Minister for Home Affairs:

Well, I think it is a high profile area at the moment and very much the campaign and the language is akin to understanding that it is not an acceptable behaviour and something that we have not accepted in society. It sounds like we are coming out of the dark ages somewhat because to some people that might seem quite obvious but it is clear that particularly perhaps with cultural differences, domestic violence is viewed by different people in different ways. I think we have to keep repeating the message that it is not acceptable behaviour and the people who commit these offences will be treated severely.

Deputy L.M.C. Doublet:

Yes, so given that domestic violence accounts for 39 per cent of the violence against the person figure you have just given us, I am looking at the list of priorities that were given and there is not a specific priority for tackling domestic violence which may come as a surprise given that figure. So why is it not listed as a specific priority?

The Minister for Home Affairs:

I thought it was.

Deputy Chief Officer, States of Jersey Police:

Yes.

The Minister for Home Affairs:

But I am pretty sure it is included in our list of priorities. Perhaps you have got an earlier list.

Deputy L.M.C. Doublet:

I have got the list that we were given at the briefing that you gave us on 6th January.

The Minister for Home Affairs:

I think it should be.

Chief Officer, Home Affairs:

Yes, it may, for some reason, not be in the PowerPoint but it is definitely in the business plan.

Deputy L.M.C. Doublet:

I asked the question at the briefing and the response I was given, if I remember correctly, was that it was within a priority somewhere.

Deputy J.M. Maçon:

Yes, it is. Point (g): "Dealing with changing patterns for crime, organised e-crime and domestic abuse."

Deputy L.M.C. Doublet:

Yes, so it is within the vague bullet point about changing patterns of crime but do you not feel that it should be specifically being addressed as a priority?

The Minister for Home Affairs:

We are not vague about it all. We are quite dedicated to dealing with this and raising the profile of the message and increasing the ability to deal with these crimes. That will be primarily through the Violence Against Women and Girls Strategy. I think that is a good starting point and we are very eager to get on with that work. There is also the domestic violence protection orders and notices which are being drafted. They should, I hope, come to fruition quite soon and I have described that already I think, giving the victim 28 days where the offender is barred from approaching her.

Deputy L.M.C. Doublet:

So is there maybe an up to date list that we could have just so we have got ...?

The Minister for Home Affairs:

Well, that will be in the Business Plan that is due to be produced quite shortly.

Deputy L.M.C. Doublet:

Right, okay. Thank you. How are we all for time? Can you go over a little or are you ...?

The Minister for Home Affairs:

Yes, I think so.

Deputy L.M.C. Doublet:

Okay, I am trying to press on.

The Minister for Home Affairs:

Can everybody else?

Deputy L.M.C. Doublet:

Could you describe any figures that you have about how much domestic violence is costing us?

The Minister for Home Affairs:

That is interesting because I appreciate that the conference you attended recently touched on the cost of domestic violence and also I attended a speech where Baroness Scotland was in attendance and she also spoke about the cost.

Deputy L.M.C. Doublet:

In Jersey?

The Minister for Home Affairs:

No, it was in the U.K. at another C.P.A. (Commonwealth Parliamentary Association) event held the same week as yours but mine was looking at human rights issues. So it is understood that there is a significant cost to the economy but it is not something I think we have been able to quantify here. However, that is something that will be referred to in the Violence Against Women and Girls Strategy.

Deputy L.M.C. Doublet:

Okay, good. Could you just briefly tell us something about how police officers are trained in relation to domestic violence; what training they receive?

The Minister for Home Affairs:

Well, there is the sexual offences training. I am not sure of the details but I know that a number of our officers have received that training. 2 of them have become independent domestic violence advisers.

Deputy L.M.C. Doublet:

Right.

The Minister for Home Affairs:

So there is a wealth of training in that department. Barry, are you able to give some more information?

Deputy Chief Officer, States of Jersey Police:

Yes. Obviously, when officers join as recruits, as part of their basic training, they are taught about a whole range of things including violence against the person which includes obviously domestic violence and they take that away from there where they interact to effect with their tutors as they had in their probation. For officers who are already experienced in this regard, they have regular updates in relation to the process and it is the uniformed officers who are generally the first on the scene. They are trained to obviously identify offenders and identify a victim's witnesses, as you would for any other crime really, but also to make sure that appropriate safeguarding measures are in place for the victim and maybe it is a family, that sort of thing. At the scene, evidence is preserved in that manner. We have other officers though who are especially trained who go to additional training elsewhere in relation to sex offences, crimes of violence and domestic violence matters. That is intervened on a multi agency basis with other partners to support the victims and provide appropriate measures to make sure they are protected for the future and they are the officers who deal with the perpetrators themselves who are trained to question them appropriately for this to go to court. So there is quite a raft of training available at different levels and different tiers and in different parts of the organisation to deal with this.

Deputy L.M.C. Doublet:

Okay, thank you. I was going to ask you about Clare's Law but I believe you have been talking about that in the media and that is coming in, is it?

The Minister for Home Affairs:

Yes.

Deputy L.M.C. Doublet:

Yes, okay, so I will move on unless there is any supplementary.

Deputy J.M. Maçon:

No.

Deputy L.M.C. Doublet:

Okay, I think we are going to Deputy Mézec now.

Deputy S.Y. Mézec:

A fun one. Drugs. Cannabis is something that is obviously in the media every week pretty much and there are campaigns about legalising it point blank and campaigns about allowing it for medicinal purposes. So are you examining any potential changes to the laws on possession or importation of drugs which are currently illegal?

The Minister for Home Affairs:

No, we are not currently.

Deputy S.Y. Mézec:

None whatsoever?

The Minister for Home Affairs:

We follow advice regarding the new psychoactive substances and keep up to date with those banned items under those regulations.

Deputy S.Y. Mézec:

Has the department looked at all at what has happened in Colorado, for example, where I think cannabis has just been legalised?

The Minister for Home Affairs:

Yes.

Deputy L.M.C. Doublet:

For residents only.

Deputy S.Y. Mézec:

For residents only. See what has happened there or looked at other places like Portugal, for example, which has, again, a very, very different policy with a specific aim not of allowing everyone to have fun at parties or anything ridiculous like that but specifically for the purpose of helping people with addiction and addressing the concerns that many people have about criminalising people who have a drug problem which is not necessarily the best way of helping them.

[16:30]

A model where they were not criminalised and instead were offered help at the first point would be a better model. That is an argument that some people make. What consideration has the department given to that?

The Minister for Home Affairs:

This has been more of a matter for the Minister for Health and Social Services really. We have received some information from the Medical Officer of Health which describes the situation in the U.S. states where I think there are 3 U.S. states where cannabis has been legalised and the information was that it has not altogether been successful and there are certainly some issues that have arisen and lessons to be learnt from such examples. I think also the Minister for Health and Social Security answered a question in the Youth Assembly this afternoon on the same issue and reminded that Assembly of particularly the mental health aspects and dangers of cannabis and using cannabis, and expressed that he was certainly not in favour of any changes to the current laws.

Deputy S.Y. Mézec:

Could I say that that is not necessarily the point in that everybody knows there are health implications from not just illegal substances but legal substances. Substances, whether they are legal or illegal, cause problems and those problems have to be solved? For many people, the fact a drug is illegal is not stopping them from taking it so the health implications are, in a way, irrelevant because they are suffering them regardless of whether the drug is legal or illegal. The question is what is the best criminal policy or how much time and resources should the police be devoting to targeting people for a purpose which is essentially to criminalise them rather than help them. So I do not necessarily accept that the health point is completely relevant to that question in terms of getting people off drugs and reducing the importing of illegal drugs. The model that we have here where it is just point blank illegal, has that not been considered at all?

Chief Officer, Home Affairs:

Can I, Minister?

The Minister for Home Affairs:

Yes, carry on.

Chief Officer, Home Affairs:

Forgive me, because I have been around a bit, but the Island has had a Harm Reduction Policy for about 15 years. Back in the 1990s, there was a landmark judgment in the Royal Court which put the emphasis on combating drug trafficking and that is where the court and the executive decided they would put their weight of effort. It was *Campbell, Molloy and Mackenzie v Attorney General (1995) JLR 136* is the judgment. A few years later, the court and the government decided that instead of continually doing what you are saying, which is to criminalise people who really are users as opposed to anything to do with trafficking and supply, they would go for therapeutic and educational sentences where that could be helpful to them. That has been the policy, as I say, for about 15 years. In 2000, there was a review done by the Imperial College which mapped the landscape of drug use in Jersey and that is clearly 15 years old so you have probably seen the publicity that, ongoing at the moment, is a follow-up to that being done by an organisation from Scotland. The first draft of their report should be available the end of this month and what that will do is bring up to date what we know about drug abuse in the Island across the whole canvas and that will be a great help to departments, Health and Home Affairs particularly, in deciding whether the policy should change.

Deputy S.Y. Mézec:

In terms of the proportion of people who are in La Moye at the moment, how many of those are related to drugs offences?

Chief Officer, Home Affairs:

Well, it has always been the case that a high proportion of the prison population are related in some way to substance misuse. I think, in ballpark terms, about half but, again, they would be people at the top end of the scale. When I started in the court in 1993, by far and away the largest number of people serving sentences were for possession of class B and class A and were serving very short sentences. Now you will very rarely find that. They would have to be a repeat offender over a number of repetitions. They tend to get the educational sentences. The ones who are doing the time now are the people who are in it for the business.

Deputy Chief Officer. States of Jersey Police:

That is our key focus. We focus on the importers, the suppliers and the traffickers to prevent the drugs coming in in the first place. That is where our key focus is.

Deputy S.Y. Mézec:

I have got a question I want to ask later but it is sort of on a different aspect of this so I do not know if you have got supplementaries that are more relevant to the points I have made so far.

Deputy L.M.C. Doublet:

No.

Deputy S.Y. Mézec:

Well, one of the earlier questions we spoke about was the 2 per cent cuts. Maybe there will more cuts in the future? It would strike me as a complete waste of money for people who are currently using cannabis for medicinal purposes to have their homes raided. That, to me, strikes me as a complete waste of police time and resources. We had a debate in the States at the end of last year I think about a specific individual who wanted a licence to be able to possess it, was not granted it and will carry on using it because it is the only thing that makes her feel better. Surely there is room within that for talking with the Department for Health and Social Services to say: "Well, it does not serve anyone's purpose to be harassing people like that who are going to continue using the drug, are not causing anybody else any harm and are essentially getting their home raided every now and then." Surely in terms of at least the value to providing savings, that is something that should be looked at.

The Minister for Home Affairs:

Well, I think there was a very full debate at the time that those items were brought to the States Assembly. The point you raise about the actions of the States of Jersey Police, I think would be more of an operational point rather than a policy point so it would not be within my remit.

Deputy Chief Officer, States of Jersey Police:

Well, I repeat the earlier point I made. The focus is on suppliers and traffickers. That is where we focus our activity.

Deputy L.M.C. Doublet:

Do you think in Jersey, the drugs policy is working?

Deputy Chief Officer, States of Jersey Police:

Well, it is certainly preventing quite a lot of drugs coming into Jersey in association with our customs colleagues, of course.

Deputy L.M.C. Doublet:

Okay, question 5 then. We will move on. Is the new police station on time and on budget?

The Minister for Home Affairs:

Yes, it is.

Deputy L.M.C. Doublet:

Okay, is there anything happening with public parking for the police station?

The Minister for Home Affairs:

Well, permission has been passed for an extra 53 spaces at Green Street.

Deputy L.M.C. Doublet:

But will they be pay card spaces or are they free spaces attached to the police station?

The Minister for Home Affairs:

That car park is currently a pay card car park so I would presume so, but I know that the Minister for Transport and Technical Services is rolling out further modernisation of the car park. I am not sure at what stage Green Street will be included in that. It would be a question for him.

Deputy L.M.C. Doublet:

What I am trying to get at is are there any spaces attached to the police station that are free to use spaces for people reporting crime?

Deputy Chief Officer, States of Jersey Police:

For disabled persons, yes. There are 3 disabled access spaces at the front of the building in a lay-by.

Deputy L.M.C. Doublet:

So there are no public parking spaces free to use for people reporting crime?

Deputy Chief Officer, States of Jersey Police:

No.

Deputy J.M. Maçon:

Were there not going to be allocated some at Snow Hill?

Deputy Chief Officer, States of Jersey Police:

I think T.T.S. (Transport and Technical Services) are still looking at that and there may be some scope at other parking areas as well.

Deputy L.M.C. Doublet:

But surely if there is no freely available parking, the public are less likely to go into the station and report crime. What do you think about that?

The Minister for Home Affairs:

I think the public communicate and report crime in a number of different ways and, obviously, for a serious crime, it would probably result in a 999 call and officers attending at the scene of the crime rather than the person going in. So I think more footfall into the police station would be a minor matter.

Deputy L.M.C. Doublet:

Do you think it is appropriate that people have to pay to use a parking space to access the police station?

The Minister for Home Affairs:

Well, as the Deputy Chief Officer just said, he thinks it is something that T.T.S. are looking at in providing those spaces at Snow Hill.

Deputy L.M.C. Doublet:

Okay. Could you keep us updated on that?

The Minister for Home Affairs:

Indeed.

Deputy L.M.C. Doublet:

Okay, so it is over to Deputy Maçon.

Deputy J.M. Maçon:

Okay, thank you. Yes, is there any progress on the matter of on-the-spot fines as recommended in the Scrutiny Report of 4 years ago?

The Minister for Home Affairs:

Well, at the moment, we have had some representations from members of the Honorary Police in different parishes and it is something that would need to be done in consultation with the Honorary Police and we intend to look at other places and see how they operate, such as the City of London Police Force where there is a different approach to using technology because it is felt that current technology capability is not exactly best placed to deal with on-the-spot fines.

Deputy J.M. Maçon:

Okay, and within doing that, will the Minister be looking at the Singapore model which was very successful in its time?

The Minister for Home Affairs:

Well, I happen to be going there shortly for personal reasons. I might try to find out a little bit more.

Deputy J.M. Maçon:

Okay. With the matter of on-the-spot fines, in principle, are you keen to see them introduced within your tenure, Minister?

The Minister for Home Affairs:

It is a fine balance and one that has not been decided yet upon whether there really is a merit and the force would be effective in doing so. There is certainly a movement from the Parish of St. Helier, for example, to have greater force for the disposal of cigarette ends which is a particular bugbear and perhaps something that would be addressed but it is getting the balance right between use of police time and whether we have the resource to implement that.

Deputy J.M. Maçon:

Within your consideration as, for example, the parks law, that such powers would be devolved to other people other than police officers in order to carry out that function as advised in the Scrutiny Report.

The Minister for Home Affairs:

I shall indeed refer myself to the said Scrutiny Report which I am sure will educate me.

Deputy J.M. Maçon:

It was a good piece of work, which I happen to share, I very much recommend. Thank you. Any other questions at this point?

Deputy L.M.C. Doublet:

No, I am finished if everybody else is. I think it is about time we did finish because we have run over a little bit. Thank you, Minister, and the team for answering so fully.

The Minister for Home Affairs:

Thank you.

Deputy L.M.C. Doublet:

Is there anything that you want to add or clarify for us before we finish?

The Minister for Home Affairs:

I would just like to say, thank you. That was a very useful process. Well, yes, thank you for reminding me. We were rather interested in a rumour we have heard that you had a brief report that you were undertaking and we were not aware of this so we would like to know a little bit more; if that was occurring?

Deputy S.Y. Mézec:

That is quite ambiguous.

The Minister for Home Affairs:

We had heard that you had commissioned a report into the Prison Board of Visitors.

Deputy S.Y. Mézec:

Yes, there was a review a few years ago which made recommendations on the makeup of the Prison Board of Visitors which went to the States and it was a tie, I think, the vote, so it was not carried. We are simply re-looking at that. It is something that is relatively brief just to see whether that particular recommendation still holds true from what the previous report said, whether anything has been changed and whether it is worth re-examining it given that politics has moved on since the few years in which it was a tie and just to look and see whether it is still relevant.

The Minister for Home Affairs:

Okay. It would be normal to share the terms of reference with us.

Scrutiny Officer:

I have sent, earlier today, to your office the terms of reference and notification that the review is starting.

The Minister for Home Affairs:

Right.

Scrutiny Officer:

That is the stage we are at.

The Minister for Home Affairs:

Okay.

Deputy S.Y. Mézec:

It is earlier days, yes.

The Minister for Home Affairs:

Okay. Thank you very much. We look forward to receiving that.

Deputy L.M.C. Doublet:

Okay, right then, we will finish.

The Minister for Home Affairs:

Okay, thank you.

Deputy L.M.C. Doublet:

Thank you, everybody.

[16:43]