STATES OF JERSEY

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POLICING OF EVENTS: USER PAYS? (S.R.4/2008) – RESPONSE OF THE MINISTER FOR HOME AFFAIRS

Presented to the States on 29th April 2008
by the Minister for Home Affairs

STATES GREFFE

POLICING OF EVENTS: USER PAYS? (S.R.4/2008) – RESPONSE OF THE MINISTER FOR HOME AFFAIRS

Introduction

This review has set out a balanced view on the issue of 'user pays' for policing events while suggesting that the introduction of a 'user pays' charge for the policing of events would not be inappropriate. The comments regarding the specific arrangements will be incorporated in the next phase of work required to take a report and proposition to the States.

Findings

I agree with the overall findings in the review and would add detailed responses to specific findings as follows:

3.2.6 Insufficient consideration was given during the development of the States Strategic Plan to the impact that Ministers' objectives might have on other Departments.

Response

I agree, unfortunately this finding applies to a number of areas of States business. I hope that it is an issue that the next Council of Ministers will bear in mind when developing the next States Strategic Plan.

3.2.7 The Panel welcomes the intention that all parties have for greater co-operation and co-ordination when planning for events and hopes that such co-operation will lead to a reduction in the demands made on the States of Jersey Police.

Response

I am pleased to confirm that regardless of the decision to introduce 'user pays' charges for the policing of events, it is the intention that officers from the Economic Development and Home Affairs Departments, Department for Education, Sport and Culture, States of Jersey Police and Honorary Police will meet on an annual basis to review the 'events calendar' and discuss the impact on the resources of the States of Jersey Police and others and to aid more co-ordinated event planning.

3.2.8 Existing legislation effectively allowed a 'user pays' charge to be levied for Mutual Aid policing at Jersey Live 2007.

Response

Existing legislation did indeed allow a 'user pays' charge to be levied for Mutual Aid policing in 2007, which was necessary due to the level of policing required for the 2 day Jersey Live 2007 event; however, it is my intention that any future 'user pays' legislation will be permissive in allowing for the recovery of local policing costs and will have the support of the States.

3.2.10 If a 'user pays' charge is not introduced for the policing of events, it is likely that some events will not take place.

Response

It is not the intention of the States of Jersey Police to stop events taking place. However, as the Panel found *'the policing of events in itself is not a core service of the States of Jersey Police'* – 7.4.5, it is therefore appropriate that States of Jersey Police resources should be directed firstly to its core services. Where one particular group receives a service from a States Department at no charge, they are being subsidised by taxpayers and in these circumstances a 'user pays' charge is considered to be appropriate.

Recommendations

3.3.1 In future, greater consideration should be given by the Council of Ministers to the crosscutting implications of Ministers' policies and objectives for other Departments.

Accepted, I shall raise the issue with the Council of Ministers.

3.3.2 The Council of Ministers should ensure that Ministers seek States approval for all new 'user pays' charges, even if existing legislation would allow a charge to be levied without such approval.

Accepted, I shall raise the issue with the Council of Ministers.

3.3.3 The Minister for Home Affairs should continue work and bring a proposition for a 'user pays' charge to the States Assembly for debate.

Accepted, it is my intention to take a proposition for a 'user pays' charge for policing events to the States Assembly for debate.

3.3.4 If the Minister for Home Affairs pursues the introduction of a 'user pays' charge for the policing of events, it should be based upon the principle that all events will be considered, albeit with exemption criteria.

Accepted, however it was my original intention to focus on new and enhanced events in the first instance in order to reduce the administrative requirements. The implementation of this recommendation will have administrative, and consequently resource, implications which I shall be discussing with the Minister for Economic Development.

3.3.5 Events should not be exempt from any 'user pays' charge introduced for the policing of events solely on the basis of being 'traditional'.

Accepted, please refer to comment in respect of 3.3.4 above.

3.3.6 The Minister for Home Affairs should provide more detail on the assessment criteria for the proposed 'user pays' charge before the States Assembly is asked to approve the proposition.

Accepted, this was always my intention after receiving the views of the Council of Ministers and the Scrutiny Panel on the principle of 'user pays' for the policing of events.

3.3.7 Under the proposed 'user pays' system, event organisers should not be expected to pay for services upon which they cannot receive information.

Accepted, however the review recognises that there may be times where for operational reasons the States of Jersey Police would not wish to release information about its services. However, closer working with event organisers should lead to the development of better relationships and hopefully transparency and consistency over the implementation of future 'user pays' charges.

3.3.8 Prior to bringing the proposed new 'user pays' charge to the States Assembly, the Minister for Home Affairs should consult the JCRA.

Accepted – while I am happy to accept this recommendation, I shall be seeking advice from the Law Officers' Department on the potential status of the States of Jersey Police under the Competition (Jersey) Law 2005 prior to consulting with the JCRA.

3.3.9 The Minister for Home Affairs should ensure that the distinct separation of the proposed 'user pays' system from the work of the Bailiff's Public Entertainment Panel is made clear.

Accepted – it was always my intention that there should be a clear separation from the Bailiff's Public Entertainment Panel.

Conclusion

I accept the review's key findings and recommendations and thank the Panel for a comprehensive review of an issue that has, and no doubt will continue to, attract Members' and the public's interest.