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Deputy Catherine Curtis  
Chair, Children Education & Home Affairs Panel

**BY EMAIL**

3 September 2024

Dear Chair,

I write further to your letter of 27 August 2024. I was pleased to attend upon the Panel for the quarterly public hearing and duly provide further information as requested, below.

**Follow up information**

- **Incidents of violence and aggression recorded so far this year for frontline staff in. Customs and Immigration, States of Jersey Ambulance Service, States of Jersey Fire Service, etc) and the States of Jersey Police:**

Fire and Rescue Service: 0 (as of 23 August 2024)  
 States of Jersey Ambulance Service: 7 (as of 14 June 2024)  
 Customs and Immigration Service: 5 (up to end August)  
 States of Jersey Police: 39 (up to end of July 2024)

During the Hearing, we referred to a recent FOI response, which I would direct the Panel to for further detail and is available [here](#).

- **Staff headcount breakdown for the States of Jersey Ambulance Service**

Please see below a breakdown of headcount across roles for the Service. I note the Panel requested information about the grades of roles. As some of these roles relate to <5 individuals, we have not included grade information here, but have supplied to the Panel separately, in confidence.

Position Job Title	Headcount
Infection Control Operative	1
Ambulance Care Assistant	13
Emergency Care Assistant	5
Ambulance Technician	18
Paramedic	19
Leading Paramedic	5
Head of Operations	1

Head of Emergency Preparedness, Resilience and Operational Support	1
Associate Chief Ambulance Officer	2
Chief Ambulance Officer	1
PTS Control Officer	2
Ambulance Audit Officer	1
Patient Transport Services Manager	1
Senior Informatics Analyst	1
Head of Operational Support	1
Head of Regulation and Compliance	1

Position Job Title – Bank	Headcount
Ambulance Care Assistant – Bank	7
Paramedic – Bank	1
Leading Paramedic – Bank	1
PTS Control Officer - Bank	5

\*Some individuals within Ambulance will hold more than one contract.

### **Vacancies**

1FTE for Leading Ambulance Paramedics (new post) This was advertised with no success so far.

1FTE Clinical Support Officer (new post) This role is under review.

0.43 Clinical Training Support (new post) This role has been advertised with no success so far.

- **Medium and low risk changes under the new Civil Contingencies and Resilience Law**

Final decisions will be made by Ministers, subsequent to further briefings by officers, but at this stage the phased approach is being discussed in terms of risk that the activity would mitigate and the benefit to society as below:

Phase 1: Risk anticipation and assessment' business continuity; community resilience; warning and informing and; collaboration and information sharing.

Phase 2: Emergency preparedness; risk communication and promotion of business resilience; whole of society engagement in resilience and; priority service register.

Phase 3: Risk reduction and prevention; competence; validation and assurance and; learning lessons.

This is not a reflection of an assessment of risk per se; rather, it is a view of the range of potential resilience benefits, relative to the current state, that would be achieved by bringing in duties on a restricted but critical range of duty holders in this way.

- **Clarification about the Competent Authorities responsibilities not listed in R.118/2024**

Upon review it is noted that neither [R.118/2024](#), nor its most recent predecessor document [R.10/2023](#), include designations as a Competent Authority under the *Emergency Powers and Planning (Jersey) Law 1990* under the list of responsibilities for any Minister, although responsibility for Emergencies Council and coordination of Emergency Planning is listed as a responsibility of the Chief Minister.

The publication of a list of ministerial responsibilities is a requirement of the Chief Minister under the States of Jersey Law 2005. I understand that the approach to fulfilling this requirement continues to evolve and I have asked Officers to consider the inclusion of Competent Authority responsibilities for future iterations of the ministerial responsibilities report going forward.

In the meantime, officers have prepared a list of all of the Competent Authority responsibilities across ministries, which will shortly be published on [this](#) page of the government website.

## Questions

1. **From a Justice and Home Affairs perspective what are the key lessons learnt from critical incidents of recent years (such as the COVID-19 pandemic, the Haut du Mont incident, the Grand Vaux flooding, the October '23 gas outage, and Storm Ciarán)?**

At the detailed level, over two hundred individual learning points were identified arising from the debriefs of the various major incidents that have taken place in Jersey in recent years, not including the specific COVID review; these lessons have been developed into themes and partners across the Jersey Resilience Forum (JRF) will take them forward and, wherever possible, align them with learning derived from major incidents elsewhere such as the Manchester Arena Attack and the Grenfell Tower fire in London.

Below are a few examples:

1. **Business Continuity** - GoJ must be prepared for and adapt quickly through invoking Business Continuity Plans to more effectively release staff to support response and recovery efforts. Developing a culture of a flexible dynamic workforce through understanding what critical activities always need to be delivered is key to add horsepower to a major incident response and recovery effort.
2. **Training** - Command training for responders (including GoJ officials) at both the Strategic and Tactical level. - delivered through the provision of Strategic Emergency Management Training and Multi-Agency Tactical Incident Command Training. The forward planning and continuity of this training is a critical element and is factored into Emergency Planning business and JRF Training Exercising and Learning Working Group activity.
3. **Humanitarian Assistance** - This has been developed in a number of ways including the development of GoJ helpline options, a focus on health and wellbeing, the addition of a JRF Humanitarian Assistance Working Group, the establishment of a JRF Parish Emergency Planning Working Group and the development a JRF Voluntary Sector Working Group. Through the Planning "Lens" we are developing new Humanitarian Assistance Response Plans (Guidance and Reception Centre Plans).

4. **Data Sharing** – Difficulties surrounding understanding of what could and couldnt be shared in a major incident between organisations/departments created a significant barrier. It was recommended that a data sharing policy should be developed. This has now been created and is under review by senior GoJ officials..
5. **Recovery** – Whilst there is a tried and tested JRF Recovery Framework, it was recognised that a GoJ specific framework would have been helpful to ensure that consistent, clearly understood processes were in place and followed. A draft version has been created, and there is a process in place to ensure that the final version is developed and distributed appropriately.
6. **Roles and Responsibilities** - The role of Government Duty Executive Officer (DEO) in response has been reviewed to provide further clarity. Training for DEO's is provided annually or in a one-to one environment. The continuity of this approach is key to ensuring that GoJ is in a state of preparedness to respond to incidents.

At the broadest level, the incidents serve to remind everyone that Jersey is not immune from risk and from the effects of major incidents and that those incidents, when they occur, are no less impactful in Jersey than in any other place. The events also confirm that, in a crisis, particularly so in one which impacts people, a very wide range of officers and agencies become responders. Andium Homes and, in particular, the Customer and Local Services Department are good examples of this, providing excellent and ongoing support to displaced residents and others.

The reason work has been under way for some years now to develop and enhance the island's resilience infrastructure and capabilities is that, just as with any modern and competent jurisdiction, the increasingly complex, dynamic and interconnected world presents a range of risks to people, places and systems that demands an equally capable framework and commitment to managing them.

2. **The Panel recently had the opportunity to visit Jersey Field Squadron and heard about the role that they can play in providing crisis resilience support. Minister, are you content with the machinery and equipment that is available on Island (through Jersey Field Squadron and Emergency Services) to support any response to major incidents?**

The Jersey Field Squadron is, of course, primarily the island's contribution to UK Defence and so it's emphasis, as part of an engineering regiment, is geared to the fulfilment of its operational responsibilities to the British Army, MoD and His Majesty's Government. In this context therefore, the aim is to consider the utility of the machinery, equipment and capabilities that already exist. As with any other place in the British Isles, the formal and primary mechanism for requesting and accessing military support is through the Military Aid to the Civil Authority (MACA) mechanism. If the scale and type of need is met, and if there are no other public or commercial routes to securing support, MACA can be provided from across Defence and so bringing a very wide range of capability to bear if needed and available. The Officer Commanding Jersey Field Squadron can, in certain emergency scenarios, act without Defence approval in the chain of command but this is limited. In the context of the above, and in view of that fact that the Squadron doesn't have a role in preparing for a specific risk or range of risks in Jersey, the capability is welcome.

For the emergency services, the challenge centres upon the fact that Jersey, as a small island nation, is home to a range of hazards and potential incidents that would only be found in much larger jurisdictions elsewhere but, due to economies of scale, the range of equipment and capabilities is not matched to those hazards and risks. In some cases, to do so would be unachievable in a responsible resource limit, in others, the emergency services have mutual aid

arrangements to secure support from larger services as quickly as they can and, in some others, it is likely that more work to develop capabilities is required.

**3. What long-term strategies are being considered to ensure the financial sustainability of the Police Force, while meeting the Island's policing needs and maintaining public safety?**

Over the past four years, there has already been significant restructuring within the States of Jersey Police (SoJP) with the reduction of 3 senior police officers and a police staff review that incorporated the removal of vacant posts and the replacement of some police officer roles with police staff, to make the required budgetary savings and maintain operational front line policing numbers. As already alluded to, work is also ongoing to reduce costs/inefficiencies in the non-pay arena.

With a view to horizon-scanning over the next 3 to 5 years, the Chief Officer has initiated a review of the service delivery model to consider how SoJP can evolve and deliver its core policing functions in 2025 amidst an ever-changing complex criminal landscape, increasing demands and budgetary constraints. The review will identify internal processes and systems that can be streamlined to enhance productivity and reduce demand, with task automation and the use of technology being key enablers. It will consider where our people are placed within the organisation and any necessary realignment that assists in managing our control strategy and existing demand/pressures. The review will also determine how we better collaborate with partners and work together to reduce overall demand on Island services, removing 'wastage' in the system through inefficient processes/procedure, the reduction of repeat issues/incidents via timely multi-agency support and the coordination of effective 'problem solving' with the adoption of early intervention strategies, particularly around youth crime.

**(a) How many police officers are currently employed?**

There are 201 police officers employed as our current affordable headcount.

**(b) How many vacancies?**

There are no vacancies against current affordable headcount of 201, however if funded to the agreed number of 215 police officers (as agreed by the States Assembly in 2019) then there would be 14 police officer vacancies.

**4. The Minister for Infrastructure has confirmed *[in the States Assembly on the 25 June]* that the Council of Ministers would discuss the way forward regarding any changes to legislation or policy relating to the use of e-scooters on roads. Can you advise the Panel when this will be and when can the public expect and update on this issue?**

As stated in the Assembly, the Minister for Infrastructure's priority has been to enable the safe and appropriate use of fast, high-powered e-bikes (known as speed-pedelects) in the island and work to this effect is being undertaken.

The Minister has also stated that whilst recognising the potential benefits of electric scooters, significant concerns remain regarding safety, infrastructure and enforcement. Ensuring the safety and well-being of all road and pavement users remains a priority and legalising the use of e-scooters in the island will require careful planning and assessment to address these issues comprehensively.

The Minister continues to monitor developments, experiences and evidence from other places relating to e-scooter regulation and use this to inform discussion within the next 6 – 8 weeks with the Council of Ministers.

**(a) What are the challenges for enforcing road traffic law relating to the use of e-scooters?**

The Panel will be aware that the legislation in relation to E-scooters sits with my colleague the Minister for Infrastructure, who is responsible for DVS and the Road Traffic (Jersey) Law 1956.

The enforcement of this legislation sits with SoJP (for which I am politically responsible). At present, the SoJP enforces article 77(3)(b) of the Road Traffic (Jersey) Law 1956, which pertains to the use, cause, or permission of a motor vehicle that does not comply with requirements.

Furthermore, scooters can be seized and transported directly to the DVS under Article 77 (k) (ii) of the Road Traffic (Jersey) Law 1956, which allows for the impounding of vehicles contravening any provisions of an Order regarding the use, construction, and conditions of motor vehicles and trailers on roads.

There are challenges arising from the enforcement of this legislation. For example, the process requires the officer to seize the scooter to provide 'evidential proof' that it is an E-Scooter, a task undertaken by DVS. Following the completion of this report, which can take up to eight weeks, the subject is interviewed and potentially charged to the Magistrate Court.

**5. With reference to capital projects – please could you provide us with an update on the progress with the development of the new Dewberry House Sexual Assault Referral Centre?**

**(a) Has the tender process been completed?**

The original planning application was uploaded to the planning portal on 21 June 2023. Further to the site notice being displayed, several letters of objections (relating to privacy, traffic & safety) were made. This necessitated an amendment to the plans and to reposition the building to avoid potential overlooking concerns raised by neighbouring properties. The final (updated) plans were issued on 21 February 2024. This necessitated a further 3-week public consultation period.

Following the second public consultation, the Environment Department requested an updated Ecology Survey. The I&E Traffic Engineer also requested some further information. This information was submitted on 24 June 2024. A subsequent query was received from the Land Management Team and the was actioned on 29 August 2024.

It is hoped that all outstanding queries and information have now been actioned and that the planning permit will be issued shortly.

The tender cannot proceed until planning permission has been received. Work on the tender document is well advanced to ensure that we are placed to proceed swiftly if planning is granted.

**6. The responsibility for Diversity, Equality and Inclusion has moved from the Justice and Home Affairs Ministerial portfolio, back to the Chief Minister's portfolio (and is being led by an Assistant Chief Minister [see R.118/2024]). Can you tell us about why that change has been made by this Government?**

The Chief Minister has responsibility for the allocation of ministerial portfolios. In this case, Deputy Alves as an Assistant Chief Minister is well placed to drive and coordinate action across Government, and has significant experience of working on EDI matters, as a previous Chair of the Diversity Forum.

**(a) Could you tell us about the 'Shoulder to Shoulder' programme operating in Justice and Home Affairs and wider Government?**

Shoulder to Shoulder is the JHA Equity, Diversity and Inclusion staff network. It was launched in November 2022 and aims to increase awareness and understanding of EDI whilst also providing support to staff across JHA on EDI matters. S2S is led by a team of dedicated volunteers from across the Services who are interested in the issues and can provide peer support to others.

The steering group meet monthly to identify and progress initiatives. Successful initiatives to date include:

- Coordination of JHA attendance at PRIDE in 2023
- Delivery of discrimination training across JHA (provided by JACS)
- Working with the Jersey Employment Trust (JET) to facilitate the first GoJ work placement for a JET client.
- Delivery of unconscious bias training within JCIS

Current ongoing initiatives include:

- Better communications on EDI within JHA
- Forging strong links with the other GoJ networks
- Free period products in eligible JHA buildings
- Ensuring wording used in JHA recruitment is appropriate with a focus on EDI
- Further training and awareness talks with the current focus for an autumn initiative being embracing ADHD in the workplace

The network is staff led, and the Chief Officer is now the Executive Sponsor and will continue to champion the work of the network.

**7. Can you tell us about any wellbeing support made available to staff in the Justice and Home Affairs Department?**

The first key objective in JHA's 2024 Business Plan and my Ministerial Delivery plan is '*Recognising the impact of the major incidents in 2022 & 2023 and ensuring that our teams are supported*'. This was set by my predecessor, but I fully support it.

We committed to ensuring that wellbeing diagnostics were carried out across all Services - this exercise is now complete and has been fed into Wellbeing plans that are in place for all Services, taking into account early and good work that was started by the States of Jersey Police.

Our Wellbeing plans are based on JHA's 4 strategic wellbeing principles 'social', 'emotional', 'financial' and 'mental health'. The plans were presented by each service during the first half of 2024, by Heads of Service, at JHA SLT meetings for peer review and awareness. As a follow up they were also independently analysed collectively, and good practice highlighted and shared in a separate JHA SLT session.

Plans are regularly reviewed, updated and form part of JHA's Strategic Workforce Plan. They also cross reference the GoJ Wellbeing Strategy. A summary of key Wellbeing actions and tools is:

- Wellbeing plans, with owners consider 4 pillars – social, emotional, financial and mental health in place for all services
- GoJ provision for support through Be Supported and counselling available for staff at specific times of need and located at their place of work when necessary (for example the Ambulance service)
- Resilience & Wellbeing training is in the process of being rolled out to all relevant staff

**(a) Is wellbeing support consistent with staff across other Government services, or are there any specialist / additional services provided to frontline workers, for example those in the Prison Service or Police Force?**

- Specific arrangements remain in place for support related to major incidents
- CAST (Centre for Anxiety, Stress and Trauma) awareness sessions provided to a wide range of responders and staff working on recovery from major incidents
- TRIM (Trauma Risk Incident Management) training continues across Services and is used after incidents

**8. Can you describe how Government monitors the availability of Legal Aid to the public in Jersey?**

**(a) Is there any centralised data available on the provision or take up of legal aid?**

I have provided, as an addendum, data in relation to legal aid. If the Panel has any specific questions in relation this you may wish to seek a further detailed briefing.

**(b) What negotiations are undertaken with the Law Society over setting fees for legal aid?**



I meet regularly with the CEO of the Law Society and the Judicial Greffier to discuss legal aid matters, this includes discussions in relation to fees to ensure the ongoing sustainability of the Scheme.

**(c) How many law firms in Jersey offer a Legal Aid service?**

**(d) Has the number of firms offering Legal Aid reduced in number? [If so, is there any data that you are able to share with the Panel?]**

It is not possible to definitively confirm how many firms offer legal aid services.

It is important to note that the provision of legal aid differs between Criminal legal aid, which is provided via the 'new' Legal Aid scheme under the Access to Justice (Jersey) Law 2019, and Civil and Family legal aid (defined as Private Law matters) which is undertaken by Jersey advocates and solicitors on the Tour de Rôle as a condition of their oath for the first 15 years post qualification, to provide free or reduced cost legal representation to those who have a legal need and who cannot afford the true cost of representation and who might otherwise be deprived of access to justice.

There are currently 190 lawyers on the Tour de Rôle. While this is comprised of 51 firms, these include firms where there are no advocates or solicitors of less than 15 years' standing who are therefore not required to undertake Legal Aid. It is also possible for firms to make arrangements with other firms or purchase credits from other firms (who had previously accumulated credits under the old scheme); and some firms undertake what is allocated to them.

In relation to family and civil legal aid, it is therefore not possible to answer the question as to whether the number of firms offering Legal Aid has reduced in number. However, there is sufficient resource to satisfy needs.

In Public Law matters (Criminal Law, Public Law Children matters and Mental Health Tribunal representation), practitioners must 'opt in' and pass an accreditation (involving a course, exam, case study and interview/assessment) to participate in each scheme, the number of practitioners/firms in each scheme is detailed below:

	Accredited Practitioners	Firms
Criminal Law	28	15
Public Law Children Matters	19	13
Mental Health Tribunals	7	6

This is a significant difference when compared with the obligation to provide legal aid for civil/family matters as only those lawyers who do the training and opt in can carry out the work, and therefore the system relies on the goodwill of the lawyers and their on-going willingness to do this work.

I am therefore mindful that the issue of financial compensation for this work is highly relevant to the ongoing sustainability of the scheme, and I will continue to keep this under review.

At the present time, it is considered that there are sufficient practitioners and firms to satisfy needs in respect of public law matters such as criminal, public law children and mental health

tribunal representation. No instances have been identified where we have been unable to place a legal aid certificate in any of these types of matters as a consequence of a shortage of accredited practitioners.

**9. Minister, you have responsibility for ‘Justice Policy’. Please could you describe how you work with the Public Policy Directorate (as the lead department) for that work?**

The Criminal Justice section within the Public Policy Directorate are responsible for legislative and policy development for my areas of responsibility – they work well with JHA colleagues, and others, as part of the team around the Minister.

Officers regularly attend Ministerial meetings to provide updates and report progress on legislative and policy work, as well as providing briefings and other support on policy projects as they progress.

**(a) Can you clarify why Justice and Home Affairs isn’t the named Lead Department for Justice Policy?**

The Public Policy Directorate is the lead directorate for a number of areas of policy across government, in disparate areas including care regulation, benefits policy, constitutional affairs as well as justice policy. That is a standard model of relationship between operational and policy departments, and it works well for me and for JHA. There may be an argument that the division between ‘criminal justice’ and ‘justice policy’ in the delegations listed in R.118/2024 is less than ideal, but that simply reflects the historic division between the concepts that emerged when the Chief Minister held the ‘justice’ portfolio.

**10. Can you describe whether your responsibility for Justice Policy has any impact or influence on the procedures of the court system?**

Whilst policy responsibility for Justice was transferred from the Chief Minister to the Minister for Home Affairs under the previous Government, and this remains the position, this has not altered the underlying constitutional principle that the Courts are independent.

Accordingly, as the Minister for responsible for Justice Policy I do not have any involvement with the day-to-day operational running of the Courts.

**(a) The Panel would like more information about waiting times for court dates. Do you think that there any changes could be made to ‘Justice Policy’ to reduce the waiting time in the justice system?**

**I. Have you been made aware of any challenges with waiting times for court?**

In preparing for the quarterly Hearing, I consulted with officers of the Court on this matter. I am informed that there is no evidence of significant or problematic waiting times for Court processes, or any particular challenges in that regard.

**II. Do you have any data on the waiting times in the court system?**

I have been provided with the following information, pertaining to the Magistrate's and Youth Courts comparing the first 6 months of this year, with last year:

*Overview of first 6 months 2024 and comparison with 2023 – Adult remand court*

- More cases are being heard - averaged 118 cases per month 2024 c.f. 102 in 2023; Number of charges considered 299 per month in 2024 c.f. 247
- Increase in average time from offending to charge – 327 in 2024 c.f. 168 2023. It should be noted that this reflects an increase in historic matters which have skewed the data.
- Increase in average time between charge to first appearance 147 in 2024 c.f. 22 in 2023
- Decrease in average time between first appearance to disposal 28 c.f. 32 2023.

*Overview of first 6 months 2024 and comparison with 2023 – Youth court*

- Averaged same number of cases per month in 2023 and 2024 – being 11; and approximately the same number of charges considered.
- Average time offending to charge: 125 days 2024 c.f. 71 days. (Data skewed by February results including an offence in Feb 2023, charged in Jan 2024, court Feb 2024).
- Average time charge to first appearance 17 in 2023 c.f. 14 in 2023
- Average time first appearance to disposal 25 vs 41

**III. If it is an issue, how could it be addressed?**

As above, I have no reason to believe that this is an issue.

Yours sincerely



**Deputy Mary Le Hegarat  
Minister for Justice and Home Affairs**

Addendum documents referred to in this letter have been provided to the Panel in confidence