



Children, Education and Home Affairs
Scrutiny Panel
Quarterly Hearing
Witness: The Minister for Justice and Home Affairs

Wednesday, 29th October 2025

Panel:

Deputy C.D. Curtis of St. Helier Central (Chair)

Deputy H.M. Miles of St. Brelade

Witnesses:

Deputy M.R. Le Hegarat of St. Helier North, the Minister for Justice and Home Affairs

Connétable R.P. Vibert of St. Peter, Assistant Minister for Justice and Home Affairs

Ms. K. Briden, Chief Officer, Justice and Home Affairs

Mr. R. Smith, Chief Officer, States of Jersey Police

Mr. N. Fox, Associate Director Justice Policy, Cabinet Office

[14:59]

Deputy C.D. Curtis of St. Helier Central (Chair):

Welcome to this quarterly hearing of the Children, Education and Home Affairs Scrutiny Panel. Today is 29th October and this is our public hearing with the Minister for Justice and Home Affairs. I would like to draw everyone's attention to the following. This hearing will be filmed and streamed live. The recording and transcript will be published afterwards on the States Assembly website. All electronic devices, including mobile phones, should be switched to silent.

[15:00]

We have got 1.5 hours for this hearing. I am Deputy Catherine Curtis, the Chair of the Panel.

Deputy H.M. Miles of St. Brelade:

I am Deputy Helen Miles, member of the Panel.

The Minister for Justice and Home Affairs:

Deputy Mary Le Hegarat, Minister for Justice and Home Affairs.

Assistant Minister for Justice and Home Affairs:

Richard Vibert, Assistant Minister for Justice and Home Affairs.

Associate Director Justice Policy, Cabinet Office:

Nathan Fox, Associate Director of Justice Policy.

Chief Officer, Justice and Home Affairs:

Kate Briden, Chief Officer, Justice and Home Affairs.

Chief Officer, States of Jersey Police:

Robin Smith, Chief of Police.

Deputy C.D. Curtis:

Thank you, everyone. My first questions are about domestic violence. Minister, as Domestic Violence Awareness Month is marked across the British Isles this October, could you outline what specific actions, campaigns or initiatives Jersey is undertaking to raise awareness or support victims?

The Minister for Justice and Home Affairs:

Yes, throughout 2025 we have continued to highlight all aspects of violence against women and girls relating to awareness campaigns. In particular, we have concentrated on where victims can find support locally and what coercive control can look like as part of domestic abuse and why it can be hard to spot. October is Domestic Violence Awareness Month, as you said. This month, to mark the latest coercive control campaign is run both by the Government of Jersey on social media channels and Building a Safer Community, and they have also got social media channels. In addition, for the last 2 weeks of October, the messaging is also running on digital screens at Jersey's bus station. This is important as this means that more people will see these messages; not

everybody has got a mobile phone, so it is important that those messages are there. We also recognise that somebody may be restricted or denied the access to a mobile phone. This is, as I said, why it is important that the campaign is not aimed only at people who are experiencing the abusive relationship, but also to make other people more aware, people's family, friends, the employers, colleagues, those people will be identifying potentially that that person's personality has changed, they may be changing the way that they are dressing, and their behaviour generally. I think that is quite important for us to be able to identify as a community, so it needs to be more out there, not just concentrating on one sort of individual.

Deputy C.D. Curtis:

Okay. Have there been any recent changes in the way domestic abuse cases are reported or recorded or responded to by the police?

Chief Officer, States of Jersey Police:

No, nothing in particular, but as you will have undoubtedly seen and as you have just heard from the Minister, incidents of domestic abuse are regularly publicised and, indeed, a number of those incidents are in this building being heard. Nothing has changed of any particular significance, other than the importance of ensuring that we maintain confidence in communities, particularly those vulnerable groups that the Minister has referenced, that people have confidence to report to States of Jersey Police, and other agencies and other charities which have also been referenced. If I have seen one thing over the last maybe 10 years now, maybe a little bit more, it is increasing confidence for people to come forward. Anybody listening to this today and watching this today, I repeat that to give people confidence to come forward and report to police, or other agencies if you want, to allow us to resolve the issue or take prosecutions if we need to.

Deputy C.D. Curtis:

Do you think that neighbours or friends would know where they should go to, to raise any concerns?

Chief Officer, States of Jersey Police:

The States of Jersey Police are at pains, whenever we have an incident involving a form of domestic abuse, to ensure that we have the charities mentioned, for example, like J.A.A.R. (Jersey Action against Rape) and the others, at the end of each press release. You will see that. I think once or twice we have missed that opportunity, but we take every opportunity to make sure that we direct people to those charities. Because of course, some people may not want to go to the police, and we understand that. I really want them to come to the police, but I think we do a good job in trying to direct to those other charities, and we work closely with those other charities and other agencies as well.

The Minister for Justice and Home Affairs:

I think one point that is probably worth mentioning as well is that a new domestic abuse co-ordination group is being convened under the Building a Safer Community umbrella. That will have a framework to drive forward ongoing work in relation to domestic abuse, because we need to continue this momentum moving forward.

Deputy C.D. Curtis:

Okay, that is good. My next question is about prosecution and conviction. What proportion of reported domestic sexual offences have resulted in prosecution and conviction in recent years?

The Minister for Justice and Home Affairs:

Between 2021 and 2024, the proportion of domestic sexual offences that resulted in prosecution is 26 per cent and conviction, 41 per cent.

Deputy C.D. Curtis:

Right, okay. The question was about reported domestic sexual offences. Yes, okay, thank you. What are the current barriers to achieving higher prosecution and conviction rates, do you think?

The Minister for Justice and Home Affairs:

I think the barriers are quite complex and include many different factors such as fear of retaliation. Financial dependency is obviously one big thing, and fear of losing access to their children and housing. There is quite a breadth of reasons why people maybe do not come forward. But also, the more convictions we get in court, the more that people will have confidence to come forward. As we move along this journey ... and I am quite heartened really with where we are going, because this has been a long journey in relation to domestic abuse and domestic violence ... I think it is really good that the journey seems to be gathering pace. I do not know if Robin wants to add anything to that.

Chief Officer, States of Jersey Police:

“Gathering pace” is a good phrase to use, but I think we would all agree there is still a distance to go, particularly some of those difficult groups that the Minister has already mentioned where we have fear of retribution, retaliation, where there is housing involved, where there are other factors. Indeed, indeed it may not always be that the prosecution route is the best outcome. It is my favoured outcome – as you can imagine as a police officer – but working out what is the best outcome that protects the victim and also protects their family where those circumstances are there as well. What I would say is that over the years, the way we try and address this is far more sophisticated than it

ever used to be. When you look in the round at some of those other factors that the Minister has already mentioned, including things like housing and losing access to children, to see what is the best outcome – if it is not prosecution, which is my favoured one.

The Minister for Justice and Home Affairs:

Can I just also comment on that in relation to the changes that myself and the Minister for Social Security have made in relation to ... not “I have made the changes.” She has made the changes, but following discussions. Now that people have come to the Island, potentially in different kinds of work permit-type scenarios where they would have been unable to potentially get out of that environment, so we have put things in place. So, if it is a financial thing and the housing and the children, they can then be able to use the local facilities that are available for people in relation to domestic violence. I think that is an important thing. As a result of that, having spoken to them at that facility quite a while ago now, they said that it had had already a significant impact. Because I think sometimes that is the thing; it is very difficult if you are an individual that is reliant on someone else for housing and to have your children, and of course people are not going to want to leave their children behind. So, I think it is quite important.

Deputy C.D. Curtis:

Yes, so they are hopefully not trapped in a dangerous situation then.

The Minister for Justice and Home Affairs:

Yes, that is the point.

Deputy C.D. Curtis:

More generally about support services – what is available for the victims – do you know if there are any new initiatives underway or changes around funding for support services?

The Minister for Justice and Home Affairs:

Through the Violence Against Women and Girls, I had requested the Chief of Probation and the Director of Mental Health, Social Care and Community Services to undertake a gap analysis on counselling and therapeutic support provisions for victims, survivors for violence against women and girls. They have had a meeting involving Freeda (Free from Domestic Abuse), J.D.A.S. (Jersey Domestic Abuse Service), Victims First and also views from the N.S.P.C.C. (National Society for the Prevention of Cruelty to Children), police and probation services. This analysis highlights that there are some shortfalls, with only one specialist D.A. (domestic abuse) domestic violence counsellor on the Island, leading to delays and placing pressure on services like J.D.A.S. and J.A.A.R. There is also limited provision for children, especially those who witness abuse or parents in prison.

Additionally, the concerns include barriers to compensation access as well, insensitive correspondence from criminal injuries compensation boards, et cetera, et cetera. We do need to look at all of this moving forward and start to look at how we can address some of those gaps. It may be that through our work on the pieces of legislation that we are bringing forward in relation to violence against women and girls, that maybe some of these things need to be addressed. As an example, J.D.A.S. or some of the other services that provide follow-up services, we may need to look at them as well. When we bring forward those pieces of legislation, we need to make sure that all of the things that we identify and we think that are missing, we need to try and address that so that we can have a better service moving forward. I am not saying we have got a bad service, but I think services can always be improved in this area. We are never going to be 100 per cent perfect in anything, but I think we just need to keep moving forward and we need to try and have the best facilities that we possibly can.

Deputy C.D. Curtis:

Okay, and that gap analysis is going on now?

The Minister for Justice and Home Affairs:

Yes, but they have identified those things and, as I said, we need to now start looking at all of those areas.

Deputy C.D. Curtis:

Okay, that is good. I was going to ask you about encouraging reporting, especially among vulnerable groups, but you have already said about the signs at the bus station.

The Minister for Justice and Home Affairs:

I am probably getting a bit boring for the public in relation to this, but I do really want to ensure that people in our migrant community feel that they can come to the States of Jersey Police and report matters or go to one of the other agencies. Because I do sometimes feel that they may not have the confidence to go into a police station, but I would encourage anybody in that situation to do so. Go with a friend, or if they know anybody in the community, that they ask them where they can go. I think that is really, really important.

Deputy C.D. Curtis:

Okay, and is there information about this in the International Cultural Centre?

The Minister for Justice and Home Affairs:

I think that there is.

Chief Officer, Justice and Home Affairs:

We need to check.

The Minister for Justice and Home Affairs:

I need to check but I think there is.

Deputy C.D. Curtis:

All right, thank you for that.

Deputy H.M. Miles:

Thank you. I have some questions around young offenders. On 26th September during the private briefing from the Minister for Children and Families, the Panel heard that the responsibility for Greenfields had been transferred to that Minister. Minister, can you outline the rationale of the decision to transfer the responsibility for Greenfields from yourself to the Minister for Children and Families?

The Minister for Justice and Home Affairs:

The rationale for this change is ... the policy intent is that children are children first and offenders second. The majority of under-18s serving a sentence of youth detention or remanded in custody will be placed with a secure children's home – somewhere like Greenfields, for example. The secure home is staffed by C.Y.P.E.S. (Children, Young People, Education and Skills Department) residential care workers, and the young people have Looked After Child status. From that point of view, I think that, because the Minister for Children and Families has oversight of children's services, including Greenfields, that transfer of responsibility makes sense to go to them. It should not really be sitting with myself, who is the Minister for Justice and Home Affairs. We believe that the right thing to do.

Assistant Minister for Justice and Home Affairs:

Yes, I suppose the matter that did bring it to head was the matter of remission, to some extent. It seems that, when you are thinking of putting children first and offenders second, the fact that children could not get remission was an anomaly; and the fact that the Minister for Children was not responsible for that was the second anomaly. Although we found a way to work around that and allow remission, it is a somewhat cumbersome system, so of course this law will enable us to grant remission for a third of the sentence. I think that is perhaps the biggest change that will be visible from this. At the moment, you have to go through quite a cumbersome procedure; you have to sign it off personally.

The Minister for Justice and Home Affairs:

Yes.

Assistant Minister for Justice and Home Affairs:

In future it is the – and Nathan, you will correct me – the placement panel that will in fact make that decision.

Associate Director Justice Policy, Cabinet Office:

It is the Minister, which will be the Minister for Children and Families. Or it can be delegated, as in the case of the prison, to the operator of the facility – so the governor, effectively, which will be the Greenfields manager.

[15:15]

Assistant Minister for Justice and Home Affairs:

Children's Services are on that placement panel so, as well as providing a report on the behaviour, they will have input during the placement panel meeting.

Deputy H.M. Miles:

Are all the children that are admitted to Greenfields Looked After Children?

The Minister for Justice and Home Affairs:

No, they will not be.

Assistant Minister for Justice and Home Affairs:

No.

Deputy H.M. Miles:

Okay. Can you describe the current working relationship between the Minister for Justice and Home Affairs and the Minister for Children and Families? It is a bit of a strange question, because I know you are Assistant Minister. **[Laughter]**

Assistant Minister for Justice and Home Affairs:

Well, it is very good as far as I know, and Mary and I were discussing this earlier. We lived, as children, on neighbouring farms.

The Minister for Justice and Home Affairs:

Yes, although we did not go to school together.

The Minister for Justice and Home Affairs:

In fact, to the extent that they were one farm originally; so, we have known each other for a long time.

Deputy H.M. Miles:

Outside of the informal mechanisms and the time that you have spent together and how well you know each other ...

Assistant Minister for Justice and Home Affairs:

So some of this ...

The Minister for Justice and Home Affairs:

Can I be honest? We do not know each other that well on a personal basis.

Assistant Minister for Justice and Home Affairs:

No.

Deputy H.M. Miles:

... are there any formal mechanisms to ensure that there is co-ordination between Justice and Children's Services when you are dealing with youth offending?

Assistant Minister for Justice and Home Affairs:

Under Building a Safer Community, we have got the Partnership Board now and that has helped in looking at some of the gap, and I think it is quite effective. Something that has come out the latest meeting, which was only a week ago, is that the Honorary Police have said that yes, they get a probation report and there is someone from Probation in when they see a young person, but it would be useful on occasions to have somebody from Children's Services as well. So, there is a gap that has been identified through this. We realise there are communication issues in some cases between departments and we are addressing those. Certainly, prior to the Partnership Board there has been ... you have a daily meeting now, Robin, between Children's Services and the police, for instance, which did not exist before. The fact that I am the Assistant Minister and also the Minister for Children and Families has helped immensely in bridging those communication issues and gaps. The job is not done; there are more out there.

The Minister for Justice and Home Affairs:

It was Richard who suggested to me about, would I like to have him as my Assistant Minister for Justice and Home Affairs? And for me, that made a lot of sense from the perspective that Richard has got experience in relation to the Honorary Police, and being a Constable and everything else ... is of benefit in my view, but also, we are at the same meetings. Safeguarding, Corporate Parenting Board, Probation Board; there is an awful lot of meetings that ... and we are both on the ... I cannot remember the other one that the Bailiff runs now.

Assistant Minister for Justice and Home Affairs:

The Family Justice Council.

The Minister for Justice and Home Affairs:

That is the one. There is always a benefit in that if I am not there, Richard is, so he can double hat; so, there is always benefit. I do think that the 2 roles are very closely linked, particularly when you look at youth justice.

Assistant Minister for Justice and Home Affairs:

It is not youth justice as such but where it has helped recently is we have looked at the drugs and alcohol courts in the U.K. (United Kingdom). The fact that I am the Minister for Children and Families, but also the tie-in with Home Affairs, has meant that perhaps that is something that we might not have looked at years ago. I went recently to Luton to sit in on a drugs and alcohol court ... and I think something we would like to introduce, but would possibly be wider than that, in that we would look at other circumstances where children have been taken out of the care of their parents. But the approach was a real eye-opener. Also, I understand the success rate of children removed through the courts going back to their parents is about 19 per cent, whereas through this more informal method, it is 50 per cent.

Deputy H.M. Miles:

Okay. How is the effectiveness of your joint working monitored? Have you got a performance framework in place or a review process?

The Minister for Justice and Home Affairs:

No, not a formal process about the working we do, no.

The Minister for Justice and Home Affairs:

Nothing formal. No.

Deputy H.M. Miles:

Do you involve young offenders and their families in shaping your services and providing feedback on their experience while they are with you?

Assistant Minister for Justice and Home Affairs:

We do get feedback, yes, from young people. Certainly, yes, without a doubt, some are those who have been through the justice system. I think that is quite useful; recently, we have had suggestions from 2 individuals that had recently been into Greenfields as to how we could make improvements.

Deputy H.M. Miles:

But that is informal; do you have formal feedback mechanisms to ask young offenders and their families about their experiences?

Assistant Minister for Justice and Home Affairs:

Was it that informal? It was a deliberate ... it was done ... we inquired from them, so it was not them just spontaneously ... but there is not a formal, set process, no. Nevertheless, we have involved them and asked for their feedback.

Deputy H.M. Miles:

Okay, thank you.

Deputy C.D. Curtis:

I have some questions now which arise from the Attorney General's guidance on drugs recently. Minister, what is your view on the rationale behind the Attorney General's decision to issue more lenient guidance for small-scale personal drug possession?

The Minister for Justice and Home Affairs:

Obviously, the Attorney General in October 2024 issued a direction guidance for Centeniers dealing with cases of the possession of drugs in the Parish Hall. Obviously, that is guidance to the Centeniers, and this places the previous guidance following the coming into force of Article 28 of the Misuse of Drugs (Jersey) Law 1978, which is included by the Crime (Public Order) (Jersey) Law 2024. This basically provides the Centeniers to impose a fine to Level 1 on the standard scale where a person is charged with possession of a Class B or Class C drug and accepts the decision of the Centenier. Obviously, this is really guidance to the Honorary Police, but generally speaking, as I said, that is a matter for the Attorney General. I meet regularly with the Attorney General, as does Richard, and obviously any changes in relation to the Honorary Police, which would obviously have an impact on policing and the court processes, we will have a discussion about. Effectively, we

have discussions and meetings so that we can discuss all of these kinds of matters before this guidance is delivered, you like.

Deputy C.D. Curtis:

Okay.

Assistant Minister for Justice and Home Affairs:

I think, with young people ... if you do not mind if I ...

The Minister for Justice and Home Affairs:

No.

Assistant Minister for Justice and Home Affairs:

No? My experience is that, particularly with young people, this is something that has been required for some time. Previously, what we had to do was go to the Attorney General where young people ... young people often do not think, you know. Most of them are not aware that, for instance, ecstasy is a Class A drug and that if you have got a couple of tablets, you can be in serious trouble. What we were having to do was to go to the Attorney General for one-offs in every case and say: "Look, the implications here. This young person is off to university; if it is a conviction through court, that could be an end to their academic career." So, I think it is what was needed. Particularly for young people, it removes that grey area where: "Am I going to be prosecuted or not? Is it going to be a Parish Hall?" I think all the time they were waiting to find out, for instance, that these one-offs was not good for them.

Deputy C.D. Curtis:

You would that say you welcome that?

Assistant Minister for Justice and Home Affairs:

I welcome it, yes.

Deputy C.D. Curtis:

Have the States of Jersey Police and Honorary Police Officers been supported in implementing this guidance?

Chief Officer, States of Jersey Police:

Would you like me to answer, Minister?

The Minister for Justice and Home Affairs:

Yes, certainly.

Chief Officer, States of Jersey Police:

First of all, I am supportive of the guidance. Of course, the guidance says: “at low level, first and second.” To my mind, there cannot ever be a third ...

Assistant Minister for Justice and Home Affairs:

No.

Chief Officer, States of Jersey Police:

... and if there is a third, then appropriate action needs to be taken. I do think that we do not want to be criminalising, particularly, young people at a time when that can have such a huge impact on their future lives. That is just counterproductive. But if you have not figured it out by the third time, then there has to be a more significant problem, which could be an indication for addiction, and from addiction we often see further offending. It does have my support, and I am very confident it will have the support of my Honorary Police colleagues because it is the right thing to do and, most of all, it is a proportionate thing to do. So, yes, it has my support.

Assistant Minister for Justice and Home Affairs:

I think also, which I had forgotten about, is that the Centenier will in some cases also ask for attendance at the Drugs and Alcohol Advisory Service as a means of monitoring how the young person is “progressing” – I think that is the best way to say it. I think that is essential; sometimes there are cases where the young person is struggling and using the Drugs and Alcohol Advisory Service is an excellent way of dealing with that, as well as the low-level sanction that they will get from the Parish Hall.

Deputy C.D. Curtis:

Just thinking about how this works out for the person involved, if they receive a written caution or fixed fine under the guidance, do they have a record of that that might affect their future?

Assistant Minister for Justice and Home Affairs:

No, they have a what is called a Parish Hall sanction; it is on a different record. It is not conviction of a criminal offence.

The Minister for Justice and Home Affairs:

But we did say we were going to look at something to ensure that that did not ping up when people were asking for ...

Deputy H.M. Miles:

An enhanced D.B.S. (Disclosure and Barring Service).

The Minister for Justice and Home Affairs:

Yes ...

Assistant Minister for Justice and Home Affairs:

Yes.

The Minister for Justice and Home Affairs:

... so that is something that we would acknowledge that we need to look at. Yes.

Deputy C.D. Curtis:

So that has still got to happen, yes?

Assistant Minister for Justice and Home Affairs:

I know I have dealt with a number of young people that went through the process, and it did not subsequently affect their ability to get a place at university. I do not know that the Parish Hall section does ping up.

Deputy H.M. Miles:

It pings up on an enhanced D.B.S.; it always does.

Assistant Minister for Justice and Home Affairs:

It should not do.

The Minister for Justice and Home Affairs:

Yes, it does.

Assistant Minister for Justice and Home Affairs:

Does it?

Deputy H.M. Miles:

Always.

The Minister for Justice and Home Affairs:

Yes, and that would ...

Assistant Minister for Justice and Home Affairs:

I am surprised.

The Minister for Justice and Home Affairs:

Yes, that is something that we said that we would look at. That is something we said we would look at.

Deputy C.D. Curtis:

That is going to happen yet?

Assistant Minister for Justice and Home Affairs:

Yes.

Deputy C.D. Curtis:

Okay. Presumably, there will be lower prosecution rates then after this change, generally?

Assistant Minister for Justice and Home Affairs:

Lower criminal prosecution, yes.

The Minister for Justice and Home Affairs:

Yes. One would hope so.

Deputy C.D. Curtis:

Yes. Okay. I was going to ask about how the public will be informed; I do not know if there is any extra ...

The Minister for Justice and Home Affairs:

To be honest, I am not sure we would be putting that as a public statement in relation to public awareness. If somebody is a first offender, then they will obviously be dealt with in that way. I do not know whether the Attorney General's guidance is publicly ...

Assistant Minister for Justice and Home Affairs:

Not usually, no.

Deputy H.M. Miles:

It is published on the website.

Associate Director Justice Policy, Cabinet Office:

If you know where to look. It is a matter of public record, but it is never publicised.

Assistant Minister for Justice and Home Affairs:

We do not put it out in the media or anything.

Deputy C.D. Curtis:

I think there was an article in the paper. But anyway.

Assistant Minister for Justice and Home Affairs:

There may have been.

Deputy C.D. Curtis:

Yes, just a short one, I think.

Assistant Minister for Justice and Home Affairs:

I do not think it contained the list of drugs and the ...

Deputy C.D. Curtis:

No.

Assistant Minister for Justice and Home Affairs:

No.

Deputy C.D. Curtis:

Will there need to be any other legislative changes around this? You have already mentioned about checking up on the D.B.S. thing, but no legislative changes?

The Minister for Justice and Home Affairs:

No, because the ability for Centeniers to impose fines in these circumstances was introduced in Crime (Public Order) (Jersey) Law 2025, which was brought to the Assembly last year.

Deputy C.D. Curtis:

Okay. I was going to ask also about the consultation process with the Attorney General, but you have already said that you have regular meetings and discussions.

The Minister for Justice and Home Affairs:

Yes. We have regular meetings. Obviously, the guidelines by the Attorney General are produced for the benefit of the courts and the Honorary Police, but when we meet, we discuss all aspects of both the things that the Attorney General is looking at and the things that we want to look at as well, so that is a 2-way street.

Deputy C.D. Curtis:

That is good.

Deputy H.M. Miles:

Jersey Lifts.

[15:30]

Can you outline your response to the use of the Jersey Lifts platform, particularly in relation to public safety and regulation and any concerns around safeguarding?

The Minister for Justice and Home Affairs:

Obviously, if the States of Jersey Police are advised of a driver offering lifts for reward outside of what could be considered a contribution to cover costs of the journey and the driver can be identified, they will be sent an advice letter and warned that their actions may be unlawful. A record of the warning is attached to the vehicle's registration details so that if it is stopped by officers, they can assess if any offences are being committed. As we are coming up to festival parties and work events et cetera, the States of Jersey Police would remind people to make responsible choices when trying to get home at the end of the evening.

Deputy H.M. Miles:

Have you got any plans to formally assess or regulate informal transport arrangements like Jersey Lifts?

The Minister for Justice and Home Affairs:

The ongoing prevalence of the illegal taxi operators remains a concern requiring continued attention from the Department for Infrastructure – the legislation sits with them, not me – with the support of the States of Jersey Police. S.o.J.P. are, as I said, routinely engaging and stopping and trying to

identify offenders, and investigating individuals operating outside of the bounds of the regulations. However, it should be noted that recent prosecutions have not been successful in relation to these things. It is recognised that a substantial proportion of Islanders utilise these informal lifts ... S.o.J.P. are maintaining their proactive approach to this and delivering those safeguarding messages. But this is part of a number of priorities; we have got the Fatal 5 and the S.o.J.P. are busy doing other things as well. It is not off the radar, but it is something that they will address as and when they are able to. If people report something, then they will investigate that as they would anything else. As I said, the information in relation to moving forward is always to take something which is regulated.

Deputy H.M. Miles:

Thank you.

Deputy C.D. Curtis:

Can I just ask, is there any intention for the police to do more around those who are advertising on Facebook?

Chief Officer, States of Jersey Police:

We are not taking any particular action for those advertising on Facebook. What I do recognise is it is a wicked problem with some quite difficult solutions. In the past I have been criticised for saying that enforcement is not the only solution. Well, enforcement is not the only solution because we have enforced and it is not the solution, because it did not end up in a conviction. The law does not altogether allow it. As the Minister has said, the solution always is when we work together, and that includes the taxi associations and everyone else to find out what is the best way around this. But I absolutely accept that S.o.J.P. is part of that solution, but the solution is trying to find something that is a wicked problem.

Deputy C.D. Curtis:

All right. Thank you. I have a couple of questions now about police complaints. Following the recent F.O.I. (Freedom of Information) disclosure regarding police complaints and the lodging of the draft police complaints regulations, could the Minister explain what actions are being taken to improve transparency and public trust?

The Minister for Justice and Home Affairs:

The draft Police (Complaints and Conduct – Jersey Police Force) regs – and honorary regs, as you know – 2025 provides a number of strict timelines into the investigation ... must be adhered to. So, to ensure that the complainant and the person being investigated are both kept updated. If an investigation is not concluded within the prescribed period, which is initially 12 months, and every 6

months thereafter, the Deputy Chief Officer must report to the Commission, outlining the progress made, reasons for delay and the steps being taken to bring the matter to a conclusion. The regulations will ensure that procedural and process matters will be brought together into a single cohesive ... basically, a coherent framework. The focus of these reforms is on resolving matters early, reasonably and proportionately. What is now the Police Complaints Authority will be the Commission; it will also be notified of any complaint at the outset and it can also bring any matter to the attention of the Chief Officer where necessary. The Jersey Police Complaints Authority is involved throughout the process and may review decisions or assessments and make recommendations as it sees fit.

Deputy C.D. Curtis:

Okay. That is coming to the States Assembly quite soon, is it not?

The Minister for Justice and Home Affairs:

Twenty-fifth November.

Deputy C.D. Curtis:

Yes. Okay, great. Specifically, what can we expect the proposed measures – such as publishing anonymised findings and holding public disciplinary hearings in some cases into former ... and possibly investigations into former officers – to be introduced? When can we expect that?

The Minister for Justice and Home Affairs:

The regulations have now been lodged – as I said, on the 25th – and will come into force on 5th December, so that is when it will come into effect. Then that means you can make a complaint against somebody within 12 months of them having left the organisation.

Deputy C.D. Curtis:

Okay. Thank you.

Deputy H.M. Miles:

Thank you. Draft Marriage and Civil Partnership (Dissolution and Separation) (Jersey) Law. The law has been lodged; can you please outline the changes that this proposal will bring?

The Minister for Justice and Home Affairs:

Right, okay. The key reforms will be: the introduction of a no-fault dissolution process for both marriages and civil partnerships, which is obviously a really good thing to do from the point of view of people being able to get out of a relationship if they want to; standardisation of terminology, with

“dissolution” used to describe the legal ending of both a marriage and a civil partnership; removal of the existing 3-year time bar, enabling couples to apply for dissolution at any time following their marriage or civil partnership; flexibility for an application for dissolution to be made jointly or individually; removal of the ability to contest a dissolution once proceedings have commenced; provisions for future consideration of pension matters, including the potential for pension sharing; and promotion of alternative dispute resolution to support more constructive and less adversarial outcomes. I think this is all quite important, particularly if you have got somebody in a coercive relationship. Certainly, removing the 3-year ban; you want for people to be able to get out of those relationships in a quick way. Also, preventing people from being able to contest them as well.

Deputy H.M. Miles:

Can you confirm which stakeholders were consulted as part of this law?

The Minister for Justice and Home Affairs:

These amendments are in line with recommendations made by the Jersey Law Commission in 2015. The consultation paper on divorce reform and the reply to it was made by Advocate Barbara Corbett. In addition, from a court perspective, the draft law enhances the court’s existing powers in relation to financial arrangements and interim housing needs during the resolution process. This legislation had commenced prior to me taking over the role, so that is where the consultation has been.

Deputy H.M. Miles:

Do you know whether the churches or any religious groups were consulted as part of this?

The Minister for Justice and Home Affairs:

From my briefing from the officer that did the work, the answer to that that is “yes.” I could not tell you off the top of my head, but when I was briefed on this, I am sure that that was the case – that they have been consulted. But I will double-check that to make sure that that is correct.

Deputy C.D. Curtis:

I just wanted to ask, were any concerns raised about changing from what there was to no period of separation being needed at all? Someone, I think, could get divorced the day after getting married.

The Minister for Justice and Home Affairs:

Let me just run through some of these things.

Chief Officer, Justice and Home Affairs:

I do not think we have the detail. I think we need to double-check that.

The Minister for Justice and Home Affairs:

The divorce reform part of it, there was 168 responses to the consultation, 18 responses by e-mail, public meetings – there was 3 meetings and nobody attended. Key stakeholders consulted: the law, as I have said, non-J.F.L.A. (Jersey Family Law Association) members with interest in legislation, Family Judge in the Royal Court Family Division, Deputy Bailiff, the Ombudsman, the Jersey Pensions Association. “Feedback throughout the consultation process was generally positive and with strong support for moving forward from the current fault-based divorce system. Apart from the 2018 to 2019 consultation, public engagement was limited, but formal responses from the consultation were considered in the drafting process.”

Deputy C.D. Curtis:

Okay.

Deputy H.M. Miles:

Okay, thank you. In terms of other legislation that you have got coming forward, can you provide us as a Panel, an update on the status of the V.A.W.G. (Violence Against Women and Girls) legislation, please?

The Minister for Justice and Home Affairs:

I might ask Nathan this one, because he is probably up to speed for today.

Associate Director Justice Policy, Cabinet Office:

Yes, happy to. We have 5 separate pieces of legislation running. We have a Stalking and Harassment law, which has been considered by the Attorney General and the judiciary recently. We have got some tweaks and changes to make on it, but broadly speaking, it looks like it is going to be something we can take forward. It will have a new offence of harassment, slightly recast from what we have at the moment under the Crime (Public Order) (Jersey) Law 2024. It will have a stalking offence, it will have an aggravated stalking offence – and that is on the U.K. model – and it will have the capacity for the court to provide for a stalking protection order for an individual who feels and can establish that they are the subject of stalking activity but has not got a prosecution. That is a preventative order that comes in.

Deputy H.M. Miles:

Are we going to see the reintroduction of the harassment notices under this piece of legislation?

Associate Director Justice Policy, Cabinet Office:

As I understood, the harassment notice was a non-legislative way of saying to somebody: "Oi, that is harassment, and we are not prosecuting you but we could ...

Deputy H.M. Miles:

It was used to establish a course of conduct, was it not?

Associate Director Justice Policy, Cabinet Office:

So, that is entirely an operational point. The law will not rule out the reintroduction of harassment notices, I think.

Deputy H.M. Miles:

Okay. Thank you. What else have got, other than stalking?

Associate Director Justice Policy, Cabinet Office:

We have amendments to the Sexual Offences (Jersey) Law 2018 to provide for protection for offences concerning intimate images. At the moment, you have the voyeurism offence, which effectively means it is an offence to take pictures of somebody in an intimate state. But really, nothing is said about how images which are consensually transferred should be treated when a relationship ends, or anything about further transmission of images that have been legitimately acquired, or things that have been illegitimately acquired but in ways that are outside of the current voyeurism law. There is this whole area of activity where you can have a life-ruining experience, but technically, in Jersey, it does not quite meet the crime definitions; so we are effectively expanding that out to cover the area. We have a law – and it is very, very narrow – specifically to make non-fatal strangulation an offence. As I think you have mentioned yourself in the past, Deputy, that is a funny one because in Jersey, where we do not have a statutory arrangement for assaults, creating one offence of one particular type of assault sits weirdly. But we have been passing that back and forth with the criminal division of the Law Officers' Department, legal advisors and the drafter, and we think we have got it. We have not consulted the A.G. (Attorney General) and the courts yet on that one, but we think we have it. Amendments to the Domestic Abuse (Jersey) Law to introduce, pre- conviction, what we are calling "emergency barring notices" and "emergency barring orders." That is in line with the Istanbul Convention phraseology; in the U.K., they are called domestic abuse protection orders. The intention is that prior to there being a conviction for domestic abuse, the police will be able to, if they so choose and it is legitimate, take doorstep action to ensure ... the perpetrator of the suspected domestic abuse has to have a period of time away from the alleged victim. That is a short period; as drafted now, I think it is 72 hours. Then you are able to approach a court and say: "This is really happening, we have gathered more evidence, we can establish to

the satisfaction of the court there is harm and a risk of future harm,” and then the order can run for a longer period.

Deputy H.M. Miles:

Okay, thank you.

Associate Director Justice Policy, Cabinet Office:

Last one, I promise. We also have a new offence – this is very specifically to meet a Violence Against Women and Girls Taskforce recommendation – to address public sexual harassment. In the U.K., I think it is “harassing, abusive and disorderly behaviour,” which is effectively like shouting abuse at someone in the street. Then you have a little note that says: “If you get that and it is sexual, it is a different offence of sexually aggravated ...” That structure does not quite work in Jersey because, as usual, we never do things quite the same way. But what we are creating is effectively an aggravated form of our threatening, abusive or disorderly offence, predicated on someone’s sex or sexually motivated or sexually active, so it is slightly wider than the U.K. offence.

[15:45]

Deputy H.M. Miles:

Okay, so is that going to be a stand-alone piece of legislation as well?

Associate Director Justice Policy, Cabinet Office:

It is going to be ...

Deputy H.M. Miles:

Or is it going to be put in the Criminal (Public Order) Law?

Associate Director Justice Policy, Cabinet Office:

It is going to the Criminal (Public Order) Law.

Deputy H.M. Miles:

Okay, thank you. Have you got an indication of when all these are going to be lodged?

Associate Director Justice Policy, Cabinet Office: The stalking, domestic abuse and public sexual harassment have been through the internal criminal justice stakeholder review. My anticipation is that we are going to be seeing final amendments to those, and then we will be passing them to Scrutiny for consideration, and then we will be lodging as soon as we can. We still have to take the non-fatal strangulation and intimate image through that internal review, but we should be

able to do it in the next couple of weeks and then it will be coming to you. But if the Scrutiny Panel is satisfied with them, that should be our last gate prior to lodging.

Deputy H.M. Miles:

Lodged by the end of the year?

Associate Director Justice Policy, Cabinet Office:

That is still our intention.

Deputy H.M. Miles:

Thank you. Is there any plan to update changes to the Road Traffic (Jersey) Law at all?

The Minister for Justice and Home Affairs:

As in?

Deputy H.M. Miles:

The roadside testing.

The Minister for Justice and Home Affairs:

In relation to the drugs testing?

Deputy H.M. Miles:

Yes.

The Minister for Justice and Home Affairs:

Why am I thinking that this is sitting somewhere?

Chief Officer, States of Jersey Police:

Yes, I can help.

The Minister for Justice and Home Affairs:

I know I am.

Chief Officer, States of Jersey Police:

I will make a general point on the previous matter of law and then the one on road traffic. It will not have escaped the Panel's attention – and it certainly has not escaped the Minister's attention – that there is a number of new laws that need to be enforced, which will clearly generate additional

demand where we are already seeing quite significant V.A.W.G.-related demand. V.A.W.G.-related type offences are up 27 per cent over the last 3 years and 26 per cent already this year. With the introduction of a number of new laws clearly to keep Islanders safe, particularly female victims and young people, that will generate an additional demand as it already is. The Minister is alive to this and you will have seen a line in the proposed 2026 Budget that references that, with a view to seeking additional funding into 2027. In terms of the Road Traffic Law, there have been discussions between ourselves and the Department for Infrastructure because there is an absence of law that allows roadside testing for drugs. There has been some work done in the U.K., certainly in the last year from my memory, which is showing more people with the propensity of drugs in their system than alcohol. So, we do need to have better roadside testing technology. In the way that we do breath, we need to look at ... and some of my team are looking at things like strips and other things to roadside test what drugs might be in your system when you are driving, but we also need the law to be able to do that. I can provide a written update on that, but the Minister is absolutely right; there have been discussions about it.

The Minister for Justice and Home Affairs:

I have got something here that says a new provision addressing drug driving is currently being drafted and is considered a legislative priority, because obviously it sits under ...

Deputy H.M. Miles:

Might it be a legislative priority for the Minister for Infrastructure?

The Minister for Justice and Home Affairs:

Yes, not for me.

Deputy H.M. Miles:

Not to put it into the Road Traffic Law. Okay, thank you.

Assistant Minister for Justice and Home Affairs:

Sorry, I was just going to say that one of the things that fits in with drug driving is, of course, the use of medicinal cannabis and people driving while under the influence of drugs that they have obtained legally. I think that is probably an increasing problem. In jurisdictions where they are doing roadside tests, it makes no difference whether you have obtained cannabis legally or illegally, you are prosecuted.

Deputy H.M. Miles:

It affects their ability to drive.

Assistant Minister for Justice and Home Affairs:

Yes, and we have not got a clue at the moment.

Deputy H.M. Miles:

Okay, thank you. Can you provide us the latest statistics on speeding offences, including any notable trends or comparisons with previous years?

The Minister for Justice and Home Affairs:

Speeding offences for this year, comparisons and trends. Year-to-date, the S.o.J.P. have recorded 797 speeding process offences, representing a 14 per cent decrease compared to 928 in 2024. However, this figure marks a 67 per cent increase compared to 477 offences recorded in the same period in 2023. S.o.J.P. continues to take a proactive approach in targeting roads and road users that pose the greatest risk, using data-driven enforcement strategies. All road traffic collisions attended by the S.o.J.P. are recorded and submitted to Infrastructure and Environment, including any contributory factors, via the STATS19 report framework. This data provides vital intelligence on high-risk roads and forms targeted policing efforts, particularly where speeding is identified as a contributory factor. Anything else you want to add on that, Robin?

Chief Officer, States of Jersey Police:

Other than to say that speeding and anti-social driving continue to be easily the top 5 issues within my inbox, and certainly a concern to Islanders. As the Minister may describe later, some of the efforts we are now going to ... one, clearly getting the right data, but also some of the recent technology, which I will leave the Minister to address in terms of safety cameras, which I know has occupied you and other members of this Panel on previous occasions.

The Minister for Justice and Home Affairs:

No, go for it, Robin. You go for it. You are on a flow.

Chief Officer, States of Jersey Police:

Okay, thank you. I was going to give you the announcement, Minister, but last week we received this camera. I feel as though over the last year I have been saying to you: "Yes, it is on its way. Yes, it is on its way." Originally, it was due to be here in about February, March. I received a photograph of it in one of our offices from the inspector that is running it, so we now have the camera. As I have mentioned before, it is a very sophisticated camera, a very sophisticated piece of kit. I have to give a nod also to the Department for Infrastructure who have helped us fund this, and they are particularly engaged in road safety with us. The relationship is a very strong one. We are now

calibrating that bit of kit; that will be deployed very soon. We are looking at what is described as a soft launch, so we will look to deploy and I will happily update you at the next Scrutiny Panel with some facts and figures around it. My hope is, ideally, that it acts as a deterrent. I want it to act as a deterrent, but I also have to manage people's expectations; it is one camera. But we want to see if it works for us. It encourages people to drive more slowly or within limits and where it does not, people find very quickly that the evidence we will provide will be very quick and they will be before the courts.

Deputy H.M. Miles:

Are there any other amendments to the Road Traffic Law that might be required to get the best out of this camera?

Chief Officer, States of Jersey Police:

Deputy, certainly none that have been raised with me. It could be that, as we progress in the use of this and if we bump up into any gaps in legislation or more legislation, I might be in a better place. But none have been alerted to me, other than the one you have mentioned which does not refer to the camera.

Deputy H.M. Miles:

Okay, so in terms of the administration of the notices that it is going to generate and that sort of thing?

Chief Officer, States of Jersey Police:

Certainly, there have been discussions about how we might want to use different types of notices, but of course we understand that that is quite an involved subject, which you will know very well ...

The Minister for Justice and Home Affairs:

Been bouncing around for a very long time.

Chief Officer, States of Jersey Police:

Yes. And also will require a very careful and sensitive negotiation and discussion with the parishes as well. Let us use this as our opportunity to see how things could work differently, but we will progress carefully and sensitively on that.

Deputy C.D. Curtis:

Would it be that the soft launch might occur before our next public hearing?

The Minister for Justice and Home Affairs:

Hopefully.

Chief Officer, States of Jersey Police:

If it does not, there may be a demotion. I am being playful. No, it certainly will.

Deputy C.D. Curtis:

That is good news then. Okay, I have some questions now around the Kulpa app. This is an app; it is a new secure digital evidence platform being trialled by the States of Jersey Police for 12 months, which allows victims and witnesses to report crimes and submit digital evidence directly to the police through their phone or computer. Minister, could you outline how you expect the trial to change the way officers receive and process digital evidence?

The Minister for Justice and Home Affairs:

Rather than me answering that question, I think that the Chief will be able to give you an update on where we are at with it and how successful it has been already.

Chief Officer, States of Jersey Police:

Thank you, Minister. The Kulpa app – which, for those viewing this, can download from the usual places – is a way whereby victims or witnesses can share evidence via the app. Now ordinarily, we would take their phones from them; they would surrender their phones and we would download that data. What Kulpa does is it eliminates the need to take their phones and they can download their data using the Kulpa app. Far better for them. There are enormous checks and balances with that in terms of the metadata; that is, the information that is behind the evidence that is provided to us. We are very quickly able to download C.C.T.V. (closed-circuit television) footage, footage from phones, et cetera. It is still early days; in fact, it is day 48 in this. So far, the feedback has been good. It is a 12-month pilot which is at no cost to the public purse. The first 6 months is funded by Kulpa and the second 6 months, broadly speaking, is supported by Digital Jersey, for which I am very grateful. They too see this as a new and modern way, which not only works best for the victim and those witnesses, but also gives us the opportunity to better progress cases more quickly. I met with one of the entrepreneurs only yesterday – or the entrepreneur who has introduced this. First 47 days as of yesterday, evidence relating to 78 incidents had been shared using Kulpa. So far, users have shared 534 pieces of verifiable, authenticated – in other words the metadata – digital forensic evidence. The offences include drug dealing, theft, R.T.C.s (road traffic collisions), harassment and abuse, domestic abuse, violence with injury. It is encouraging first signs. There has been some good feedback from police officers, who tend to be the harshest critic for new bits of technology if they do not work. It is, as I have said, early days. It is a 12-month pilot and we will

have a review after 6 months to see if it works for the victim and it works for States of Jersey Police and it works for justice.

Deputy C.D. Curtis:

Okay, that is good feedback so far. I had a lot more questions; I think you have answered quite a few of them already. I am just trying to see what else we could ask. Is the app useable by under-18s as well? It is, is it not?

Chief Officer, States of Jersey Police:

Yes, it is. There are obviously some other checks and balances with younger people. The Kulpa app is protected by a P.I.N. (Personal Identification Number) number which users can use after registration. As I am advised here, in the U.S. (United States) and indeed in the U.K., children under 13 are typically not legally capable of consenting to any form of contract, so Kulpa has had to determine whether or not to block users age 13 – or potentially up to 18 years old – that they could potentially abuse a platform without recourse. Kulpa has chosen not to block anyone and the platform is made accessible to all users, no matter of their age.

Deputy C.D. Curtis:

Do you know if any third sector organisations which work directly with victims were consulted as part of the introduction?

Chief Officer, States of Jersey Police:

Yes, it is my understanding that Kulpa have spoken to J.D.A.S. and Victims First. My information is that that has been positively supported and both of whom have had training sessions and have posters and leaflets to distribute.

Deputy C.D. Curtis:

Okay. Are there any concerns about the security and integrity of using a third-party provider?

Chief Officer, States of Jersey Police:

“Yes” is the answer, but an enormous amount of work and thought has gone into this. Indeed, the Information Commissioner has also been engaged. She and a colleague were at the launch of Kulpa about 48 days ago. What we are keen to do with Kulpa is to be as transparent as possible, to work out where are any of the issues and concerns.

[16:00]

So far, we think ... they think we have overcome all of those. But that is the reason why we are having a 12-month project to test it. I have not heard yet a dissenting voice or a voice that is not in agreement with this, but it is new ground. It is innovative, but it is not without its risks so we want to proceed cautiously.

Deputy C.D. Curtis:

Considering it being innovative and so on, are there formal agreements in place to safeguard sensitive police data?

Chief Officer, States of Jersey Police:

Yes. If we cannot safeguard that sensitive data – whether it is Kulpa or anything – we lose the trust and confidence of Islanders. That is precious to us. I am confident that we are in a good place with that.

Deputy C.D. Curtis:

Is the matter of consent fully understood, do you think, by people using this about uploading their sensitive material?

Chief Officer, States of Jersey Police:

I believe that there are a number of opportunities within the app to advise those that are using it with the appropriate checks and balances.

Deputy C.D. Curtis:

Okay. What training has been provided to officers and staff to support the use of this new platform?

Chief Officer, States of Jersey Police:

I have lost count of the number of officers that have received the training for this over a number of weeks, including Kulpa and the people representing Kulpa coming to the police station to help brief officers. A significant amount of training has gone into it. You get to understand whether things are working well ... is when I go to briefings and, unsolicited, Kulpa is mentioned as helping officers get the evidence they need. That is a very anecdotal piece of unscientific information, but it is a useful benchmark when we are dealing with police officers using new technology.

Deputy C.D. Curtis:

That is good. If this continues to work well – you have mentioned about 6 months, but – when will a decision be made about a permanent rollout?

Chief Officer, States of Jersey Police:

Probably getting close to the 12 months, I would think. Probably we will be in a better position after about 10. Six months of course will be: "Go, no go? Do we go for the next 6 months?" Early indications are we will. Of course, the issue will then come: how will it be funded? That is always the painful bit. If the information that is provided suggests that we save an enormous amount of police time, court time, the judicial process and the like, then there can be a wider discussion about how it will be funded. It is not an enormously expensive piece of software, but it would need to be funded. There is no budget for it.

Deputy C.D. Curtis:

You will be looking to gather that evidence about the saving of resource time?

Chief Officer, States of Jersey Police:

Yes.

Deputy C.D. Curtis:

Okay, I think that is all the questions, is it not?

Deputy H.M. Miles:

Yes.

Deputy C.D. Curtis:

I think we have gone through the whole hearing already, unless there is anything else to add?

The Minister for Justice and Home Affairs:

No, I think that is fabulous, thank you.

Deputy C.D. Curtis:

Okay, thank you very much everyone.

[16:02]