



Children, Education and Home Affairs

Scrutiny Panel

Quarterly Public Hearing

**Witness: The Minister for Justice and
Home Affairs**

Wednesday, 2nd July 2025

Panel:

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

Connétable M. Labey of Grouville

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. A. Soliwoda - Acting Prison Governor

Mr. A. Hunt - Deputy Head, Customs and Immigration

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

Mr. N. Fox - Associate Director of Justice Policy

[10:00]

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 2nd July and 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. So, I am Deputy Catherine Curtis, the Chair of the panel.

Connétable M. Labey of Grouville:

I am Connétable Mark Labey. I am Vice-Chair.

The Minister for Justice and Home Affairs:

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

Assistant Minister for Justice and Home Affairs:

Constable Richard Vibert, Assistant Minister for Justice and Home Affairs.

Acting Prison Governor:

Artur Soliwoda, Acting Prison Governor.

Chief Officer, States of Jersey Police:

Good morning. Robin Smith, Chief of Police.

Chief Officer, Justice and Home Affairs:

Good morning. Kate Briden, Chief Officer for Justice and Home Affairs.

Deputy Head, Customs and Immigration:

Andrew Hunt, Deputy Head of Customs and Immigration.

Associate Director of Justice Policy:

Nathan Fox, Associate Director of Justice Policy.

Deputy C.D. Curtis:

Okay, thanks, everyone. We have 2 Deputies who cannot join us today. We have one and a half hours for this hearing and our first questions are around the French day trip scheme and the E.T.A.s (electronic travel authorisations). So, Minister, following the States Assembly's decision to extend the French I.D. (identification) card travel scheme, could you explain how you envisage the scheme operating alongside the U.K.'s (United Kingdom's) E.T.A. system, which is due to be implemented in Jersey?

The Minister for Justice and Home Affairs:

Yes. By way of an update, there is potentially going to be a slight delay in us getting the E.T.A. and it is likely to be us, Guernsey and the Isle of Man in early 2026, but obviously the legislation will need to come to the Assembly probably in September. The intention is that we will do the day trip scheme through a minor change in the Jersey immigration rules so that we can exempt French nationals on

day trips using their I.D. cards so that they will not have to obtain an E.T.A. Because as we have already discussed on numerous occasions, they are not actually compatible.

Deputy C.D. Curtis:

Yes. That is really interesting. So when will we hear more about this plan about getting people able to come in through the changes to the immigration system?

The Minister for Justice and Home Affairs:

Well, they are actually coming in at the moment. It is only really when the E.T.A. would come in that it would then create a problem. I think that is correct.

Deputy Head, Customs and Immigration:

Yes, that is right.

The Minister for Justice and Home Affairs:

Yes. So I think it is business as usual until such time as we do get the E.T.A., but obviously in that interim period we will need to make the changes to the law in order that we can have that ability for them to come in without having an E.T.A.

Deputy C.D. Curtis:

Yes, because it was going to come in in September this year, the E.T.A.

The Minister for Justice and Home Affairs:

Yes, I think everything is pushed back, is it not, I think?

Deputy Head, Customs and Immigration:

Yes. So a couple of reasons for those delays. Firstly is getting the required legislation through the States Assembly, so that has taken more time than we envisaged. So we are looking to lodge this month for a debate in September. Then on the U.K. side there are certain issues - technological is one - that are taking a bit of time to work through. But as the Minister said, we are looking to quarter 1, 2026, for a firm deadline for introduction now.

The Connétable of Grouville:

Can I just add, Chair, that we have just had the Jumelage Games over the last weekend where nearly 100 French participants came over to Jersey to participate. Most of them are on the I.D. card, so we thank you for your persistence in this matter.

Deputy C.D. Curtis:

So once this is in place, if it is going to be in place in early 2026, what are the operational and legal challenges arising? Do you have steps to address the risks that will be coming?

The Minister for Justice and Home Affairs:

What do you mean by legal challenges exactly?

Deputy C.D. Curtis:

So that the French I.D. plan can carry on as it is, once the E.T.A. is in place how is that going to work? Is there a plan on how to continue it without challenges arising from continuation of ...?

The Minister for Justice and Home Affairs:

Well, I think the thing is to make it quite clear there will be a change in the law so that they can still come in on the I.D. card for the day trip. Of course, those are quite strict rules, so it is with certain ferry companies. It is not like they can get on a plane and come here. It is to do with the ferries and the different small boats that come to Jersey. So those rules will not change. At the moment there have been no legal challenges to it as far as I am aware, so that should remain the same. We will just need to say within the legislation, or the immigration rules I should say, that we will be allowing French nationals on day trips with an I.D. card so, therefore, they will not have to have the E.T.A. But that will be strictly as I said. It is with the ferry companies. It is not across the piece. So all of the rules that apply now will remain the same. So all those that are not able to travel on their I.D. cards at present will have to have an E.T.A.

Deputy C.D. Curtis:

Okay. So for this to continue, for people to come in on the I.D. cards, there was a letter, was there not, from the U.K. Government raising concerns about the scheme. So have those concerns been addressed and will it be able to continue?

The Minister for Justice and Home Affairs:

Right, let us make this quite clear. The engagement with the U.K. in 2023 and 2024 resulted in formal concerns being expressed of the use of security of an I.D. card, the security of the C.T.A. (Common Travel Area) border and the interaction of I.D. cards and in relation to E.T.A., and that was where our glitch was a bit concerning because we did not see how we were going to be able to. But thankfully Customs and Immigration have found an opportunity somewhere else so that it is a little bit of a carve-up with the Jersey immigration rules in relation to this minor sort of thing. We have not received any Ministerial response in relation to ... from the Parliamentary Under-Secretary of State for Migration and Citizenship to date. We had written to them and I think we followed up as well after the vote, and we have not heard anything back. Obviously, there was some that were spoken to, as you saw within the media that asked their views, but nobody has come back to us

formally in any way to say anything about what we have agreed within our own States Assembly. So nobody has come back formally. We have had no letters. Obviously, there was discontent from the shadow Minister and it was the previous Government who had written, I believe, a letter that I had seen and the previous Justice and Home Affairs Minister, but obviously as I said we have had dialogue. Customs and Immigration have been having dialogue with officers all the way, even before this. They are always in dialogue because obviously we are crossing borders all the time. All of our imports and exports come in and out of there, so we are always in dialogue with Customs and Immigration in the U.K. But we have had nothing formally to say whether they are happy or not.

Deputy C.D. Curtis:

Okay. So there has not been any letter from the current Government at all?

The Minister for Justice and Home Affairs:

No.

Deputy C.D. Curtis:

That was quite confusing in the reporting.

The Minister for Justice and Home Affairs:

Yes.

Deputy C.D. Curtis:

So then there is a plan for this to continue even when the E.T.A. comes in?

The Minister for Justice and Home Affairs:

Yes, that is what we agreed in the States Assembly. That is why we are going to change the rules.

Deputy C.D. Curtis:

Okay. So Jersey does not require a formal exemption from the E.T.A. regime? It does not need that?

The Minister for Justice and Home Affairs:

No. I am right in saying our immigration rules are our own. However, we do belong to the C.T.A. and so from that aspect we follow the U.K. Maybe I will ask Customs just to formally make sure that I have my facts right, but I think from our perspective it is about the fact that we are a member of the C.T.A. That was the choice we made at Brexit within the States Assembly that we would be part of the C.T.A. I do not know if there is anything you want to add to that.

Deputy Head, Customs and Immigration:

I think we have always taken, in respect of our relationship with the C.T.A. and the U.K., a policy of alignment but not automatic replication of the immigration rules. We have our own unique requirements and challenges and it is important to take those into account when we are looking to apply or to supply what the U.K. are looking to introduce. So the U.K. are concerned about the security of the Common Travel Area, as are we. It is in the forefront of our minds. You mentioned risks before. We have a wide range of mitigation in place to minimise those risks to what we believe is an acceptable level, including restricting the scheme just to French nationals, just on commercial ferries, in conjunction with a memorandum of understanding with the carrying companies and also the fact that immigration permission for those travelling on I.D. cards only extends to Jersey and not beyond. Therefore, if anybody was to travel to the U.K. or to Guernsey or to the Isle of Man during their day trip, they would actually be entering there unlawfully.

Deputy C.D. Curtis:

Okay. So just to confirm, it looks like the French I.D. card scheme as it is now should be able to continue to operate even when the E.T.A. regime is in place, bearing in mind the mitigations that you have said?

Deputy Head, Customs and Immigration:

That is certainly our intention, yes.

Deputy C.D. Curtis:

Okay. Great. So I just want to ask: does the Customs and Immigration Service have the capacity to support the continuation of the scheme as well in case there is any more administrative requirements that come about?

Deputy Head, Customs and Immigration:

As it stands, there is no additional resource requirements. The number of cases of non-compliance is very low so we are happy that we can manage it within our day to day work.

Deputy C.D. Curtis:

Okay. I think that is okay for those questions then.

The Connétable of Grouville:

Thank you. Again, I would like to say formally that we are very keen, as the Connétable with our Jumelage, that those conditions remain. The next section is about the Prison Service. Minister, can you update the panel on the current status and timetable of the action plan for prisoners and neuro-divergent needs at La Moye and confirm what resources have been allocated to implement it?

The Minister for Justice and Home Affairs:

If you do not mind, I will ask Artur to respond to that because obviously he has today's assessment on it.

Acting Prison Governor:

Yes, of course. So we have an action plan in terms of how we can address neuro-divergent needs in our population. We do not have exact numbers because lots of prisoners will do the self-referral or self-assessment and unfortunately the prison does not have some way or avenue to speed up those assessments. Waiting lists in the community are fairly lengthy. So, for example, waiting lists for A.D.H.D. (attention deficit hyperactivity disorder) assessment is up to 2 years. If we make a referral for anyone in our custody, they will be waiting in the same ... at least as anyone in the community. However, we are working on early identification and screening arrangements. Since the prison healthcare model has changed and we are now in the same healthcare system, it is much easier to address the needs of those prisoners which come to our custody with diagnoses already in place. Therefore, they receive treatment straight away. Those which do self-referral have to go ... will be referred for assessment and as a first step will be seen by a G.P. (general practitioner) who will see what we can do in that arrangement. At the same time we have applied for community funding to purchase a self-assessment tool which will help us in identifying the needs. So even if someone does not have the official assessment, we can support them in changing the environment with a more specific case management plan that can support that person in our custody. The next step is the training and awareness for our staff, which will include modules on autism, A.D.H.D., dyslexia, dyspraxia and other neuro-types. Then we have a much better neurodiversity network among our staff. We have had a presentation from Anthea Carroll, Deputy Head of Springfield School, about neurodiversity, and we have more training sessions with staff planned for this year as well. The next point is reasonable adjustments and supports for prisoners which we have in custody, which I mentioned that on the case management plan. So we will offer them more sensory friendly cells, access to sensory tools, fidget items, ear defenders if someone is struggling with the noise which is generated on the wings. We do have situations like that. Visual timetables and easy to read materials. We have some reading pens as well for those people which do struggle with reading and have dyslexia issues, overhead lights for literacy support if it is needed as well, and we do assign peer mentors to some of the prisoners which have neurodiversity needs as well. Of course, on the top of that we work on inclusive education and employment for the prisoners as well, and even, as I mentioned, if someone does not have a diagnosis but we can see they struggle in certain aspects of the prison life, we will offer them support as we feel is suitable. Also healthcare mental health integration, A.D.H.D. medication and management, autism, mental health support.

[10:15]

We have a dedicated mental health nurse in the prison now, and visits from a community psychiatric nurse are happening more often than they used to under the new healthcare model. So we offer much better support than previously as well. Then the communication and advocacy for those prisoners which we have in our custody with neuro-diverse needs, and this is offered as well by My Voice, which is an independent advocacy charity, to our prisoners, and monitoring and evaluation because that population changes regularly and we need to make sure that we pick up on those as well. So any person that comes to our custody will be interviewed by the custody manager and the healthcare nurse and those 2 processes we are hoping pick up on the screening. There is a secondary healthcare screening within 72 hours because not always people which we receive in custody are quite keen to reveal the issues that they have on the first visit, the first conversation. So after 72 hours sometimes it is much easier to have those open and honest conversations. So that is how the plan works in this moment in time.

The Connétable of Grouville:

Thank you. You have answered about 10 questions one after the other. **[Laughter]** One of my questions was about training for your staff, but clearly, Artur, you have very kindly given that to us. Has the Prison Service entered into formal partnerships with external specialists; for example, C.A.M.H.S. (Child and Adolescent Mental Health Services), occupational therapists or charities - you mentioned a charity - to support the neuro-divergence plan?

Acting Prison Governor:

Not formal in the sense of a contract, but whenever we need it we can signpost people or we have avenues to contact people. We have some service level agreements with certain charities, but this is a wider activity that we are going to complete this year and next year in terms of commissioning charities to do work for us because we need to formalise the process. So we are at the early stages. We work with a number of charities. Not all those relationships have been formalised yet.

The Connétable of Grouville:

Okay. Thank you. Given the additional pressures that managing neuro-divergence in younger prisoners can place on staff, what well-being and support programmes are now in place for prison officers and how are you monitoring staff morale and retention in these specialist areas?

Acting Prison Governor:

So those officers which are working with neuro-divergent prisoners or working in special departments where those prisoners are housed, they have contact with a prison psychologist and there is a process which is called self-reflective practice. That gives them an opportunity to share

their experiences, and if they have any difficulties, then they are being signposted by our psychologist to further support if it is needed as well.

The Connétable of Grouville:

Good. Thank you. Turning to young people in custody, can you outline what progress has been made since the last hearing on reducing the length of time young people spend in isolation wings and on ensuring they have daily access to facilities like their education, purposeful activity and mental health support?

Acting Prison Governor:

So those students in our custody and people in our custody have a regular regime and they have access to the P.E. (physical education) department, sporting activities. Those which are required in education, we make sure they do attend to education. Those which do not have to attend education will still be offered access to activities. One of those young people is now completing the course for cleaning skills, which has been offered to our wider population. They are attending a catering department in the afternoon hours to prepare their own dinners and learn basic skills in the catering department and also basic hygiene in that environment as well. Some of them have never had skills like that, so it gives them an opportunity to learn something new. While considering that the accommodation arrangements we need to keep those children separate, we always ensure that they have access to all the activities as other prisoners in our custody will have. Of course, not at the same time because we need to keep them separate.

The Connétable of Grouville:

Yes. You have already explained the mental health support, so thank you. Minister, can you advise the panel what is the timeline for introducing compulsory post-custodial supervision?

The Minister for Justice and Home Affairs:

Drafts of the Prison (Jersey) (Amendment) Law and the associated Release of Prisoners on Licence (Jersey) Regulations have been developed. These are intended to create a system of mandatory, as you said, post-custodial supervision for prisoners released from custody. The Cabinet Office has continued to work with key stakeholders, because obviously you have the Prison Service, the Probation Service, the Police Service, the judiciary and the L.O.D. (Law Officers' Department), to address points raised on the initial drafts and further development of the policy that will underpin the new legislation. The most recent of the drafting activity in this area has been provision of the revised instructions on the draft in February 2025. The stakeholder group continued to discuss the best structures and highlight and resolve to prepare for the change in legislation and address key policy decisions. The stakeholder group last met in May and has now been suspended. So the legislation plan distinguishes between green items, which have been a priority, and amber items, which will be

developed as resources allow. The work on post-custodial supervision was assessed as amber by the Council of Ministers and so work will continue when drafting resources become available. So it is an ongoing programme for us. My current understanding is that it is unlikely that we will have sufficient capacity during this term of government.

Associate Director of Justice Policy:

That is entirely accurate, Minister.

The Minister for Justice and Home Affairs:

Yes.

Deputy C.D. Curtis:

So we just do not know when that is going to ...?

The Minister for Justice and Home Affairs:

No. It is like with everything. Obviously, as you know, under Justice and Home Affairs all of the legislation in relation to violence against women and girls has taken priority, so everything else has ... some of it has ... the work has not stopped exactly but it is not moving forward in the same sort of light. We have had other legislation which has taken significantly longer than we had hoped and so some people within the team have not been able to move on to other things as well. It is one of those, really.

The Connétable of Grouville:

Resource. Thank you, Minister. The next section of questions relates to firearms. The Connétable, like myself and Connétable Vibert, are more than familiar with this. Minister, you previously stated that it would be desirable to review or replace the Jersey Firearms Law. Can you advise the panel whether there are any alternative options outside of legislation that are being considered to strengthen oversight or improve safeguards in the meantime?

The Minister for Justice and Home Affairs:

You are quite correct. Due to the change of Government in 2024 the planned review was postponed. The planned review was postponed really because of the priority of the violence against women and girls legislation. As a result of that, as you are aware, I attended and met with the Comité des Connétables and asked if any of your group would be willing to, in conjunction with the States of Jersey Police, look at any potential for amendments which in the meantime would be able to be implemented by way of Ministerial orders, really to, I suppose ... it was focused on reducing the risk in the community. This was covered under Article 57 of the Firearms Law, general power of the Minister to make orders. The working group has met on 3 occasions and has already agreed in

principle to implement, with the agreement of the Comité and where appropriate the Minister, a number of improvements. I recently in our last Assembly had a conversation with Constable Honeycombe in relation to this matter. I do not know if he has put anything out publicly yet, but he was asking me what my views were on certain things and we had some discussion. So in relation to this matter, removal of the wording at question 28 on the application forms, which says if you wish to have in your possession more than 5,000 rounds of the ammunition at any one time state the additional quantity and the reason for it, it is recommended by the group that when issuing a firearm certificate it should be authorised without ammunition being included. The applicant would then need to apply separately if they wished to hold ammunition at their home address. I think if you think about it, the concern that is raised over many, many years is about the number, as everybody knows, of firearms but, more importantly, about the ammunition. So every applicant for ammunition that will be held at home should be assessed individually by the Constable of the parish and considered on its own merits. This will mitigate the risk of certificate holders having easy access to firearms and ammunition outside of a club environment. Because I think that is what all of us saw, was that the vast majority of the current registered firearm certificate holders only have authority to shoot at an approved club, so where they can readily purchase ammunition. Therefore, the requirement to hold or store ammunition at home premises is really not required. However, it must be noted that not all clubs currently have the ability to sell ammunition. This is being addressed and there are further applications being submitted for my consideration. I think it is quite important that there is a lot of work that has gone on and I am grateful to a senior officer from the States of Jersey Policy and the firearms officer for working with the Constables because that has made a significant difference. The working group also discusses, and you are probably aware, the issue of where an applicant requests authority to purchase or acquire a vast number of firearms, different types and different calibres. There are currently examples of certificate holders who have authority to purchase or acquire in excess of 25 firearms. As these certificates are submitted for renewal or for a variation, the Constables will review these and make the recommended amendments. This will ensure greater governance of the number of firearms being held and assist the Constables to ensure that the applicants have a good reason to acquire those firearms. So that will make a change. The working group is currently considering making a request to have certain types of large calibre rifles, especially those that have been converted from a fully automatic firearm, military grade, added to the list of prohibited items. These types of firearms are not used for competition or suitable for general sort of recreational shooting. This will not preclude an applicant from applying for possession of them. However, it will require a separate licence from the Minister, which will give greater governance on these types of firearms and the good reason to possess. This is covered under Article 33 of the law. The working group will also be recommending the possibility that all references for applicants must either be a firearm certificate holder or have a good knowledge and experience in handling firearms and ammunition in order to be able to provide information on the applicant's competence with firearms as set out in question 20 of the referee form. This will assist the Constables on getting a

better understanding of the certificate holder's knowledge and experience. I think this is really significant because we all know that in an ideal world we would have the firearms legislation changed, the whole law looked at. However, this really addresses, I think, the majority of the concerns and so I think for me that is a really valuable piece of work.

The Connétable of Grouville:

The current law allows a firearm certificate to be held for 5 years with limited contact between the issuing authority and the certificate holder during that period. Do you believe there is merit in introducing a mid-point review and, if so, could this be achieved through revised guidance or administrative agreement with a Connétable rather than a change in the law?

The Minister for Justice and Home Affairs:

To be honest, from my perspective I suppose that that may make sense, that somewhere during the period that that person would be asked whether they still need the firearms, whether they are still shooting them. I think what can happen is that people acquire firearms today and in 20 years' time still have those firearms because people probably do not relinquish them, as you know. They will just continue to renew them every 5 years and it may very well be that if we mid-term somewhere ask that question, maybe that is a possibility. It is not something that I would be averse to. I think it depends on how burdensome it becomes to yourselves as Constables, but obviously if it was something that was put forward by the Constables ... from my memory I do not think it is something that has actually been put forward. Yes, it has, sorry. Yes, I think it probably is something that is being considered. My apologies because there is quite a lot of information here. On my own view, I do not see a problem. I think if the Constables think that that is, like I said, able to be monitored and done, then that is a good thing. Because I think there is an opportunity always there at those points to say to somebody: "Do you really need this? Are you still using it?", et cetera. So I think that is actually a valuable thing to do.

The Connétable of Grouville:

Yes, because over a 5-year period we all know around this table things can change dramatically in that time ...

The Minister for Justice and Home Affairs:

Absolutely.

The Connétable of Grouville:

... in perhaps a client's health, et cetera. Thank you, Minister. Can you please explain to the panel how the current system for temporary firearm certificates for visitors is working in practice,

particularly with regard to compliance checks and public safety, given that all air weapons also require a permit under this scheme?

[10:30]

The Minister for Justice and Home Affairs:

Well, Article 33, of course, does not actually fall ... the temporary firearm certificate for visitors to the Island, the authority falls under the Chief Officer of the States of Jersey Police, not the Constables. So they have no authority to issue temporary firearm permits.

Chief Officer, States of Jersey Police:

So on a very regular basis, given the number of enthusiasts and shooting competitions that we welcome into the Island, which I also welcome, I am asked to provide authorities on a fairly regular basis. That is done by a senior member of my team, or one member of my team, and he provides me with a very detailed background check on individuals. We look into their previous offending history. There is often very little offending history but there is a vetting process before I then authorise. But I am content that it is as thorough as it can be for those visiting seeking to shoot weapons exclusively in competitions and, of course, as the Minister has said, that is my responsibility.

The Connétable of Grouville:

Jersey has had a very long tradition of firearms usage and competition usage. We have even had gold medallists in Commonwealth Games, I believe, so that is a very confident reply. Thank you. Yes, have you considered, Minister, introducing or supporting a firearms amnesty, as has been suggested by some, to help reduce the number of unregistered or unwanted weapons in circulation? If so, would you be required to take such a proposal forward?

The Minister for Justice and Home Affairs:

Of course, any amnesty for surrender of firearms, licensed or unlicensed, must be authorised by the Attorney General. The Island has held 2 amnesties, one in 1999 and the introduction of the new Firearms (Jersey) Law 2000. The second was around 2017, which was run in conjunction with the U.K. Both were successful with a number of firearms being surrendered. Of course, before I would make any decision in relation to this matter, obviously it would need to be decided where and who those firearms were going to be surrendered to. Because obviously if it was going to end up within the remit of the States of Jersey Police, then obviously consultation with States of Jersey Police on how that was going to work would have to be done. But if it was going to be potentially somewhere else ... and I cannot off the top of my head remember what happened in the past, but I have a feeling they may have come into the police station. But, of course, it may have been the fact that they were

surrendered into one of the dealers. I do not know, so I would not make comment on that. But I think anything to run something like this would have to be in consultation with the States of Jersey Police and those where that may actually go to, and obviously consultation with the Attorney General.

The Connétable of Grouville:

Yes, of course. We know obviously that one of the main dealers in Jersey is ceasing to operate I think it is before the autumn this year, so that would be good if the panel could be kept up to date because we think that might be worth revisiting in the near future.

The Minister for Justice and Home Affairs:

I have no issue whatsoever, but as I said, it would be in consultation with all of those parties involved.

The Connétable of Grouville:

Thank you.

Deputy C.D. Curtis:

All right. I have some questions now about youth justice. So, Minister, given your responsibilities for youth justice and detention, how are you working with the Minister for Children and Families to ensure that the future of Greenfields aligns with a justice system that treats custody as a last resort?

The Minister for Justice and Home Affairs:

If you are happy, the Assistant Minister for Justice and Home Affairs is actually working in relation to this.

Assistant Minister for Justice and Home Affairs:

For youth justice and responsible for Greenfields. Well, youth custody is always a last resort. However, it is inevitable that there will be circumstances where a young person has to be taken into custody and, therefore, we need a safe place for them. We intend, provided we get Government funding, to redevelop Greenfields and to make it a better establishment, and perhaps to have ... while having a main area which is either for secure accommodation or for youth custody that there will also be areas that perhaps you would use for ... are you familiar with the term "inherent jurisdiction"? That is where you have a child who is not necessarily in full custody but there are terms and conditions attached. You would have them in a less secure area where they can actually under supervision leave the home, go out for external education. So yes, there are plans for Greenfields. Certainly, there are no plans to close Greenfields, but there are plans to make it a better establishment.

Deputy C.D. Curtis:

How confident are you that that Government funding will be forthcoming?

Assistant Minister for Justice and Home Affairs:

Well, I think I am as confident as anybody who put submissions into the Government Plan. We have to wait to see if that is voted on. We have to see if we have ... that the Government are willing to back the plans for children and improve their chances, if they have been into the criminal justice system, of going on to achieve more positive outcomes. So it is very much in the Government's hands. If they support it, then we will go forward.

Deputy C.D. Curtis:

So do you think the Government will recognise that what is currently there is not sufficient and ...

Assistant Minister for Justice and Home Affairs:

Well, I certainly hope so.

Deputy C.D. Curtis:

... that there are certainly good plans to ...?

Assistant Minister for Justice and Home Affairs:

I would certainly hope so. A vast amount of work has gone into this, working with some of our other colleagues, and I would hope that the Government recognises the need to do this.

Deputy C.D. Curtis:

Yes. Okay. Have you received any operational concerns from the police about the current capacity or suitability of Greenfields to safely manage young people? If so, how are these being addressed?

Assistant Minister for Justice and Home Affairs:

Yes, I think it would be fair to say that we have. Greenfields was built for a capacity of 8, for instance. I think the registration has been up to 6 at times. It has currently gone back down to 4. We are looking at ... I do not want to refer to particular circumstances, but we are looking at the operation of Greenfields and how that can be improved and, as I say, making it a safer establishment. There are some improvements that have taken place recently as part of that and those will continue, again, subject to receiving the funding. We have gone as far as we have gone at the moment. Now we need assurance that we will get the funding.

Deputy C.D. Curtis:

Okay. Was there anything to add to that?

Chief Officer, States of Jersey Police:

Just a general point and then a more specific point. I think if there is one thing we are all in agreement of, and anybody watching this, is we do not want young people in custody anywhere. There are, as Members know, approximately 18,000 children in the Island and the vast majority of those children never need any Government services and especially not the police. We are talking about a very tiny number, and that tiny number that regrettably ends up in Greenfields, their offending history is significant, very, very significant, otherwise they would not be there. Their vulnerability is significant, too. There would be a lot of victims of crimes involved in that as well as the individual's own vulnerability. In terms of Greenfields, there was a very productive meeting we had about 2 weeks ago, which the Chief Officer for J.H.A. (Justice and Home Affairs) was at, where we looked at some of the contingency plans. I took it away as a genuine desire to continue to improve the facilities at Greenfields, with challenges around budget, of course. But the numbers, thankfully, are very small and those children that find themselves in Greenfields, there is quite a significant history to those events and enormous ... I sense enormous reluctance to have to do that, but it is in everybody's best interests.

Assistant Minister for Justice and Home Affairs:

I think there is no doubt that there is a series of offending where a young person sadly ends up with a custodial sentence, but it is also that in a number of cases they can be a danger to other children as well. That is a significant issue that we have to consider.

Deputy C.D. Curtis:

Thank you. So, Minister, the roadmap acknowledges that further work is required to fill the gaps for young people aged 18 to 25 who are not covered by the youth justice roadmap. So could you outline what consideration was given to the inclusion of young people over 18 and the transition to adulthood?

Assistant Minister for Justice and Home Affairs:

Well, of course, certainly those 21 to 25 are considered adults unless there are particular circumstances. We continue to consider the facilities for ... I think Artur will correct me if I am wrong on this, but we are considering where 18 to 21 year-olds are perhaps a different category when they enter the adult prison. They need more support. They are not necessarily as fully developed as adults. Yes, that is something that is being considered.

The Minister for Justice and Home Affairs:

Sorry, Richard, I think what is important here is that all of us identify that the 18 to 25 year-old group can still be in a vulnerable group. So I think with anything it is important that once they come out of

... once they become an adult at 18 that we just do not make all of the assumptions that they are an adult and they do not need that extra support. We have had some discussions about whether or not you would have young people in different parts of the adult prison, but we have decided at this stage that we are going to remain as we are because, having had some significant discussions with Artur about it, and I think Artur has also had some conversations with the Children's Commissioner, sometimes it does not always ... because we are such a small Island and our population within the prison is significantly smaller, it is not always the best to have special facilities for everybody. So if you went to the U.K., for example, you would have female prisoners, you would have male prisoners, you would have your 18 to 21 prisons. That is not always going to work for us because the numbers and the dynamics of it all is not always the best. So we have had significant discussions about it and, of course, that would also create some challenges for us because obviously the prison estate is not necessarily in a state for that to be achieved anyway. So we have had significant discussions about it and certainly from where we are now and my view now ... because at one stage I did consider whether that was a good idea to have different ages within the prison, but I now think that actually what we have and what we can achieve within the prison is the best as it is at the moment. Whether that changes in the future or not is something different, but at the moment what we have we think is the best that we can have with what we have, if that makes sense. So that is not going to change.

Deputy C.D. Curtis:

Okay. So lots of consideration given to this?

The Minister for Justice and Home Affairs:

Yes, I think it ... it is a moving object.

Deputy C.D. Curtis:

But there is some special acknowledgement of 18 to 21 year-olds anyway.

Assistant Minister for Justice and Home Affairs:

Yes.

Deputy C.D. Curtis:

Is that quite a large group compared to other ages, 18 to 25, in the prison, Artur?

Acting Prison Governor:

It is under 10 at this moment in time. The reason we have not separated that group of people is because it would create another cohort of prisoners. When we spoke about before access to activities in the prison, it would make it more and more difficult, of course, and there is a risk of isolation. Some of those young people can benefit from role models of older prisoners specifically

selected to provide some mentoring as well. Sometimes the criminality by young people is perceived as a fairly interesting subject but hearing from other prisoners which spent considerable time in the custody cell, if you do not change your life in a way, that not necessarily is the best life choice in a way.

[10:45]

So thinking of spending time in custody, you need to think about how better to achieve the best outcomes for your life. Sometimes having those young people in one group, they have a number of conflicts in the community and you transfer those conflicts to custodial environment, it therefore becomes even more difficult to manage. That is why we keep them in a wider group of adult prisoners with strict security arrangements to make sure that they are being kept safe and if they have contact with adult prisoners it is also on the risk assessment on a selective basis.

Assistant Minister for Justice and Home Affairs:

Outside of prison, of course, as Children's Services we continue to support children who have been in our care up to the age of 25, some of whom will have been in prison, but you also have to accept that some of them do not want that contact. They will not integrate.

Deputy C.D. Curtis:

A question now about sentencing. Minister, can you advise the panel whether any data or research has been undertaken on whether children in Jersey are disproportionately sentenced for minor offences compared to regions of the U.K. or Crown dependencies?

The Minister for Justice and Home Affairs:

I do not know of any recently. No.

Deputy C.D. Curtis:

It is just a matter that has been raised with us, which I thought would be interesting.

The Minister for Justice and Home Affairs:

So the sentences here are disproportionate?

Deputy C.D. Curtis:

For example, children in Jersey who might get into trouble for, I do not know, damaging property or something that is not as serious perhaps as a violent offence are ...

The Minister for Justice and Home Affairs:

They have ended up in custody?

Deputy C.D. Curtis:

No, but whatever the sentencing is, is it disproportionate to another child doing something similar in the U.K.?

Chief Officer, States of Jersey Police:

Clearly, I do not do the sentencing, I just do the arresting, but I think first of all it would be useful to see what that means in context to those places you have already described, and we probably could do that given the close relationship we have with the other Crown dependencies and indeed one or 2 of the overseas territories as well. That would provide us with the context. Of course, the jewel we have here in Jersey is the parish system, which does not exist anywhere else that I am aware of, and therefore my judgment, although I am happy for it to be challenged in terms of data, is the parish hall system is one of the best systems I have seen in my entire service because it does not necessarily criminalise children at that early stage for what some people might see as minor matters. I would think instinctively Jersey would feature very favourably in that because of the parish hall system.

Assistant Minister for Justice and Home Affairs:

When you consider that children under 14 are highly unlikely to be charged, I am surprised that we are talking about disproportionate sentencing.

Deputy C.D. Curtis:

Well, we hear a lot of really good things about the parish system and appreciate that, but it has been raised with us that potentially children are being disproportionately sentenced here for minor offences. Perhaps these were children who are reoffending many times, I do not know. This is why we are asking is there any data collected around this.

The Minister for Justice and Home Affairs:

I think Robin has answered the part and he can certainly speak to his cohorts, but I think my question would be: what does “sentencing” mean? Because when I think of a sentence I think of a court sentence. I do not think of a parish hall inquiry as being a sentence because it is not; it is written or verbal. As an example, I have seen juveniles dealt with for taking and driving away a vehicle, in the past admittedly, as a parish hall inquiry because they were first offenders and it was deemed that that was appropriate. It is a difficult one and I think the word “sentencing” is the thing that confuses me.

Deputy C.D. Curtis:

There could be a better word, perhaps.

The Minister for Justice and Home Affairs:

Yes, but a few examples might be of benefit, if you can go back to whoever has raised that but also, as the Police Chief said, about speaking to his counterparts.

Assistant Minister for Justice and Home Affairs:

You also have to take into account that in some cases they will appear in court having had numerous occasions where they were not charged for the same offence.

Chief Officer, States of Jersey Police:

That, Minister, will be undoubtedly the case that to get to a court, depending on the seriousness, and often it is not as serious, there would be quite a track record before we had got there. Perhaps a better word is sanction rather than the sentence because we get tripped up with criminal courts and whatever. What are the sanctions when things are committed, and those sanctions are often remitted, if that is the right word, to a parish hall inquiry for quite significant crimes.

The Minister for Justice and Home Affairs:

A lot of the decisions of parish halls can be deferred so if they commit an offence and then behave their sentences are deferred and they end up basically not getting a sentence, if that makes sense. There are a lot of things and of course if somebody goes to court and people might not realise it might be their first offence in court, so they get a reasonable sentence, but then we are not looking at what the past was in relation to parish hall inquiries and how much they have done previously. It would be helpful for Robin, as he has suggested, to speak to the Crown dependencies but also if you wanted to go back and just verify what sort of things that they are talking about that is always helpful.

Assistant Minister for Justice and Home Affairs:

I do not think it is as easy as just looking at statistics because there is a slightly different system in Jersey and it is what has gone before that probably makes the difference.

The Connétable of Grouville:

Sorry, Chair, I would like to put on file and on record not only the comments made by the Police Chief about the wonderful work that is done throughout the parish halls in the Island. I know I am a Connétable and I have a wonderful force too, but they are all volunteers and it is a great credit to them that you have given that. It is a great credit to them so I put that on file, please.

Deputy C.D. Curtis:

Okay. I think this will be my last question about youth justice, but referring to a recent case, for example, where around 50 young children, some as young as 12, were pulled into this organised drug network, how are the 2 Ministers, the Minister for Justice and Home Affairs and the Minister for Children and Families, working together to prevent the exploitation of children into these criminal activities?

The Minister for Justice and Home Affairs:

First and foremost, what needs to be identified is that it was all the departments that sit under Justice and Home Affairs and the Minister for Children and Families, as in Police, Customs and Immigration, the Youth Service and others that dealt with this job as a collective. Effectively, the Youth Service took responsibility for those young people and took their welfare and concern and a high percentage of them were dealt with at parish hall inquiries, et cetera. Then obviously the adult that was involved was dealt with and got a lengthy prison sentence, and then the young people who ended up at conviction were slightly older and were dealt with as well and got custodial. I think the important thing is that in relation to all those agencies and also the work in building a safer community, all of those things by the fact that we are continuing to work as a community across all of these different sectors of our community, we will always have this on our remit to protect young people. It is difficult to sit here and say what we are going to do. What we are doing is that the Youth Service are engaging young people all the time. From my perspective, with the continuation of the violence against women and girls, that is another sector that you are bringing into this as well. I think it is important that we keep this high profile and we continue to say and encourage young people that are involved in criminality in any way, shape or form that when it is getting to the stage where it is a bit risky, now is the time to speak and encourage young people to speak to their peers, speak to somebody in school, speak to somebody in the Youth Service, speak to somebody that they trust if they cannot go to the States of Jersey Police. The way to help prevent this is to encourage young people to have the confidence and ability to stand up and speak and to ensure that they are protected in this space. For me, that is how we all work together, unless anybody else wants to add anything else.

Assistant Minister for Justice and Home Affairs:

No, no, I mean Children's Services and Justice and Home Affairs are aligned on this. It is early identification of vulnerable children, it is diversion away from criminal activity, if they are beginning to get involved, and once they are involved it is helping them to break away from that and hopefully move to adulthood in a positive way. We are completely aligned.

The Minister for Justice and Home Affairs:

Yes, I think as well that sometimes people do not realise that the States of Jersey Police and various departments within the Children's Service will meet on a significant basis. I do not know if it is every

week now but it is all the time. It is probably every day and, of course, the Youth Service works with the community officers. By the reintroduction of Building a Safer Community as well this is starting to gel things back together. We drifted when the funding was taken away. We did not drift from working together, I hasten to add, but the co-ordination and implementation of all this work as a collective can only help prevent these types of things happening in the first place.

Chief Officer, States of Jersey Police:

If I can just add the operation was Operation Java and it got quite significant publicity for all good reason. My job, our job, is to catch criminals and we are focusing on children here but also catching criminals and J.C.I.S. (Jersey Customs and Immigration Service) also played a very significant part in all of that in identifying who the criminals were. They all pleaded guilty; one got 6 years and there were 3 others and they were exploiting children, threatening children, and the like. Now, while that is probably the best case of multiagency working that I have had other than the major incidents that we have had, this investigation went on for over a year. Children have been exploited for years and years. *Oliver Twist* was about the exploitation of children in crime, so this is the first time really that we have seen it exposed in the way that it has been exposed. To be able to safeguard as many children as we did working together, I think it was about 40, 43, something like that, as well as get the convictions in court, my hope is that that acts as a deterrent and that if you want to come to this Island ... because it was done off-Island, it was done from someone in the U.K. If you want to come to this Island and you want to try to get a criminal network, a drugs network, we work well together and the only ... well, it is not a regrettable outcome, we just make sure that we fill up your accommodation because that is what is going to happen. [Laughter]

Assistant Minister for Justice and Home Affairs:

That is one way of putting it.

Chief Officer, States of Jersey Police:

Well, hopefully that is the deterrent that everyone needs.

Deputy C.D. Curtis:

Yes, so that is all the agencies working together, publicising how well it has been done and encouraging children to speak up are the main points there. Okay.

The Connétable of Grouville:

Thank you, Chair. We are moving on now. The panel would very much like an update on the state of Dewberry House, please. Minister, at our hearing on 22nd August last year you informed the panel of the plans for Dewberry House Sexual Assault Referral Centre. Could you please provide the panel with an update on the progress of these plans?

The Minister for Justice and Home Affairs:

Obviously there was the planning appeal in February 2025 and that was dismissed in May. J.P.H. (Jersey Property Holdings) are quantifying the shortfall notably through increasing building and material costs, because that is what happens when things are delayed, through an updated estimate requested from the quantity surveyor along with updated fees from the project consultants now the appeal is over. Discussions are taking place with the Treasury to identify a potential funding source through the Long Term Capital Plan process for the Budget for 2026-2029. Only once the funding source is found will the next steps of tendering for suppliers be progressed.

The Connétable of Grouville:

Can you advise the panel perhaps when the work is expected to start?

The Minister for Justice and Home Affairs:

Not until we get the money. It is unfortunate because it is like with everything, you have a budget and then things change because of things that are outside of your ability to change, so we are where we are and we are going to have to get additional funding. So once that is secured then obviously then it will be able to progress and until such time as that happens then we are stationary at the moment, unfortunately.

The Connétable of Grouville:

Obviously as time ticks on inflation increases.

The Minister for Justice and Home Affairs:

It will be week on week, pretty much.

Deputy C.D. Curtis:

A lot of work has gone into this already.

The Minister for Justice and Home Affairs:

Yes, years and years.

[11:00]

The Connétable of Grouville:

Yes, in which case I think that is fairly plain. Thank you for your answer but obviously we are concerned about the V.A.W.G. (Violence Against Women and Girls) annual progress reports, et cetera, and this is an integral part of it. I am sure I do not have to tell you most of that.

The Minister for Justice and Home Affairs:

Not at all.

The Connétable of Grouville:

Absolutely, and under Recommendation 65 it is marked as: "Complete with no further action" so it is very confusing. Could you, the Minister, outline what steps were taken to implement this recommendation and the progress made in Recommendation 65 and why it was marked as complete or with no further action?

The Minister for Justice and Home Affairs:

Remind me what is 65?

The Connétable of Grouville:

Recommendation 65 calls for the Dewberry House Sexual Assault Referral Centre to work closely with Jersey Action Against Rape in Jersey, Jersey Domestic Abuse Support and the Children, Young People, Education and Skills Department to promote better awareness of these services within schools and other sites for young people in the annual progress report. This recommendation is categorised as complete.

The Minister for Justice and Home Affairs:

My apologies, but there are 77 of them and I could not tell you probably what is number 1 or number 5.

Deputy C.D. Curtis:

Shall we send you that one in writing?

The Minister for Justice and Home Affairs:

No, no. I can give you an answer to it. I have got the answer to it. It is just that I did not know which one it was. Ongoing awareness of the C.S.A. (Child Sexual Abuse) pathway and S.A.R.C. (Sexual Assault Referral Centre) services continues with multiagency including schools, S.A.R.C. providing input on S.P.B. (Safeguarding Partnership Board) professionals' training on courses, entitled *When Children Tell* aimed at raising awareness of the pathway and services of the S.A.R.C. In addition the updated version of the Victim and Witness Charter is nearing completion and is expected to be finalised in the coming months. So that work is being done.

The Connétable of Grouville:

Thank you, Minister. Thank you for your affirmation.

Deputy C.D. Curtis:

I have a question on Dewberry House still. There was an amount set aside from the C.O.C.F. (Criminal Offences Confiscation Fund). Is that still there and is it just the shortfall that is needed?

The Minister for Justice and Home Affairs:

It is shortfalls.

Deputy C.D. Curtis:

So the rest of it is still set aside?

The Minister for Justice and Home Affairs:

Yes, because once funding is allocated from the C.O.C.F. it is not going to be removed but it is just the case that costs have gone up.

Deputy C.D. Curtis:

Okay, so we might hear about that in the new Government Plan, then.

The Connétable of Grouville:

Just for the public, Minister, could you describe what the C.O.C.F. is for?

Chief Officer, Justice and Home Affairs:

It is the Criminal Offences Confiscation Fund.

The Minister for Justice and Home Affairs:

Yes, the Criminal Offences Confiscation Fund.

Deputy C.D. Curtis:

I was getting stuck on it. That is why I said C.O.C.F.

The Minister for Justice and Home Affairs:

Listen, I have problems with certain words all the time. We know about this.

Chief Officer, States of Jersey Police:

In simple terms it is the cash we take off criminals.

The Connétable of Grouville:

Yes, thank you. It is just for the public as they will not know what that is. There are so many acronyms.

Deputy C.D. Curtis:

I have some questions now about the transfers of people to Jersey requests who are registered sex offenders from the U.K. So the Probation Service will accept a U.K. transfer only where the sex offender has close ties with the Island. Who sets that test, how is it evidenced and how often has a transfer request been refused in the past 3 years?

Chief Officer, Justice and Home Affairs:

You mean for transfer in?

Deputy C.D. Curtis:

So people who want to come to Jersey who are registered sex offenders.

Chief Officer, Justice and Home Affairs:

So once they have served a sentence and they are ... so picking up the point from the J.M.A.P.P.A. (Jersey Multi-Agency Public Protection Arrangements) report?

Deputy C.D. Curtis:

Yes.

Chief Officer, Justice and Home Affairs:

I think we wrote to you after that last panel. I think we thought this question was more about transfers of local prisoners out to the U.K.

Deputy C.D. Curtis:

Yes and we have plenty of information back from you about that, so this is about people who want to come to Jersey. It was a small number of people but we wanted to find out about the process around them coming here.

Acting Prison Governor:

It can be explained for specific aspects. So if someone is currently serving a sentence in the U.K. and they want to transfer during the sentence, that could be done under a restricted transfer and the same principle will apply because it is a direct arrangement between transfers from Jersey to U.K. and U.K. to Jersey so the same principles will apply. The person will have to prove the links to Jersey, whether they will be supported here during the custody, of course, and that will be assessed by the Prison Service and Probation as well. If they have any licence provisions and probation

supervisory requirements that would have to be confirmed whether the Probation Service would be able to achieve that and supervise that person, and based on that agreement will be reached and possible transfer arranged.

Deputy C.D. Curtis:

Okay, so that assessment is done. Do you know if any have been refused in the past 3 years? We can always send that to you in writing afterwards if you want.

Chief Officer, Justice and Home Affairs:

Maybe let us check but I do not think we are aware of any.

Deputy C.D. Curtis:

Okay, just a little bit more on this. Minister, in your letter to the panel on 15th May 2025 it was stated that currently for any sex offender who wishes to move to Jersey, for low or medium risk offenders this is done on an informal basis by prior agreement between police forces. Can you advise the panel what safeguards ensure that a UK force does not downgrade a risk category to expedite the move?

Chief Officer, States of Jersey Police:

They certainly will not do that. What we have within the States of Jersey Police is our Offender Management Unit, and our Offender Management Unit is those that monitor registered sex offenders on a daily basis. So that is how we do the monitoring and it is rare, in my experience, that people who are sex offenders are coming into the Island. It would be tiny numbers. I confess I do not know those numbers but those numbers will be very small, but that is why we have a dedicated O.M.U. (Offender Management Unit) to monitor, which they do on a daily basis.

Deputy C.D. Curtis:

So could you outline the current process of supervision of an offender if they move to Jersey and stay here?

Chief Officer, States of Jersey Police:

Could I write to you about that? Some of that might be a bit more sensitive so I could write to you with that and then you could determine what you would like to share more publicly.

Deputy C.D. Curtis:

Yes, okay. I think the rest we will put in writing. So now we have got some questions about licensing laws. Minister, can you advise the panel on your views on the changes to alcohol licensing that came into force on 30th May?

The Minister for Justice and Home Affairs:

I think I made it quite clear in my speech in the States Assembly that I am not in favour of drinks promotions across the board, so it is neither on-licence nor off-licences. I am not comfortable with encouraging people to buy one get one free in any circumstance. Obviously the licensing or happy hour as they called it changed and as a result of that I have gone out on patrol with the police chief on Friday night, mostly because I wanted to see for myself what was going on. On Friday night we went out into the town, mostly into the Weighbridge area because that is where the premises are, the later type of premises. What I can report is that we had conversations with both licensees and those managing the doors of those premises and, of course, the licensee and the door staff are the ones that are responsible for the policing of happy hours. What I can say is that on Friday night there were no issues and in fact certainly some will probably not be taking that route because they are on finite margins already, so at the moment I am quite confident that it is working okay and I think the police would probably say the same. That was only one night for me and I will probably go again later in the summer just to see if things have changed.

Chief Officer, States of Jersey Police:

I share the Minister's view that I do not support drinks promotions. It was really good to go out with the Minister on Friday. I would describe her as interrogating some of the licensees rather than interviewing some of the licensees, one in particular. I think maybe on the first Friday everybody got a bit giddy, for want of a better phrase, about drinks promotions and we saw lots of silliness, frankly. It seems to me that as predicted that has gone away because it frankly is just not affordable and one licensee we spoke to or a manager was articulating that. I think we might see some early hours stuff. Of course, the impact is not in the 6.00 p.m. and 7.00 p.m. at happy hour. It is in the 1.00 a.m., 2.00 a.m., and 3.00 a.m. when officers are outside dealing with the drinking that goes on. I absolutely agree with the Minister, we were out there for a couple of hours and it was boisterous but it did not feel that it was going to get anything more than boisterous. There were a lot of people enjoying their evening. There were one or 2 arrests later that evening but then there always are. Those arrests are always alcohol driven. For context, crime went down 50 per cent during COVID when the pubs and clubs were shut and 99 per cent of all arrests on a Friday and Saturday night after 8.00 p.m. will be alcohol related, not necessarily in pubs and clubs but at home and that sort of thing, but that is not necessarily a statistic that will shock anyone. I agree what we do is together we look and monitor. I know Marcus and Ana at the Jersey Hospitality Association are all over it, too, because they see this as a good thing for the hospitality industry, which of course the police would support, but also he wants to ensure - and I have spoken to Marcus - that it is properly policed, that is those establishments that are part of the association, so he too wants to make this a success for all good reason.

Deputy C.D. Curtis:

I was going to ask about the impact of the changes to alcohol licensing on policing but you are assessing that now and seeing how it is going.

Chief Officer, States of Jersey Police:

My general view is irrespective of the licensing promotions alcohol features too much in the arrests that we make and that would have been the point that I would have made at the Assembly. The majority of arrests on a Friday and Saturday night are alcohol related and I think that that is too high. In terms of the changes to drinks promotions I think that will find its way. It will settle down. I can say to you that we are not seeing any massive uplift in demand because of the changes, but as the Licensing Assembly said we will continue to monitor that and we will report back into the Minister as and when necessary.

Deputy C.D. Curtis:

Minister, can you advise the panel on your views on whether you feel the responsibility for licensing should remain with the Licensing Assembly?

The Minister for Justice and Home Affairs:

I believe that the legislation is going to change and that does not sit with me; it sits with the Minister for Economic Development.

Deputy C.D. Curtis:

Okay, so you have nothing else to say on that?

The Minister for Justice and Home Affairs:

Not really. I have worked with the Licensing Assembly for many years. The new legislation will change the dynamics of that. That is a law being brought by the Minister for Economic Development.

Deputy C.D. Curtis:

Do you think that law is necessary?

The Minister for Justice and Home Affairs:

Well, the whole of the law has been changed. The current licensing law has lots of different categories. It has 6 different categories all saying different things. It has needed updating for many years. I cannot remember how old it is; it might be 1974. It needs updating so it is other things but it is changing all of it. Personally I do not really have strong views either way.

Deputy C.D. Curtis:

Okay, thank you.

The Connétable of Grouville:

We will move on then, Minister, to the subject of drink driving. The *Alcohol Profile 2024* highlighted a sustained and significant role of alcohol in impaired driving incidents in Jersey. Can you provide an update on the figures for incidents of this for this current year of 2025?

The Minister for Justice and Home Affairs:

This year to date we have had 57 arrests for being drunk in charge of a vehicle compared to 69 for the same period last year, so an 18 per cent reduction. The Fatal Five continues to be the campaign under which the States of Jersey Police seek to tackle the most common and dangerous behaviours that contribute to road traffic accidents and fatalities.

The Connétable of Grouville:

The Policing Plan 2025-2028 targets improving road safety as one of its key goals. Can you inform the panel please of what work is currently being done to ensure that the States of Jersey Police are reaching this goal?

The Minister for Justice and Home Affairs:

Obviously speeding. Driving above the speed limit or too fast for road conditions reduces reaction time and increases the severity of the crashes. Therefore, as and when resources are available this will be dealt with by the general patrol teams. Drinking under the influence, driving while impaired by alcohol, drugs or both, which significantly impairs judgment, reaction time and co-ordination.

[11:15]

Interestingly, on Friday, when I arrived on Friday evening, somebody said that 4 people had been stopped in relation to their driving but they were not over the prescribed limit, so be aware that if people drive badly then they will be stopped. Not wearing seat belts obviously. Failure to wear a seat belt increases the risk of serious injury or death in a collision. What people must remember is that is both for front and back seat passengers because, of course, in any crash anybody not wearing seat belts within a vehicle can get serious injuries and that has serious impacts on all services, both the people that are injured and the services as well. Careless driving. This includes a range of behaviours such as tailgating, improper lane changes and failure to obey traffic signs, which can lead to accidents. Of course, highlighting I think at the moment in the U.K. are cyclists going through red lights, and we see cyclists ... and, of course, a reminder it means all things that are traffic related. That includes bikes, motorbikes, cars and so on. All of those if they run the red light then they will be dealt with by the States of Jersey Police. Using mobile phones. You will be aware that Jersey

was the first place that had specific legislation to prevent the use of mobile phones because of the difficulties of proving driving without due care by using a mobile phone, so it is a distinct offence. That distracts from people's driving, such as texting or making phone calls, reduces the driver's attention and reaction time, increasing the risk of crashes and we have had some serious incidents in relation to the use of mobile phones where people have had serious road traffic collisions. Those are still all on the remit for the States of Jersey Police and obviously will be dealt with. Some of those will be dealt with while people are out on patrol and others will be targeted in relation to when they have got time to target and do other things.

The Connétable of Grouville:

Thank you, Minister. Can you advise the panel of who is responsible for ensuring the long-term strategy for road safety?

The Minister for Justice and Home Affairs:

That is an interesting question. The Road Traffic (Jersey) Law sits with the Minister for Infrastructure, so the legislation, but the enforcement of that sits with the S.O.J.P. (States of Jersey Police) so it is a combined responsibility in my view. We are the enforcers and the Minister for Infrastructure needs to ensure that all legislation that is needed needs to be done as quickly as possible. If there is a gap in the law then, as I said, in recent years there was a specific offence for mobile phones so all the legislation that is brought forward by the Minister for Infrastructure needs to be quickly done and we need to ensure that we have the resources to implement that legislation so that we can prevent some of these serious incidents, which we would all like to do.

The Connétable of Grouville:

That is the nature of my next question because it is a multi-Ministerial activity. Has the budget been allocated specifically for this priority?

The Minister for Justice and Home Affairs:

No.

Chief Officer, States of Jersey Police:

To add to that general point, the Minister for Infrastructure and Environment, Constable Jehan, has been very supportive particularly over the last year with building a strategy to work together with some of his team and our team. We all know in this room how important road safety is in the Island. A number of the drunks in charge that the Minister has just referenced, a number of those are anonymous calls to the police station as well as other forms of intelligence and that is concerned Islanders anonymously telling the police and then we respond. If we do not learn anything from the tragedy that is Dean and Charlie Lowe how anybody can drink drive after that tragedy is a concern.

There is no specific budget for roads policing and there will not be a specific budget for roads policing. It is a day-to-day activity. Officers are deployed on a daily basis, particularly in the earlier shifts and in the later shifts, but there is not a dedicated roads policing unit. It is a day-to-day activity by the policing team.

The Minister for Justice and Home Affairs:

Just for clarity, the road safety strategy and budget sits with the Minister for Infrastructure and Environment.

Chief Officer, States of Jersey Police:

Could I add one small point? An enormous amount of work around roads policing, road safety and speeding is done by our honorary police colleagues. The vast majority of that work is by our honorary police colleagues in parishes.

The Connétable of Grouville:

Minister, in our previous hearing you mentioned that States of Jersey Police conduct specific campaigns at times of the year that have been linked with an increase in drinking and driving. Please could you advise the panel of any campaigns that have been conducted this year?

Chief Officer, States of Jersey Police:

No campaigns this year. We often do campaigns in the run-up to the festive period and that is when we see parties and the like. Campaigns will exist and be arranged for the latter part of this year among other things including speeding-type campaigns, reducing speed, so none so far this year but some planned for the latter half.

The Connétable of Grouville:

Thank you. Obviously we will not be specific about that because that is important not to remain in the public domain. The police highlighted a deeply concerning increase in Islanders driving while over the legal alcohol limit in 2024. What if anything is being done to address this?

The Minister for Justice and Home Affairs:

I think exactly what has just been said really. It is more campaigns, not only from the point of view of having set nights where the police will go out and the honorary police will do it, but also I think it is about the campaigns and the education about not drinking and driving and the consequences of all of that. It is like with everything, when the festive season starts to come then the publicity will be done again in relation to all of that. It is reminding people constantly about not drinking and driving.

Chief Officer, States of Jersey Police:

There were 129 cases in 2024 of drunk in charge of a car. That was up from 119 the year before, 2023, but as the Minister has indicated we are seeing thus far this year an 18 per cent reduction for the same period last year. Enforcement is one thing, a very important part of what we do, but as the Minister said it is becoming increasingly socially unacceptable to drink and drive and it is more peer pressure that is going to be more effective than enforcement, peer pressure about it is just not acceptable to do that. They all come together and hopefully by the end of the year we will see a reduction but we will report back on that in time.

The Connétable of Grouville:

Thank you. Just a supplementary if I may, Chair. How concerned are you about driving while under the influence of other substances?

Chief Officer, States of Jersey Police:

My answer may surprise you in that I am more concerned about that than I am about the alcohol because it is harder to detect. We have machines that can detect breath. It is harder to do roadside tests. Part of the work we are doing is looking at how better we can do that. There are some studies in the U.K. where they have stopped X number of motorists and more have been under the influence of other substances than they have been alcohol. That is an area where we need to move into because we are concerned about people being intoxicated by other stuff.

The Minister for Justice and Home Affairs:

Off the top of my head, and I do not think I am wrong, but I have got a feeling that the Minister for Infrastructure is looking at the legislation in relation to that, is he not?

Chief Officer, States of Jersey Police:

I believe that is the case because we have some gaps but we also have some really good opportunity to learn from what is going on in the U.K.

The Connétable of Grouville:

Yes, and I hope you keep the panel informed because it concerns me greatly personally, so thank you. Any advance in technologies as well for roadside testing is very important for all of us, I think.

Deputy C.D. Curtis:

I thought it was being looked into, the devices for roadside testing of drugs?

Chief Officer, States of Jersey Police:

Yes, there is some. We need a law change to be able to use it but there is some. Believe it or not the system, the machine, we use to test the amount of alcohol in people's breath and then in blood is over 40 years old. The reason for that is it is really good.

The Connétable of Grouville:

It works.

Chief Officer, States of Jersey Police:

Yes, so we need something similar.

Deputy C.D. Curtis:

Okay, so we have a few questions now about gas and emergency planning. Minister, can you provide the panel with an update on the proposed amendment to the Jersey Gas Company (Jersey) Law explaining why progress has been delayed? The debate is now expected in September, I think.

The Minister for Justice and Home Affairs:

Right. The previously lodged draft amendment law was withdrawn in response to matters raised by I.E.G. (Islands Energy Group) with Ministers and Scrutiny. The updated draft will be lodged at the end of the summer. Officers in Infrastructure and Environment and emergency planning contingents regularly meet with officers from I.E.G. as well.

The Connétable of Grouville:

Thank you. Can you provide the panel with an update on the status of any new or revised emergency response protocols for gas disruptions?

Chief Officer, Justice and Home Affairs:

We have produced - it is not published - the gas emergency measures plan, which is one of a suite of similar emergency measures plans. We have one for flooding, for example. This was produced about a year ago now so that will be refined should we have another incident - heaven forbid, let us hope we do not - but each time we have a near miss or a leak then the team will reflect on what that has taught them and it will inform the plan. I would stress the working relationship with I.E.G. and Infrastructure and Environment, the States of Jersey Fire and Rescue Service and the emergency planning team is now materially better than it was, so that day-to-day engagement on incidents and that more proactive engagement for infrastructure and I.E.G. on the works that they are undertaking is much better than it was. We do have a plan in place. It is ready to be followed should we need it and it will be continuously improved.

The Connétable of Grouville:

The gas emergency measures response plan as well will be constantly updated?

Chief Officer, Justice and Home Affairs:

Yes, that is what I mean, yes.

The Connétable of Grouville:

Thank you very much. Thank you, Chair.

Deputy C.D. Curtis:

I know you have mentioned about the relationships being so much better than they were before, but could you advise the panel whether you have met with the Chief Executive of I.E.G. recently and if no meetings have taken place why not?

Chief Officer, Justice and Home Affairs:

We had a series of meeting earlier on in the year as we were dealing with a number of issues as the new Chief Executive was coming into post. Of course, he did a States Members briefing at that point as well and we had a number of meetings with him around the new proposed amendment law. We have not met since then because, as you know, it was originally lodged for debate and then delayed but then we decided it was better to withdraw. What we were intending as a result of that is that we can withdraw, get all the amendments right, and then bring it back as a single piece of law change rather than the States Assembly having to debate lots of amendments. Our commitment to everyone in doing that is that when we bring it back the report will be very clear on what has changed and we will have met with I.E.G. and discussed and explained that to them before the States debate it. We expect a series of meetings to come but there has been a bit of a gap because we have needed a bit of time to redo the legislation as a result of feedback, not just from I.E.G. but from our own further scrutiny and discussion with you as the Scrutiny Panel as well.

Deputy C.D. Curtis:

That is great. I think we have got maybe one more question.

The Connétable of Grouville:

One more question. Okay, it is about the J.C.P.A. (Jersey Police Complaints Authority). The J.P.C.A. is due to become the Jersey Police Complaints Commission in 2025. What practical support is your department providing to ensure the transition goes smoothly and that the new commission is properly resourced to meet its responsibilities?

Chief Officer, Justice and Home Affairs:

I am the sponsor for the Jersey Police Complaints Authority as it is now, or commission as it will be, specifically to ensure that that sponsorship is not done through the States of Jersey Police but is done on behalf of the Minister through a slightly different route and part of her department. I meet regularly, monthly, with Chris Stephenson who is the now Chair and will continue to be the Chair, including most recently by coincidence yesterday. We are anticipating that the regulations will be lodged in the next 2 weeks, and I am looking at Nathan because it has been a long process and we will be extremely keen and pleased to get that off our desks and get it implemented. Chris does not foresee any extra resourcing needed as a result of the change to the commission. We have already put a fair bit of investment in, anticipating that the change would be a bit earlier, to a new website, for example, new branding and they did also relocate offices about 18 months or 2 years ago. There is a very capable part-time administrator in the team and she and the Chair expect that that will continue to be satisfactory. He has just recruited a number of new members that are going through the membership approval process and until it becomes a commission they do have to come to the States for approval as the authority whereas in the future it will be done by Ministerial decision in line with other similar bodies. You will get some visibility of that but Chris is very pleased with the appointments and that will slightly increase the number of members, volunteers of course, and that will give him enough as a team to work on the matters that will arise as the commission. They are having a workshop next week for members to work through and understand what the practical implications of the regulations are and we have already had a piece of work done, as have the S.O.J.P., on what under those regulations the practices and procedures would be for the commission, for themselves and as they relate to the Professional Standards Department in S.O.J.P. A lot of the preparatory work was done some time ago and just needs refreshing because we were hoping the regulations would be in earlier than they are. We have done a lot of the planning and preparation already and that resource has already been committed and expended.

The Connétable of Grouville:

Well, there it was.

Deputy C.D. Curtis:

Yes, so we have just got to 11.30 a.m. and we have just got a few questions if we could send them to you in writing.

The Minister for Justice and Home Affairs:

Of course, yes, thank you.

Deputy C.D. Curtis:

Okay, so thank you very much, everyone.

The Minister for Justice and Home Affairs:

Thank you.

[11:30]