



OFFICIAL REPORT

OF THE

STATES OF GUERNSEY

SCRUTINY MANAGEMENT

COMMITTEE

Committee *for* Home Affairs
Public Hearing

HANSARD

**Castel Douzaine Room, Guernsey,
Wednesday, 30th November 2022**

No. 9/2022

*Further information relating to the Scrutiny Management Committee
can be found on the official States of Guernsey website at www.gov.gg/scrutiny*

Members Present:

Panel Chair: Deputy Yvonne Burford – President
Deputy Simon Fairclough – Vice-President
Mr Mark Dorey – Former States’ Member

Mr Mark Huntington – Principal Scrutiny Officer

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Scrutiny Management Committee

Committee *for* Home Affairs Public Hearing

*The Committee met at 10 a.m.
in Castel Douzaine Room*

[DEPUTY BURFORD *in the Chair*]

Procedural – Remit of the Committee

The Chair (Deputy Burford): Good morning to everyone here and also those listening via the livestream, welcome to this Scrutiny Management Committee public hearing with the Committee *for* Home Affairs.

Today we will be focusing on the issues in the Government Plan as they relate to that Committee.
5 I am Deputy Yvonne Burford and with me on the panel are Deputy Simon Fairclough, Mr Mark Dorey and also Mr Mark Huntington, who is the Scrutiny Principal Officer.

It will not be possible to cover everything in the short time we have available, but we have tried to stick to matters of significant public interest or where significant sums of money are involved. Following this session, the Scrutiny Management Committee will decide if we want to undertake
10 any further questions and a transcript of the hearing will be published in due course.

We should finish at about 12 o'clock, We will take a break at 11 briefly – a comfort break – but in the meantime if everyone would kindly ensure their phones are set to silent.

EVIDENCE OF Deputy Rob Prow, President, Committee *for* Home Affairs; Mr Dave Le Ray, Director of Operations, Justice & Regulation; Mrs Vicky Lajoie, Committee Secretary; Chief Superintendent Phil Breban, Guernsey Police; Chief Inspector Andy Hockey, Guernsey Police; Mr Paul Sadler, IT business partner

The Chair: If you would like to introduce yourselves, please, and perhaps we could start at this
15 end with Mr Le Ray.

Mr Le Ray: I am Dave Le Ray, Director of Operations for Justice and Regulation. My primary responsibility is within Home Affairs,

20 **The Chair:** Thank you.

Deputy Prow: I am Deputy Rob Prow, President of the Committee *for* Home Affairs.

25 **The Chair:** Thank you.

Mrs Lajoie: Vicky Lajoie, Committee Secretary for Home Affairs.

The Chair: Thank you.

30 So, on with the questions. Unsurprisingly, we are going to start with the outage of the IT systems last weekend and still, in some places, ongoing. So what I wanted to know is what impact has this outage had on your Committee in terms of staff time being wasted and what did you think the financial impact overall might be?

Deputy Prow: Thank you for the question.

35 I think from the Committee for Home Affairs' perspective, IT is delivered centrally through a contract. The delivery end of Government, which Home Affairs is very much part of, is always going to be affected by such an outage and of course it will vary across the various services that we have because IT is in this day and age an absolute fundamental.

40 So the ability for the Committee for Home Affairs to react with regard to solving the issues is extremely limited and I think perhaps if you are asking the effects around the various services, it would probably be better if the Director of Operations could give you that update. I did ask for an update yesterday on the effects of the Home Affairs' services, which was provided to me by both the Centre and Mr Le Ray, so if I could, through you, ask if, your specific part of your question –

45 **The Chair:** I think that would be helpful. I think that the Panel understands that you have limited controls yourself in putting it right but nevertheless you will feel the impact and we are just interested in the extent of the impact, perhaps the financial impact. I know you cannot give an exact pounds figure at this stage. Also, I think the other thing is, with the emergency services, do you feel that it has caused any lives to be put at risk?

50 **Mr Le Ray:** To go with your last question first, no lives were put at risk. We were able to respond to all incidents in the normal way. JESCC, which is our Joint Emergency Services Control Centre, remained operational. Most of the software systems within Law Enforcement continued to be operational.

55 Guernsey Border Agency had some outage with the GEM system, which is the electronic system for clearing freight. Fortunately, there were minimal shipments over the weekend, so it gave us time to install our business continuity plan, which we managed to implement, ready for the first ferry on Monday morning. So we worked with freight agents to make sure that systems were put in place so that perishable goods and all the other freight was cleared efficiently and effectively.

60 Printing was still down yesterday and some of the networks. However, they did recover by the end of yesterday and we were almost back on track by the end of yesterday afternoon. However, we did have business continuity plans in place so there was minimal impact in the services that we provide, particularly the customer-facing ones.

65 **The Chair:** Okay, that is good to hear.

Have staff had to work overtime to get back to a normal position?

Mr Le Ray: No, not really.

70 The senior management team went in on Sunday afternoon. However, they would have done that as part of their duties so, no, as far as I am aware there was no overtime impact.

The Chair: Thank you.

75 Moving on, 18 months ago at the last public hearing with your Committee, we discussed the progress which had been made, and this is still on the subject of IT, in response to H.M. Inspectorate of Constabulary's report four years ago that heavily criticised the IT infrastructure provision in

Bailiwick Law Enforcement at the time; and at our last hearing last year, the Head of Law Enforcement, Mr Hardy, who I understand is away on business, advised that one of the main issues was having to work out of an old granite building and that trying to put the correct systems into an old building like that really does not work.

80 Mr Vaudin, the then strategic lead for Digital Transformation and communication, continued that theme and said that, despite spending money on upgrading systems within the Police HQ, that will only take us so far and there comes a point where purpose-built headquarters are going to be needed, not just because of the deficiencies within the building but because of the multiple sites you operate from and the ability to embrace future technology.

85 So my question, having set that scene, is how long before we need a new Police Headquarters?

Deputy Prow: The answer to that is firmly within the Government Work Plan and making that a priority under the Government Work Plan is a feat in itself. The States of Guernsey, as your Committee is very well aware, is under considerable financial constraints. There is a project being 90 scoped around looking at a new police headquarters but that needs funding. That needs prioritisation and the money to do it.

As far as the Committee *for* Home affairs is concerned, both the Committee and indeed the Law Enforcement services that operate from that building are well aware of its deficiencies and the Head of Law Enforcement has already outlined them to you. But getting the funding and the traction that 95 we need, frankly, under the Government Work Plan, is not going to happen in this term.

But certainly the preparatory work has already started and the first stages of looking at business cases will develop this term.

The Chair: Okay. Has the site been identified?

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Deputy Prow: No sites have been identified. The scoping for what is needed has started. I think where you are looking at a development of that size, as with the hospital modernisation programme, you appreciate it is a huge piece of work and it needs to be done properly.

The Chair: Absolutely, and clearly my Committee does hear from all the other Committees and being part of the States, appreciates all of the various pressures, but just coming from your last hearing and what the Chief of Police said, I wondered in your view, when would this be needed by? Because clearly it is causing a lot of restrictions and possibly detracting from economies, which 105 could be greater achieved.

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Deputy Prow: Yes, I agree, and I understand the question, but the Committee *for* Home Affairs has to live with the realities and a lot of the issues that have come out of the HMIC reports, they are urgent, and they need addressing. We are completing replacement of the Police HQ network cabling in the existing building. We need enabling building works and we have got the funding and there is a project in place to adopt digital services across the whole of the network, which includes 115 linking in with the national police forces.

So, I think the best answer I can give is that within the constraints of the Government Work Plan, we have to work with the existing infrastructure and buildings that we have, and we are committed to doing that and we have started doing that. And we hope that by September 2023, we will be in 120 a lot better place.

The Chair: Okay.

Would you say that a failure by the States to prioritise a new Police HQ means that a lot of funds are being spent on the existing building that perhaps would not have otherwise needed to be spent?

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Deputy Prow: I think that is inevitable. But I think that runs through every States' project of that kind. I was involved last term in the Hospital modernisation and from it becoming a project once it

got funded, that is a stage that takes a lot of time and then you have got the contracting out and the building of the new facilities and the same would be for a new Police Headquarters and that is a constraint.

You are absolutely right that where you are putting money into old infrastructure you would always prefer to put that money and funding into new facilities. I would not deem this project to be any different to any other such capital project.

The Chair: Thank you.

Mr Hardy said at the last hearing that because front line officers do not have mobile data, this meant that it interfered with their ability to attend incidents and deal with them without having to go back to Police HQ to use the computers. Has that issue been resolved?

Deputy Prow: Again, this is work in progress and I think we have senior police officers here and perhaps they could give you the operational view, if you are happy to hear from them.

The Chair: Yes please, I would be interested to hear. Thank you.
Do take a seat.

Chief Inspector Hockey: Good morning, I am Chief Inspector Andrew Hockey.

The Chair: Good morning.

Chief Inspector Hockey: Yes, thank you Mr Prow.

So the IT update from an operational point of view is that there is Microsoft 365, which has been rolled out across the States of Guernsey, has not yet been rolled out into Law Enforcement. It is a different programme, which needs tighter securities and linking in with the national policing direction as well, and accreditation.

So the work is in place, I am aware that there has been a lot of work going on over the last six to nine months. A large amount of money has been put forward to assist with driving this forward. We are working with the project teams now and we anticipate that this will be in place by September 2023. (**The Chair:** Okay.) And that will enable us to have a fully accredited, fully secure network to be able to use the Law Enforcement IT environment out in the wider community, without police officers or customs officers having to return back to the offices.

The Chair: So do you see a lot of efficiencies coming from that once it is operational?

Chief Inspector Hockey: Yes, and it will provide a lot of other operational efficiencies within general working and our ability to collate data and build strategic risk assessments around various vulnerable areas, so I do see that there will be, this is almost a great opportunity going forward, but we know that this project will not be in place until September next year.

The Chair: That means that will have taken four years to achieve that workstream. Do you not think that is quite a long time?

Chief Inspector Hockey: Yes, and I understand working in that environment it can be frustrating as well. However, I understand the mechanism of how it works from the process of the funding, having to find the funding, because it is a substantial amount of money and it is public money, so it needs to be done correctly and we need to ensure that it is done with correct scrutiny, pardon the pun.

So yes, it has been a long time coming. However, now it is coming we can work towards those efficiencies, along with Mr Prow mentioning about the cabling project, which will bring a different sort of way the network works within Police Headquarters, in terms of simple things, a simple thing

180 like wi-fi, that is not available to us throughout Police Headquarters. It is enabling us to have even
wi-fi throughout Police Headquarters –

The Chair: I think the public would be really quite surprised to know that.

185 **Chief Inspector Hockey:** I think they would.

However, we have been working with it. It is the way we have been working throughout the past.
But we are now working towards the future. I think it is a positive step. Yes, it has taken a long time,
but I think it is about taking positive steps, moving, driving forwards towards next year and
achieving this environment.

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The Chair: Has Mr Vaudin's departure had any effect on the progress of IT within Bailiwick Law
Enforcement?

195 **Chief Inspector Hockey:** Well, of course Mr Vaudin made these comments. I was present in
December 2019, when we had this meeting around a front-line improvement plan and of course
that centred around this type of discussion that we are having now and of course his departure, I
think, maybe did have some effect because maybe the strategy changed within the States of
Guernsey, the Government Work Plan came into place and funding streams were redistributed
elsewhere.

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But I think his comments and his suggestions have always been in the minds of the head of IT
and IT across the States of Guernsey and into Agilisys and we have been having constant meetings
throughout, trying to build the right strategy, trying to build the right way forward and I think this
is what we are seeing, these past years of work are now moving towards September next year.

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The Chair: Okay, thank you.

I think a final question on this. Mr Hardy also said that the IT budgets you used to have for Law
Enforcement are now managed through the States' IT partner and that now, whenever you want to
make IT improvements, you need to make a business case and go through a prioritisation process,
which sucks in effort, and that the bid for resources is quite complex because of the technical issues
that are required to make the new systems work on the existing infrastructure. Has that situation
improved at all?

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Deputy Prow: Well, I am sure it has improved but I think Mr Hardy brings out a very good point
and a point for the Committee *for* Home Affairs.

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He is right in what he said. The Budget responsibility and indeed the oversight and support for
IT has moved out of committees, so therefore that moves out of the influence of the service
providers. You mentioned the former head of IT, Mr Sadler from central IT is here and I think it
might again, through you, be worth you directing some of the comments to him.

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The point I am making is it is okay, and it is absolutely right and proper that you ask these
questions to the Committee *for* Home Affairs and you also get replies from the services, the Police,
the GBA, or any other service. But the ability for a Committee to influence the funding and provide
the expertise is outside of the Committee. We work in a business partner environment.

If it would be helpful, perhaps, Mr Sadler might be able to add more to what I am able to say.

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The Chair: Yes, certainly.

I think though, first, what I would say is that what you are saying there, and as I have mentioned,
we completely understand that we have got an overarching IT system now, but the subtext from
Mr Hardy's comments last time could be interpreted as saying it was all a lot more efficient when
you were able to organise your own IT improvements yourself. I just wondered if changing to the
new system, whether perhaps some of those initial frustrations have now settled down and in fact

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it is starting to work more efficiently for you when you need to make adjustments and new improvements within Home Affairs.

235 **Deputy Prow:** I think my answer to that is that the Committee also needs that accountability and answer the questions. I think the impression of the Committee is that although we are not exactly where we would like to be, we are starting to make some progress and certainly the Committee keeps a very close eye on these projects and liaises very closely with Policy & Resources on this.

240 I am not sure that my interpretation of what Mr Hardy says and yours is quite the same because the HMIC review in 2018 did pull out that there were issues and although IT has been provided centrally for some years before that, clearly the investment in IT centrally has been an issue so I do not think, my interpretation of what you are saying, this is not a new issue and helpfully HMIC has identified what those issues were and that is helpful to the Committee because that enabled us to put the right pressures on the centre to get some progress and some transformation.

245 **The Chair:** Okay.

If Mr Salter would like to contribute – Sadler, sorry – wants to come forward? Sorry, I was reading the name thing at the end.

250 **Mr Sadler:** Good morning.

The Chair: Good morning.

255 **Mr Sadler:** I am Paul Sadler, technology business partner.

The Chair: Thank you.

260 **Mr Sadler:** Fundamental to my role is to work very closely with Justice and Law Enforcement in terms of technology, where they would like to go, how that aligns with States' strategy, what we actually need to do to meet our vision.

The Chair: Thank you.
Did you have any further comments you wish to add?

265 **Mr Sadler:** I think there was a comment earlier about timing. What I just wanted to add to that is that in terms of timing what we have to also recognise is that within Law Enforcement there is a requirement, a need to maintain connectivity and compliance with the UK. So sometimes some of the things that we want to do and possibly need to do are not as simple as just saying that is what we want to do, we need to get funding. We have to go through sets of compliance with the UK to ensure that we can do this.

270 I think one of the things that was mentioned was four years for wi-fi. Yes, four years for wi-fi is indeed a long time. The reason behind not getting wi-fi in right now is because of the compliance that we have had to go with the UK to actually get to that point. We are in dialogue with them now and part of the design that we put in, they are allowing that and they are allowing that because they have got certain criteria in their own space to allow wi-fi to be part of their own solution so therefore we are allowed to progress with that.

275 However, when we started off on this journey, bringing wi-fi was considered too high a risk in terms of maintaining our compliance and compliance was very difficult to achieve in the early days.

280 **The Chair:** And this comes down to, obviously, security and privacy?

Mr Sadler: Absolutely. It is about the data that is being shared.

The Chair: Okay.

That is really helpful, thank you very much.

285 Sorry, I do have one final question, Deputy Prow, on this. Would you agree with the following synopsis: the modernisation of Bailiwick Law Enforcement IT servers is very much in the process of delivery now?

290 **Deputy Prow:** Absolutely, I would. We have been, quite rightly, going through and analysing the issues but certainly I think the Committee is far more confident that we are in a much better place and that we can make the progress that we clearly need to.

The Chair: Okay. That is fine, thank you.

I will now pass over to my colleague, Deputy Fairclough, who has got some general questions.

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Deputy Fairclough: Yes, good morning.

First of all, is the current housing crisis in the Island, including a lack of key worker capacity and high cost, causing issues for your Committee?

300 **Deputy Prow:** A very good question and certainly, as other Committees, in particular where those Committees are delivering specialist services, yes, the question of recruitment is a key issue and, obviously, housing and the ability to get affordable housing and accommodation for those people that we need to fill the roles and the vacancies is absolutely an issue and certainly it does affect our ability to recruit.

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Deputy Fairclough: And how many potential workers would you say it is affecting, Deputy Prow?

Deputy Prow: Certainly, we have quite a few vacancies in Law Enforcement.

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Deputy Fairclough: Could I ask how many?

315 **Deputy Prow:** I think we have got up to 60 vacancies across Law Enforcement and the EFCB. The Director of Operations, I think, will have the exact up-to-date figures. But we are very strongly recruiting in both those areas.

Deputy Fairclough: Would it be possible to ask for a breakdown across those areas of maybe police officers, Border Agency staff and the Financial Intelligence?

320 **Deputy Prow:** I am sure the Director of Operations could give you that now.

Mr Le Ray: Yes, certainly.

325 We have got 60 vacancies, as the President says, across Home Affairs. The breakdown of these are 11 police officers and three customs officers. There are 28 vacancies in total across Law Enforcement. So that is across administrative and support roles as well. In the EFCB, the Economic and Financial Crime Bureau, and the Financial Intelligence Unit, we have 19 vacancies currently there. So reflective, that is 35% of our target operating model are vacant posts at the moment with EFCB.

330 **Deputy Fairclough:** That is an incredible amount. Has it ever been that high?

Mr Le Ray: No, so this is the target operating model that we believe is the ultimate number that we need. However, we are still being able to progress investigations and we are still being able to complete the mandate of EFCB. However, we are at a critical level, I would say, in that number of recruitments, which we are able to attract.

335 **Deputy Fairclough:** You say it is not affecting some of the key services but what is it affecting?
What are you not doing as a result of not being able to employ those staff at the moment?

340 **Mr Le Ray:** I would probably need to go to the independent service areas for that but what we
are trying to do is prioritise the work that we need to do within Law Enforcement. I probably look
towards my colleagues in Law Enforcement. However, what we are doing is prioritising the scope
of the work that we are taking on and what we are doing and the attention that we are giving. So
there might be some supportive work that is not being undertaken, because we are having to
prioritise the officers that we do have amongst the most critical areas of work and that will be across
all of the service areas.

345 **The Chair:** To what extent is housing the root cause of this, would you say, or lack of?

350 **Mr Le Ray:** I think the cost of living is having an effect, the cost of living locally, and the
availability of housing, which I know are inter-linked. Certainly in the Economic and Financial Crime
Bureau, we are needing to recruit skilled resources into that area. Most of those will need to come
from the UK or further afield. So it is those levels that we are finding it difficult to attract resources.
We are getting interest in the vacancies that we do have. However, when they realise the cost of
living, it puts a number of people off because obviously the cost of living is cheaper in the UK for
housing.

355 **The Chair:** So when you say the cost of living, you mean the cost of housing rather than
necessarily the cost of the goods in Waitrose. You rather mean the cost of actually buying a house
or renting a house?

360 **Mr Le Ray:** Yes, it is the housing market.

365 **Deputy Fairclough:** I would just like to find out a bit more about – and I know that, like a lot of
Committees, you are having to prioritise work because of staff shortages, that is absolutely
understood – I would still like to find out more about what is not happening that would be
happening if you were fully staffed. I do not know whether you could turn to some of your
colleagues in Law Enforcement, Deputy Prow, or have the answer yourself?

370 **Deputy Prow:** I can give you an answer from a Committee perspective, but I think I would
encourage you to ask the questions. I think as far as the Economic and Financial Crime Bureau is
concerned, what we really need by way of background, is to understand that at the very beginning
of this term, we decided, as a Committee, that an Economic and Financial Crime Bureau was an
absolute necessity and one of the things that we did is we looked at an operating model. We looked
at the roles that were needed and that was an actual increase on those that were originally provided
under the Bailiwick Law Enforcement structure.

375 So right from the beginning of this term, we have been in a mode of recruiting to those skilled
positions that we need and that additional recruitment is placed against the background that you
are quite rightly teasing out around the cost of living, around housing. But what we have achieved
is we have set up an operating model, we have obviously appointed a director and he has got key
staff committed and working very hard on his mandate and also what the Committee has done this
380 term is brought in the underpinning legislation, not only place the EFCB and the FIU on a statutory
basis but also putting tools in the box for those staff to be able to effectively operate, which was
something the Committee has scoped and needed to do.

385 Certainly, in that regard, the Committee and this Bailiwick, because it is a Bailiwick effort, is very
well-served. Where there is a challenge is what you are quite rightly pointing out in your questions,
it is recruiting into those posts that are vacant. But there are huge efforts going on from both the
Director of Operations and the Director of the Bureau to do this.

One initiative that we have started to do is we have, I think, three investigators who are operating mainly out of the UK, so they do not need housing and they come to the Island when they are needed, with the technology we now have and deployed successfully during COVID. That is, if you like, a workaround. So I can assure the Scrutiny Management Committee that, despite the challenges, we have a very viable EFCB.

On the question of the wider Law Enforcement, of course we have entered into mutual assistance arrangements with the UK and where operationally they have been having pressures, we have brought in officers under that system. But that is, in the same way with agency nursing, an expensive way of doing things. So we are absolutely committed to doing all that we can to recruit, but the housing crisis and the cost of living is a factor, which I think the whole Assembly, the whole States of Guernsey has got to work on.

That is, if you like, the Committee's answer.

Deputy Fairclough: I do not doubt for a minute what you are doing as a Committee to try and resolve this. It is a problem that a number of Committees face, but it sounds as if this is having a significant impact on the work of Home Affairs and what I am trying to establish is what is not being done as a result of not having those staff, which I still have not had an answer to.

Now, could I just ask, before we come onto that and maybe draw in some of the Law Enforcement officers to give us some examples of that, has the EFCB ever been fully staffed? Have you ever reached a full complement of staff within the EFCB?

Deputy Prow: The answer is no.

As I tried to explain, when the Bureau was devised, the numbers that were needed and the skills and the job descriptions were part of an operating model and we always had to recruit up to that operating model. We are talking about a new environment and a new way of delivering our response to financial crime.

I think the Director of Operations has given you some indications around what is not being done. One of the things that tends to suffer in the environment that we are working to, is the transformational type of activity that Government really needs to be doing. One, to save money, and become more efficient.

What happens is the instinct and the way that Law Enforcement, for example, is to make sure that the front line is protected, and the Committee notices this, where you are researching new ways of doing things, where you are researching efficiencies, where you are perhaps wanting to do some of the more strategic developments, what happens is that the resources get sucked onto the front line and what we are trying to do, in giving you answers, is give an assurance that the Island is a very safe and secure place to be and that the priorities of those that head up services, whether it is Fire and Rescue, whether it is Probation, whether it is the Prison, whether it is the Police, whether it is Financial Crime, the emphasis will always be to deliver the front line services.

So in some ways your question is quite difficult to answer. But from a Committee point of view, the areas that I have outlined, that is where Government – not only I would suggest Committee for Home Affairs, this is where Government – is really struggling because of the desire to keep our fundamental purpose intact, which is safety and security. That is where your resources get sucked into. In a Police environment, where we are challenged to be putting resources where we need to on the front line, then we will get mutual assistance in.

So I hope I have given you some sort of answer to your question. The last thing I want to do is come to Scrutiny and be accused of not giving you answers. I would suggest that those on the front line may also want to give a view, in answer to your question.

Deputy Fairclough: I do not know whether anybody from Law Enforcement wants to give us some examples, perhaps, of what is not being done as a result of your current understaffing?

Chief Superintendent Breban: Maybe I can help, hopefully.

440 Phil Breban, Deputy Chief Officer. As Mr Prow says and just to reiterate, we are an emergency service; that is our primary focus, providing a 24/7 response and that will always be our focus. Recruitment is a challenge and there are areas we have had to refocus or amend our responses. Areas of business that would have suffered through that would have been somewhere like the Neighbourhood Policing Team. We are not at capacity in our Neighbourhood Policing Team. We would like more officers in there, but the priority is the front line, 24 hours a day, every day.

445 We have had to adjust other areas. Our Road Policing Team is not to the capacity we would like it to be to focus on road safety. Again, they have to focus on the emergency response. We have had to adjust our training regime and how we manage our training. Again, officers cannot complete the full range of training they may wish to, but we do accommodate the essential training, the accreditation training and, primarily, those are the areas where we have had to adjust our service to
450 make sure we provide that 24/7 response.

Deputy Fairclough: Thank you.

The Chair: I think that is helpful.

455 So it is not the case that you have not got the financial resources, it is the case that you do not have the human resources?

Chief Superintendent Breban: Absolutely, yes.

460 **The Chair:** Okay, thank you.

Chief Superintendent Breban: Thank you.

Deputy Fairclough: Thank you for that.
465 Just coming back to the EFCB, in terms of, I think you said there were 19 vacancies currently –

Deputy Prow: Sixteen in EFCB, I think, three in the FIU.

Deputy Fairclough: Okay, yes.
470 That is out of a complement of, is it around 60, the full-time staffing of those?

Mr Le Ray: Fifty-five posts in total.

Deputy Fairclough: Fifty-five in total. Given the fact that there is such a number of vacancies in
475 that area, through no fault of your own, are you concerned at all at the impact that could have on the operation of those areas, particularly in light of the fact that there is a MoneyVal inspection coming up next year?

Deputy Prow: Yes, it is a concern, it is a challenge.
480 But I have absolute confidence in the Bureau and the FIU that they will continue on their efforts to recruit. They will think outside the box, as they already have done, and it is not as though recruiting to the operating model has been unsuccessful. We have managed to recruit six posts. So it is not as though we are not rising to the challenge.

485 As I explained, through the legislation that we have passed through the Assembly, we are implementing more legislative tools in the box, some of which will allow the existing staff to be more efficient in what they do and more effective in what they do and what we very much hope to do is to rise to that challenge and to work on recruiting to that operating model.

490 The EFCB is a standalone response to financial crime and economic crime. That is what we believe MoneyVal will be expecting us to do, to manage the very successful and well-regulated financial centre that we are. I am not trying to dismiss the challenges that that recruitment presents. What I

am saying to you is that I have absolute confidence in the staff we have. It is well-run, well-managed, well-motivated to deliver, and I have every confidence and working with Policy & Resources and indeed the whole Assembly around the wider issues around recruitment, I am confident in our preparedness for the MoneyVal inspection and that is one message, through this hearing, I really want to give.

We meet regularly with Policy & Resources at a political level, certainly all the partners that are involved in MoneyVal meet regularly. They are well on top of what is expected in compliance with the FATF recommendations and despite the challenges we are in a very good position as regards to preparedness.

Just to close on your point, I am not minimising the issues that recruitment present to us, I am trying to give you an assurance that we are working through it. As the President pointed out, we are putting the legislation in place, that process is almost complete. It is not finished. We have set up the Bureau as a statutory organisation. We have good, excellent quality staff in place, and a well-established, Financial Intelligence Unit and that is working very well.

We are confident that we are prepared for the MoneyVal evaluation, despite the recruitment challenges.

Deputy Fairclough: Thank you, Deputy Prow.

Just before I turn to Mr Dorey, I would like to ask one other question. We have focused a lot on staff, but I would just like to ask a question with regard to finances, if I may. Is being able to fund business-as-usual services a significant issue for your Committee, do you feel?

Deputy Prow: I think, as probably every Committee would say, when you look at building a budget one has to look into the constraints. One of the main worries and challenges for the Committee ... we have already established, we can live within our budget at the moment because we are not paying for the staff that we cannot recruit. So our financial situation, through underspends, is manageable.

But there are initiatives, particularly around the justice piece, where there is always more that we feel we could do. We are a Committee that very much works and understands the Government Work Plan concept and we build to that. I think one of my concerns around the Government Work Plan process, actually, is touched upon by your question, because I do not think the Government Work Plan really recognises business-as-usual type initiatives, such as, for example, in a Home Affairs environment, servicing your legislation. Legislation cannot stand still.

We have got our PACE provisions and our regulation of investigatory powers legislation, which requires updating and that requires resource. Really, those sorts of matters and actually many others, really should be dealt with as business as usual and I am not sure that the Government Work Plan recognises that.

Of course, budget building now is very difficult and challenging because the emphasis, quite rightly, is around where you can make savings and the Committee is very much aware of that. But I think by prioritising and by sticking to our safe and secure mandate, the budget allocation that we have does allow us to maintain that.

I think it is in areas of transformation, in areas where you need funding to save money and to transform, and perhaps some of the less frontline aspects of business as usual are where the Committee for Home Affairs tends to have or sees the narrowness of its budget.

Deputy Fairclough: Thank you.

The Chair: I would just like to jump in on one of the things picking up from before about housing. There is a long lead time on building houses in any case and there are a lot of pressures from other quarters, including the existing demand and the potential for increased immigration, obviously, as a result of the population review. So it is perhaps reasonable to assume that the pressure on housing is not something that is going to go away any time soon, even in the sort of

medium future. If that is the case, what other measures are you considering to resolve these staff shortages? Are there any?

545 You have told me about bringing in short-term contracts from the UK and the occasional person working in the UK. The first one, obviously, as you have said, is an expensive measure and the second one is impractical for when you need people on the ground in Guernsey. So are there any other measures or is this just going to be a constant challenge?

550 **Deputy Prow:** Well, absolutely.

It is a constant challenge. I think the issue is that in the delivery end of Government, you need quality professional people who tend to look at the package in the round and, yes, there are temporary measures that we can, and we will employ and they will help. But they will not solve the ultimate issue, which is: with the global demand on skilled workers, it is finding them and recruiting them in the first place; and then, as the Director of Operations has said, it is then persuading them that the package is attractive.

The Chair: Yes, but the Director of Operations has said that you do get applicants but when they see the cost of housing then they lose interest. Housing is obviously not the only reason, there are other factors. But we clearly know, I think, that it is a significant reason and it also looks likely that it is not an easy one to fix because there is going to be a constant demand, as we know. House prices over here testify to it. It is a vicious circle. Are there any other solutions at all? Does that come down to paying more so that the houses that they could rent or buy seem more affordable? What other solutions are there to this other than continuing with a shortage of staff and the low level stuff that would normally get done for some considerable time?

Deputy Prow: The Director of Operations is absolutely right. We do get applicants and sometimes those applicants are not persuaded by the package you give them. But even then I think if you are talking about economic and financial crime, those very specialist appointments are very difficult. But the package is very important.

I think that the only real way forward with this is to pursue this with Policy & Resources and the overall remuneration package is in the gift of Policy & Resources, not in the Committee. Working through these issues across Government is the only way to solve them. To some degree that is the purpose of the Population Management Immigration Policy Review, which was to highlight to the Assembly what those issues were and come up with a set of Propositions. That would tend to help the situation. But it is extremely difficult, and it needs to be tackled across Government.

The Chair: Okay.

580 Would it help you if you had additional flexibility in making those decisions on employment yourselves?

Deputy Prow: It certainly would on some of those challenges, but I understand our system of government, I understand what the responsibilities of Policy & Resources are. I understand the restraints and the challenges the Government Work Plan puts in place. But these are structures that the Committee *for* Home Affairs has to work with –

The Chair: Okay, thank you, Deputy Prow.

I will just pass over now to Mr Dorey, who has got some questions.

590

Mr Dorey: Good morning.

In early 2023, the States will be asked to debate the issue of tax reform and plugging the revenue black hole. P&R have given notice that public services may need to be cut due to financial

595 constraints and in the report your Committee said that any cost-cutting exercise that would see budgets reduced by 5% was unachievable and potentially dangerous to the community.

In the report it goes on to say opportunities previously identified include: tagging as an alternative to custodial services; modernisation of fixed penalty notices; and adoption of a national single online Home, web-based platform for digital contact and crime reporting and outsourcing of court group prison officers.

600 As you anticipate, in 2022, a 2.7% underspend in your budget and presumably we are not in a dangerous situation currently, what specific savings and what effects would they have if you had to make a further 2.3% cut in your budget?

Deputy Prow: Yes, that is the political question of the day.

605 I think the Committee for Home Affairs and the services that it delivers around the safe and secure mandate are absolutely fundamental to producing the right environment for industry to survive. One of the reasons that we have got a successful finance industry is built on the fact that it operates out of a safe and secure environment and that it certainly takes combating money laundering and the financing of terrorism very seriously. But the challenges to, not only in the Government of Guernsey, all governments, they are expensive to run.

We have just, in a Scrutiny hearing, discussed issues around recruitment. We have discussed the Committee and the services' response is primarily to keep the Island safe and secure but to meet the challenges, whether they be from MoneyVal, whether they be from Fire & Rescue, how we rehabilitate people who have fallen foul of the law, we need to progress this.

615 In a government you just cannot stand still. I think although you have mentioned underspends, the underspends are actually a worry and a concern because the Committee feels that we do need those people that we cannot recruit to maintain the right financial environment for the economy and for the Island.

620 **Mr Dorey:** Sorry, but we are not in a dangerous situation, are we, currently? I know we have got an underspend and we have got vacancies.

Deputy Prow: No, we are not in a dangerous situation but the ability for a jurisdiction like ourselves to keep safe and secure must be properly funded and it would be totally irresponsible for the Committee for Home Affairs, in building budgets, in putting forward capital projects, to go anywhere near being in a dangerous position and I do not think that is, in a responsible, mature democracy, this should not be a race for the bottom.

625 Expecting Government and the Committee for Home Affairs to move to a dangerous situation would be completely irresponsible. What I am trying to explain is the fact that there are underspends is not a positive thing because we need to recruit people. We need to make sure that we do have the basics of law enforcement. You have heard about pressures on neighbourhood policing, for example. Why are there pressures on neighbourhood policing? It is because Law Enforcement are completely responsible and they are prioritising their resources and their foremost thinking is about keeping the population safe and secure. The same applies across all of the services.

630 I think in the debate about the cost of public services, the danger for those Committees delivering fundamental services, to make any real inroads into reducing a Budget, you have to make drastic decisions. For example, 5% of our budget represents the combined budget of Probation and the Domestic Abuse Strategy; 10% is nearly the entire Fire & Rescue Service budget; 15% represents the funding allocated to the Prison Service.

640 So where you are moving to an environment of looking at the Home Affairs' budget and saying, 'You are not in a dangerous position, so fundamentally we can claw back that money', is just not a responsible way, in my view, of looking at that.

645 **Mr Dorey:** Do you have any comments on the previous opportunities that I read out, which are in the report, which are identified as potentially savings, because there were savings identified previously and you have got no other savings you can add to those that you have identified?

650 **Deputy Prow:** The identified savings comes out of a process, which the Committee for Home Affairs continually does: asking the services to look and see if budgets were reduced where savings can be made. And I will give the Scrutiny Committee the assurance that that is an ongoing process and a lot of those initiatives will continue to be looked at.

655 I do not want to raise expectations that if you are balancing keeping the Island safe and secure against making savings, there are some very difficult choices to make. But I am not suggesting that you dismiss them out of hand. The list that was prepared and submitted to Policy & Resources is a genuine look at opportunities where possibly we can make savings. But the expectation that they will be dramatic savings, I do not want to give that expectation at this hearing.

The Chair: Thank you very much, Deputy Prow.
660 We will just take a five-minute break now and if we could reconvene, please at 10 minutes past 11. Thank you.

Deputy Prow: Thank you.

*The Committee adjourned at 11.05 a.m.
and resumed at 11.12 a.m.*

665 **The Chair:** Okay, thank you for that.
Deputy Prow, in your update to the States' Assembly in June of this year you said:

As the Committee we continue be supportive of the principles of the GWP but the need for Government to provide strategic direction, prioritise and collaborate is even more acute. There is therefore an even greater requirement for those who lead the GWP to better engage with those at the delivery end of Government.

670 This could be read as a criticism of the engagement between P&R and Committees in general so could you give some specifics on what exactly you meant by that?

Deputy Prow: Yes, I can, and I stand by that.
I think from a Committee perspective the whole process, particularly at the political end of it, gets squashed, I think. What I was trying to promote was that engagement with the Committees happens earlier and perhaps in a more robust way. I think I am supportive of the Government Work Plan –

675 **The Chair:** Can you give me an example?

Deputy Prow: I think in the process of finalising the actual content of the policy letter of perhaps comparing submissions by other Committees and having opportunities to have a better discussion and better engagement from the Committee for Home Affairs could have been done better.

The Chair: Right, okay.
So have you had discussions with P&R to see if that can be improved in future?

685 **Deputy Prow:** Yes. I was a Member of the States in the 2016 term. I think one of the improvements that has been made is the Presidents to Presidents forum and coincidental or incidental to your question, at the last Presidents to Presidents meetings I asked for the Government Work Plan to be placed as an agenda item and there was good, healthy discussion from the Presidents around the question, one of engagement, about the next iteration of the Government

690 Work Plan and how Presidents' Committees can influence and again I stressed the importance of early engagement.

The Government Work Plan is a discipline, and it needs buy-in from the Committees, otherwise it fails in its purpose. It is much more focused I think than the old Policy & Resource Plan, but I think it does need work and certainly around the question of what actually is prioritised and ends up in
695 it would benefit from perhaps some difficult conversations and a more robust process.

The Chair: Okay, thank you.

Is your Committee at all concerned about the future of the GWP, especially in the light of the resignation of Deputy Soulsby, who of course was the lead on that?

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Deputy Prow: Of course every Committee is rightly concerned about the Government Work Plan. It underpins what we can deliver and perhaps more importantly what we cannot. So there is concern.

I think the Government Work Plan actually is perhaps in a transitional period anyway so I think that the work done by Deputy Soulsby will necessarily develop and I and the Committee will work with the make-up of the present P&R to squeeze the best out as we can for the benefit of the Bailiwick of Guernsey.
705

The Chair: Thank you.

At a recent hearing that this Committee had with Policy & Resources on the Government Work Plan, they made clear there was going to have to be some rationalisation of the capital projects in the Government Work Plan. Has your Committee been asked what capital projects it could forego?
710

Deputy Prow: That part of the process is really in the early stages of engagement, so not specifically. That really endorses the point I have just made, I think, about where the Government Work Plan is starting to impinge on what Committees cannot deliver or what facilities they need in forms of capital projects. That is where a good, robust system of dialogue is absolutely fundamental.
715

The Chair: And you think the Presidents-to-President's meetings fill that gap?

720

Deputy Prow: To some extent but not completely. I think that the engagement with Committees by P&R both at officer level and at a political level needs to be strengthened. That is my fundamental point.

The Chair: Okay, thank you. That is a very straight answer.
725

What, if any, interaction have you had with P&R regarding priority 4, which we do not always hear a great deal about in the GWP, the Reshaping of Government Review.

Deputy Prow: As an individual Deputy that is a subject I am quite interested in and again, I go back to my earlier point around I think that those Committees that deliver have a great interest in this and I think there is definitely more dialogue. I have said this before and I will say it again, I think one of the issues with our present system of government is a disconnect between P&R, who provide, and we have spoken about it today, a lot of the central services, and HR, IT, and the Committees that are actually delivering services on the ground need to be better joined up and I think that particular workstream really should be looking at those challenges.
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735

The Chair: So, rather than possibly the political reorganisation more the systems behind it that can make it work better?

Deputy Prow: Yes, both. I think this, to some degree, last term ... it is okay reforming Government, but you have got to match those reforms with the political machinery that is together.
740

I think to disconnect the two is unwise and I think that is perhaps where I am looking forward both as a Deputy and as a Committee to exchanging ideas in those particular areas.

745 **The Chair:** Okay.

Do you feel that some of the States' processes unnecessarily hamper your ability to deliver projects then?

750 **Deputy Prow:** I think inevitably all governments have bureaucratic processes, which I think the Committee would absolutely agree need to be looked at and streamlined. The trouble is when you centralise government, some of the decision-makers and processes do not have ownership of the problems and there are issues, I think, with the time it takes to sign things off and get things done. Even though we have spent a lot of time talking about the issues with recruitment, there is an HR process and I think streamlining those processes of central Government are overdue some scrutiny
755 and review.

The Chair: Okay, thank you.

Now I know you have touched on MoneyVal, which is obviously one of the most important things in front of you at the moment, a little bit. But I think Mr Dorey has a few further questions for you on that.
760

Mr Dorey: Thank you.

Now we have the full independence of the Economic and Financial Crime Bureau, do you expect an increase in prosecutions locally as a result of this change?
765

Deputy Prow: Absolutely, I do.

The complexity of such investigations and the ability to turn the intelligence that the FIU possess or the intelligence that comes from money laundering reporting officers, needs to be properly and professionally investigated. We have that capability and certainly the whole *raison d'être* for the Bureau is not only to put more investigations before Law Officers, but where the proceeds of crime are identified to moving money that we have restrained or money seized, moving that to full confiscation.
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That is the whole purpose of the operating models and the strategies both of the FIU and of the EFCB. These processes take time. These investigations are complex, but I have, I know the Committee has, every confidence, in the Director and his staff to make progress, so that is both on doing those investigations, putting them before the Law Officers of the Crown and identifying the proceeds of crime and, where possible, to move them into full confiscation.
775

That is why this Committee has been very proactive in producing policy letters and we have the support of the Assembly and we have signed off as an Assembly many pieces of legislation which gives those now independent statutory organisations the tools in the box to assist them in that endeavour.
780

Mr Dorey: Thank you.

I know you have also spoken about the MoneyVal inspection before but in the case of other jurisdictions they have engaged in a mock evaluation ahead of the MoneyVal inspection. Is that what you intend to do in Guernsey?
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Deputy Prow: I did touch on this. Both at an officer level, the statutory organisations that come under Home Affairs, the Law Officers of the Crown, the GFSC, registry, the revenue service, there is constant engagement at an officer level and a political oversight, a group that is alternately chaired by the Chief Minister or the President of P&R, and myself, where that process is effectively being conducted not necessarily by a mock evaluation, which takes a lot of time and effort but by real scrutiny around matching what the FATF recommendations require and what our response is too.
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795 We, the States of Guernsey, are well-served with the expertise in that area that we have two
resources that we supply to the IMF that are doing evaluations in other jurisdictions. So I would say
the preparedness is first class and that at total mock evaluation is not the best use of resources and
it is well-covered by the systems that we have set in place.

800 **Mr Dorey:** So is there anything that concerns you regarding the evaluation coming up, any areas
that you are concerned about?

805 **Deputy Prow:** It would be irresponsible not to be on top of this. I think it is an evaluation, the
MoneyVal evaluators will ask for submissions and will turn up. Those evaluations get harder and
harder. That is the way that we work, and we are at the end of a cycle of evaluations. We will have
a very thorough scrutiny of all the activities that I have outlined.

In some areas, we will be evaluated higher than others. That is the nature of evaluation. Very few
jurisdictions, particularly, get a consistently high score across all the evaluation criteria. What I really
want to say is that, from a Government perspective, with regard to the structures we have put in,
the legislation that we have put in, and the assurances that we are getting from the independent
810 statutory organisations, be they the Law Officers or those that come under Home Affairs, everybody
is absolutely committed and completely understands what is required.

Anywhere where there is deficiency that has been highlighted, action is being taken to take
action to address this. The majority of those actions, particularly from Home Affairs' perspective
have already been put in place. But we are not being complacent.

815 You mention a mock evaluation. I am convinced that the processes that we have, if there are any
other issues, they will be teased out and we will address them. I think that is probably the best
answer I can give.

820 **Mr Dorey:** Thank you.

The Chair: Deputy Fairclough.

Deputy Fairclough: Thank you, yes.

825 I would just like to focus on Population Management for a moment, if I may, and ask the
question: do you believe that the move to potentially issuing more long-term permits will aid public
services with retention of key staff and if so, over what sort of timescale?

830 **Deputy Prow:** Your question is really around, I think you are talking about public service, are
you?

Deputy Fairclough: Yes.

835 **Deputy Prow:** Well, I think interestingly, the Population Management Regime and its flexibility
has always been an enabler for Government services.

Population Management has not been an inhibitor, whether you are talking about staff
professionals that come under HSC or under, say, Law Enforcement or financial crime. That is not
the inhibitor.

840 The ability to move to establish residence for those people who are providing skills, specialist
roles within Government service have always been facilitated through the Population Management.
I think you have teased out very well the recruitment issues and the housing issues. That, to me, is
more of the concern. It is more about the overall package that Government can provide to these
people.

845 There is not an inhibitor in relation to the Population Management Regime and the administrator
of the Population Management Regime is present, I am not sure if you would like to ask him a –

Deputy Fairclough: Okay, well just widening that question out then, do you personally or do you as a Committee believe the changes following the recommendations in your recent policy letter will actually lead to a significant increase in the population, locally?

850 **Deputy Prow:** To be that horse and cart, chicken and egg, I think what the Population Management Review has done is precisely what was needed. You see that the policy and strategy around population and immigration is led by the Assembly as a whole.

The Committee for Home Affairs and the statutory posts, whether they be Immigration or Population Management, implement that strategy and I think I found that the debate and the 16 or
855 17 Propositions very helpful in outlining what that policy is but the challenges are where there are skills shortages or labour shortages, all of which are important to sustain the economy, the ability to facilitate those through both Immigration and Population Management has been established and improved, I think, through that debate and the Propositions.

Of course, whether businesses or Government can recruit the people that we need, the inhibitor
860 will not be Population Management and Immigration. It will be some of the other factors that the review teased out around housing and there is a Proposition that covers that. It is around upskilling the local population, it is about attracting people who are resident and where the Population Management and Immigration do not impinge upon them, attracting them back into the workplace.

I think that what the review has done is to clarify what those issues are and to some extent the
865 Assembly has agreed Propositions that, working across Government, we can address them. I do not know if that helps in answering your question.

Deputy Fairclough: Okay, so do you think there are other ways we could increase the working population other than simply by increasing the population?

870 **Deputy Prow:** Yes, absolutely, and I think this is again the Propositions include working with the Committee for Education, Sport & Culture and Economic Development, absolutely key players in this. This is I think one thing that in this term we do work very well across Committees. We have those conversations and I think, for me, the Population and Immigration Review was overdue.

875 It is a process that started in the last term, it never saw the light of day. Until I resigned from Home Affairs in the last term, there was a lot of dialogue, lot of discussion, no policy letter arrived last term. By working cross-Committee, and I was very privileged to chair that, we have half-way through the time-served, produced a policy letter and successfully got a consensus on those Propositions through the Assembly. I think that is a very positive achievement.

880 And one other process that we have done is we are joining together two separate pieces of legislation, which is the Population Management Regime and the Immigration regime, to make it hopefully longer term more cost-effective to run but certainly from the customer's perspective, i.e. businesses and those people seeking the provisions that they need, to be a much more seamless process, despite the fact, and rightly, those processes are covered by two separate pieces of
885 legislation.

Yes, I think that the Population Management and Immigration Review, and the completion through the States, is a good thing, but like everything else, it takes time. We are going through a process now of mapping out the delivery around those recommendations and that will, of course, include discussions with our partners, Economic Development, Education, Environment &
890 Infrastructure, who have got key roles in all this. I am looking forward to the next stage of developing this.

Deputy Fairclough: And you are confident you have the resources within the Committee to progress that work, given some of the concerns that we have heard about recruitment and not
895 sufficient staff?

Deputy Prow: There are those wider concerns that we have aired. But I think one of the good things about the process was that it was cross-Committee, so we were able to use P&R resources, Economic Development resources and resources from E&I and other Committees to work as a team; and I think that is the way, in the financial situation we find ourselves, it is the only way we can progress some of these initiatives and I think it is important that we have gone through the process and that we now have instructions from the States' Assembly of how to proceed.

Deputy Fairclough: Okay, thank you.
That is all on population, thank you.

The Chair: Mr Dorey.

Mr Dorey: On the Justice Framework, in your July update Statement, you said that the action plan will need to be resourced to allow the Committee to deliver, and you expressed your concerns that the current GWP will not deliver adequate funding. What are the implications of insufficient funding being available for the Justice Framework?

Deputy Prow: A good question.
I think the implications are delay. I think, again, the Justice mandate was added to the mandate of Home Affairs in 2016 and we had the scoping review that was published and debated under a green paper, *sursised* and amended. It is in this term of Government that we have come to grips with it and I was very pleased that the Assembly approved our Justice Framework but now deliver under it and to produce an action plan, we have to slot that in with the Government Work Plan.

I think the Plan identifies only seven priorities and three actions. We have a review of legal aid, we have got the non-punitive approaches to small quantities of illegal drugs, the delivery of the Domestic Abuse and Sexual Violence Strategy, which I am very pleased that we have made good progress. We have got other issues like the scoping of safeguarding requirements, and we need to do some more work on secondary ordinances on sexual offences, implementation of the parole rules, modernising of the Appeal Court.

I have mentioned this previously in this hearing, the scoping of PACE and regulation of investigatory powers legislation and reviewing of sentencing policy. Whilst the Committee recognises the resourcing challenges of preparing an ambitious plan, we feel strongly that the action plan should provide a road map for justice which recognises the Committee's operation and strategic mandate of keeping the Island safe and secure.

I think I mentioned, in answer to your President's questions, I think we have identified some cross-Committee justice actions and I think the challenges are around getting more recognition into the Justice Framework so that the action plan can be delivered perhaps sooner than the current Government Work Plan outlines. That is the challenge for the Committee and that is a challenge that we need to discuss with Policy & Resources.

So the bottom-line answer is, yes, an action plan, the Framework is agreed. The action plan can be published, and we are working through that now. Where I think we are anxious is that the timelines are faster than those that currently appear in the Government Work Plan.

Mr Dorey: Okay, thank you.

Is it possible to separate justice and social policy? Research undertaken with Jersey Police recently showed that almost 50% of their time is spent on activities that could be described as safeguarding activities and supporting vulnerable adults. Do we need to re-evaluate the way we look at the role of Law Enforcement locally?

Deputy Prow: Yes.

If you look at the Law Enforcement Annual Report and you tease out from the information there, yes, a lot of Law Enforcement time is spent in the areas that you have just outlined. Again, this is an

950 area across Government to look at. If the Police are not going to respond 24/7 to these issues, who is? That is the challenge.

I think as with a lot of things, teasing out what the issues are is one thing. Finding the solutions where resources are tight, finances are tight and appetite to find the funding is low, is a challenge, but it is a good question, and it is certainly something that the Committee is alive to. What the ultimate answers to the questions are, are not yet worked through. I do not know whether you are talking about the UK or Jersey or Guernsey.

Mr Dorey: So, do you think this will be reflected in the type of skills that you will be looking to recruit or with the training that you are going to be giving to your Law Enforcement?

960 **Deputy Prow:** I think the question of training, the question of the priorities of Law Enforcement, that is an operational consideration and will probably be better answered by the operational officers that are with us today, if you are happy enough to do that?

Mr Dorey: Yes.

965 **Chief Superintendent Breban:** Thank you.

Training and skills are really important ... obviously an issue. And we have just gone through a delivery programme of Safe Lives domestic abuse training across all operational staff to bring them up to speed. It is a College of Policing UK initiative, which we have embedded across the force because our focus is on safeguarding. Emergency response, safeguarding and vulnerable people, as Mr Prow says, form a huge amount of our police work and a huge demand on our services at the moment.

Mr Dorey: So, you are looking to it in training, but what about in recruiting skills? Is that equally important?

980 **Chief Superintendent Breban:** It is. It is difficult. We look to recruit specialists in crime services area, where they can come into Public Protection Units, and we have been successful in a very small number of cases in identifying skilled officers who bring those safeguarding skills with them. It is an area that we do focus on and even in our new recruits we put them into a programme of training that addresses safeguarding and vulnerable people issues.

Mr Dorey: Thank you.

985 **The Chair:** If you could stay with us for a moment, I would just like to follow up on that. It is certainly good to hear that, and clearly domestic abuse is a crime and therefore officers being trained for that is an excellent thing. However, do you get called to deal with issues which are not crimes, but come under perhaps the mental health category and in those cases, is your role simply transferring these people to the right services within the Island?

990 **Chief Superintendent Breban:** Yes, we get a huge, significantly increasing demand to support people in the community in times of need, like Mr Prow said, because we are a 24-hour service, particularly out of hours for other agencies, we will get a number of calls and we do respond.

Sorry, what was the second part of that?

995 **The Chair:** It is more about, I just wondered how much of your time that takes up? I think I saw a news report this week, and I cannot remember the exact details, where a police force in the UK was looking at very much not getting involved in these kinds of issues, where no crime is involved, because they felt that it impinged too much on their time and it should be dealt with by other agencies.

1000

But presumably in the Guernsey context, perhaps it is different for us, and I just wondered how that works for you with dealing with these things? Do you find your officers are sitting with people until such time as the service opens? How does it work?

1005 **Chief Superintendent Breban:** Our officers do find themselves in that position. Very much we recognise the demand on other Social Services and the limited resource they have. Like them, we are never going to walk away from a person in need. We will provide a service, even if the police may not be most appropriate to provide that service, we will do our utmost to help.

1010 **The Chair:** This is probably a difficult question to answer but what sort of percentage of your time, of Bailiwick Law Enforcement, do those sorts of things occupy, do you think?

Chief Superintendent Breban: I think the last review identified 30% of our service was directed towards vulnerable people and it is increasing.

1015 **The Chair:** Where there is no crime link?

Chief Superintendent Breban: Yes, very much so.

1020 **The Chair:** Okay, thank you very much.

We are sort of coming towards the end, but I have just got, as I am sure Deputy Prow might expect, a question on the Sexual Assault Referral Centre. Home Affairs' resources have been focused on progressing the work identified through the Domestic Abuse and Sexual Violence Strategy and on establishing the SARC. You recently advertised for a manager for the SARC. Did you have a good response, knowing how difficult it is to recruit people generally?

1025 **Deputy Prow:** Yes, thank you for that question.

We had an excellent response, and we are very pleased to be able to advise you that an appointment is in the process of being made in this area and it gives me an opportunity to thank those people, all quality people, that put themselves forward for this post. Very encouraging.

1030 **The Chair:** Is this an on-Island recruitment?

Deputy Prow: Yes.

1035 **The Chair:** Okay.

Deputy Prow: And we have identified premises and again we are in the process of completing that and the manager will be pleased to know there is plenty to get involved with.

1040 **The Chair:** Okay and do you have an approximate date when you think the service will actually be up and running and open?

1045 **Deputy Prow:** I think at this stage we need to be thinking about the forensic medical examination aspects of it. Again, a lot of work has been done. We are at, if you like, the beginning of the end of the first process. I would not like to be drawn into an actual date but the commitment we have made and the funding and resources we have got for the Government Work Plan process, agreed by this Assembly, the pilot scheme will commence as early in 2023 as we possibly can make it.

1050 **The Chair:** Okay, thank you.
Computer Emergency Response Team. In your July 2022 statement you said:

Home Affairs is working to establish a Computer Emergency Response Team, which in the event of significant cyber-attack will provide the conduit between Government and the UK's National Cyber Security Centre.

Has this team now been established?

1055 **Deputy Prow:** The original plan was to do this in collaboration with Jersey but that has not been possible. I am very happy to report that what we have decided to do is to go out for expressions of interest and a procurement programme, inviting tenders to commission those services out. Those expressions of interest have gone out. We are very pleased that we have got a good number of quality expressions of interest and actually, at the last Committee meeting, we have given the go ahead to move from expressions of interest to a tendering and commissioning process. So I am very happy to report the establishment of a CERT is moved to a positive stage.

The Chair: Thank you.

Can you elaborate a little bit more on why it was not possible to work with Jersey?

1065 **Deputy Prow:** The caveat I would say to that is we are still in dialogue with Jersey and the Director of Operations can give you more specifics. But as I understand it, the direction that Jersey wanted to go was not compatible with how we wanted to proceed. Co-operation with Jersey is fine but only where identical or near identical solutions can be found.

1070 But we have had a recent informal discussion, along with Economic Development, around working with Jersey and both at officer level and the political level that dialogue is continuing, and it may well be that further down the road progress can be made. Your question was specifically about the CERT and in the Guernsey scenario we need to set up a CERT sooner rather than later and that is the course that we have taken.

1075 I do not know whether the Director of Operations would like to add anything to what I have said.

The Chair: Did you want to add anything, Mr Le Ray?

1080 **Mr Le Ray:** The President is absolutely right. We remain to be engaged with Jersey and we have opened discussion. We had an open discussion at the start, before we went out to expressions of interest on what our requirements were, and that open discussion identified some areas that seemingly Jersey would not be able to deliver on our behalf.

1085 What we want to do is an all-encompassing service, aimed on the initial objectives that we set for the CERT. So our current approach is to carry on with the expressions of interest, which Jersey were not wanting to enter formally. However, that discussion does continue. Where there are elements that we can still work together potentially we will explore these, Jersey have set their CERT up and they have their resources in place. If they adopted and could extend to all of our requirements, they would need to recruit extra staff. They would not be able to deliver the CERT from the resources they currently have.

1090 We went through that model of working and we consider it better that, with agreement from our Jersey colleagues, we carry on this avenue, however, that is still open, and we are still open for discussions whilst we are undertaking the tendering process. Discussions do continue with our Jersey colleagues.

1095 **The Chair:** Okay, thank you.

1100 Now just to wrap up with three more questions and I will preface them by saying that the Scrutiny Management Committee has recently, as a new initiative, gone out to the Douzaines ahead of these hearings to ask if they have any issues pertinent to the Committee and we have had a couple of questions. I think they both pertain to Law Enforcement. I do not know if that is something Mr Breban might want to help with, but I will send them out to you first. These are just a couple of questions that have come in in that correction.

The first one is do you feel that traffic enforcement is adequately resourced and is this something that perhaps the Douzaines could assist with in any way at all?

1105 **Deputy Prow:** I think it would be useful to get an operational response to that.

All I would say from a Committee perspective is that we have had several very productive meetings with E&I on the whole question of road safety and traffic issues and that we are, together with that Committee, looking at how we might jointly develop our responses at a political level, whether it is increasing the use of fixed penalties, freeing up Law Enforcement time to investigate the higher end of road traffic issues.

1110 So it is very much at an early stage. It is something that we are doing as business as usual, because we are not able to insert that into the Government Work Plan but politically working with that Committee there are some good initiatives, particularly around and the Committee itself is progressing its response to drink driving and drug driving.

1115 So I think that is from a political point –

The Chair: I do not think the Douzaines were suggesting that they would be involved in the enforcement role, in case the question came across slightly that way, but I think there is a concern, particularly in the more heavily populated parishes on issues around traffic enforcement and I think the Douzaines are trying to be proactive here and wondering what way they could assist with that.

1120 The other question is the one, which we have touched on slightly already, which surrounds neighbourhood or community policing and there certainly seems to be a keenness for that to increase but we have already heard today that that is one of the things that falls off the radar when posts cannot be filled.

1125 So I just wondered if you have any future plans to sort of build that up again when it is possible?

Deputy Prow: I think that dialogue with the Douzaines around the practical issues that happen in the parish, both at a political level and an operational level, is to be encouraged. I do not know if you would like –

1130

The Chair: Mr Breban, do you want to add anything to that before we wrap up?

Chief Superintendent Breban: Thank you.

1135 As we all know, neighbourhood policing is one of our top priorities, as is road policing, road safety. I can say that in the last week we have adjusted our staffing to appoint a school liaison officer, who has come out of the Neighbourhood Policing Team unfortunately, but it is a priority to get into the schools to engage the youngsters, so there is a balance to be had.

We are proactively recruiting, and we will extend and develop the Neighbourhood Policing Team as soon as we can.

1140

The Chair: Okay, thank you very much.

With that, I think we have come to 12 o'clock, so time to wrap up. Thank you to everybody for attending and for increasing the public awareness and understanding of the work done by the Committee for Home Affairs.

1145 We do undertake regular hearings, as you know, and it will be on the Scrutiny website when we have the date of our next hearing, which will be in the new year. But in the meantime thank you very much everybody and the meeting is now closed.

The Committee adjourned at 12.02 p.m.