

**REPLY BY THE MINISTER OF
THE HOME DEPARTMENT
TO QUESTIONS ASKED PURSUANT TO RULE 6 OF THE
RULES OF PROCEDURE BY DEPUTY MATT FALLAIZE**

Question 1

In your reply of February, 2013 you advised that the Department was “considering how the establishment of a Law Enforcement Commission fits with the decision to have a single Head of Law Enforcement and...liaising with the Law Officers to consider whether amendments are required to the Law Enforcement Commission (Bailiwick of Guernsey) Law, 2011”

Having considered the matter during 2013, does your Department remain wholly committed to setting up a Law Enforcement Commission with precisely the same purpose, functions, objectives and constitution approved by the States in October, 2010 and February, 2011?

Answer

The Department has taken the opportunity from March 2013 to reconsider whether the mechanism by which to ensure law enforcement agencies’ accountability to government and the local community remains best shaped as a Commission. The Department’s commitment is to achieving the best for Islanders in terms of security and standards and the Department continues to explore the validity of prospective alternatives to the establishment of a Commission in consultation with the Law Officers. These alternatives will be presented to the States of Deliberation by way of a further States report in 2014.

Question 2

In your reply of February, 2013 you advised that “...dependent upon the outcome of the discussions with the Law Officers regarding any changes to the Law, the Department will return to the States...seeking to vary or rescind the resolutions and legislation of October, 2010 and February, 2011...It is hoped that, if necessary, this would take place during 2013”.

Does your Department agree that it is less than satisfactory that three years after the States made the Resolutions and legislation of October, 2010 and February, 2011 respectively they have neither been brought into effect nor varied or rescinded?

Answer

The Department is satisfied that it is taking its responsibilities to the local community on this matter very seriously and that its review of whether such a mechanism is best shaped as a Commission in view of the changed structure of law enforcement services is appropriate.

The Department is of the view that, during the course of 2013, it was appropriate to have the opportunity of assessing the impact of this major transformational change being absorbed by both law enforcement agencies and continues to monitor progress, bearing in mind the need to consider the merits of the original proposals to establish a Commission.

The Department is therefore confident that it is properly considering how it may wish to propose alternative approaches to that originally proposed so that the States of Deliberation can decide whether or not to introduce the Law Enforcement Commission.

Question 3

Is your Department prepared to make a firm commitment that during 2014 it will lay before the States propositions either for the Law Enforcement Commission to be properly constituted (i.e. have members elected to it) by Resolution of the States or for the Resolutions and legislation of October, 2010 and February, 2011 respectively to be varied or rescinded?

Answer

The Department is committed to returning to the States of Deliberation in 2014. This commitment is set out in the Department's current Business Plan which is due to be published at the end of January 2014.

Date of Receipt of the Questions:

Wednesday 8th January 2014

Date of Reply:

Thursday 23rd January 2014