

**Minutes of the Social and Community Development Committee Meeting held on  
Wednesday, 10 March 2021 at 9 am in the Council Chamber**

<b><u>Present:</u></b>	<b>Chairman:</b>	Hon Anthony Green, Chairman (Hon TG)
	<b>Deputy Chairman:</b>	Hon Cyril Leo (Hon CL)
	<b>Members:</b>	Hon Derek Thomas (Hon DT) Hon Jeffrey Ellick (Hon JE)
	<b>Non-Voting Members:</b>	Mr Gavin Thomas, Ag Director of Children & Adults Social Care (GT) Mrs Gillian Francis, Deputy Chief Secretary (GF)
	<b>Secretary:</b>	Mrs Nicole Plato, Executive Assistant, Corporate Services (NP)
	<b>Apologies:</b>	Hon Gavin Ellick (Hon GE)
	<b>Invited:</b>	Mr David Price, Ag Director of Police (DP) – <i>for item 2 only</i> Mr Aldhelm Garner, Crown Counsel (Marine) (AG) – <i>for item 3 only</i> Mrs Carol George, Head of Corporate Support (CG) – <i>for item 3 only</i>
	<b>Off island:</b>	Mrs Tracy Poole-Nandy, Director of Children & Adults Social Care (TPN)

**Open Session**

Hon TG welcomed all to the meeting.

**1. Declarations of Interest**

No declarations of interest were made. Members were reminded to declare their interest when necessary throughout the meeting.

**2. Police Q3 Performance Report & Update on Risks**

DP was welcomed to the meeting. DP reported the following:

- One of the issues that remain a concern is sickness absence; the new HR Business Partner arrived in January 2021 and she is trying to resolve this issue because there was an issue with not submitting figures on time and sickness absence records were inaccurate.
- The OTRCIS incident records system is working very well and have very tight rules of how things are inputted into the system.
- A Police satisfaction survey was out asking people for their views but there should be better ways of doing this which can also be explored.
- Community engagement – a number of engagement sessions had been held in the community therefore this RAG rating should improve.
- Offenders brought to justice is working well.
- Immigration workload is quite light at the moment but they are still receiving visa applications, however a number of them proved to be fraudulent when investigated.

- Passport applications – trying to implement more support for people to help them complete their passport applications etc.
- Fire community engagement – this will be withdrawn next year.
- Community service - 12 weeks of community service delivered in the quarter which is where we should be.

DP advised that their KPIs were a lot more qualitative and their reputation is improving in the Community; people are happy with the engagement sessions. The fire department has also spent time with the Scouts, Schools and SHG directorates doing presentations on fire safety.

It was also noted that the new portfolios will result in new KPIs for next year.

DP said that he was reasonably satisfied with the progress they had made as a directorate. However, he felt that there should be more accurate input in how they track the fire departments performance as they are doing a lot of training which they have too and they are infrequently used. Sea rescue is also mostly called out when a boat breaks down and have to respond to emergency cases on a very rare occasion.

DP advised that the Call Centre is progressing but they are also looking at whether they can get a training supervisor from overseas to help take this forward.

Comments from the Committee were as follows:

- The operation of the call Centre is very crucial but there could be someone locally who had the experience like a Sergeant who would be able to help operate the centre instead of getting overseas technical support. *DP advised that the Sergeant was helping but she will be on maternity leave soon; part of the original project was to bring in a trainer but this did not materialise.*

Hon JE joined the meeting.

- Last year a liquor licence forum was held, will this be done again? *DP said that this event forum will be held again with restaurants and bars.*
- What is the latest on bringing in charges for Fire service inspections? *DP said that their management accountant had done some work on these with the Deputy FS to take effect from 1 April but there is no statutory basis for these charges however, DP was unsure as to why the process had taken so long.*
- DP said that one of the CSSF bids for next year will be for legislative support over and above the AGs Chambers to help update their legislation to give them powers or for the Chief of Police to give officers certain powers so that they can take low level action to deal with disputes etc.

Hon JE declared his interest.

- Training – does the Police have in place a proper trainer? *DP said that they have a training programme in place which includes initial courses like safety, achieving best evidence etc. But there are still some areas which overseas expertise is needed.*
- The relationship between the Police and the community is also very important and the reassurance from the Police to the community is vitally important.

Hon CL asked DP to advise on the process of issuing a search warrant to which DP advised on. Hon CL mentioned a case where perhaps the correct process was not followed. Hon TG reminded Hon CL that individual cases should not be brought and discussed at Committee.

## Risks

DP advised the following in relation to risks:

- The risk for recruitment and retention as well as development of staff will change.
- Inability to respond to the scene of the incident within our fishing exclusion zone (200Nm) – the MCA has funded a replacement boat.
- Asylum proposal - will be submitted to this Committee in due course.
- There are still a number of slipway issues raised by the Airport. They are trying to persuade FCDO to get rid of the slipway as well.
- The Police Custody facility should be completed by the end of the month and the UK Custody experts arrived on the last flight and will be here until the May flight; they will spend 7 weeks on island and will train staff and help to make the best use of the facilities. Councillors will be invited to come and see the new building when it is completed.

DP to keep SCDC updated on their Strategic Plan and Risk management on a quarterly basis.

**(Action: DP/NP)**

DP was thanked for attending.

Hon DT left the meeting.

### **3. Updated Elections Ordinance Review Report**

AG and CG were welcomed to the meeting. Hon TG thanked AG for the supplemental note but advised that because the note was only sent to Committee yesterday afternoon, no final decisions will be made today but will allow AG to review the note with the Committee.

AG advised that the supplemental note accompanies the draft report and includes considerations on international observance of elections, whether those with Saint Status should be allowed to vote and whether the Register of Electors should, or could, remain open for new additions or corrections immediately after a writ of election is issued.

AG reviewed the supplemental note with the committee as follows:

#### **International Observance of Elections**

- Hon JE had attended CPA training on elections and he had noted that in other jurisdictions there were at least provision for elections to be observed by other states or international bodies.
- In our Elections regulations, there are restrictions as to who can witness the count. The regulations here might need to be changed to allow international observers.
- Funding observers - Hon JE said that when he spoke to the CPA they advised that they would part fund the costs; the host country would invite observers and the CPA would pay for the mission.

#### **Review of Recommendation 2 – whether the Register of Electors should, or could, remain open for new additions or corrections immediately after a writ of election is issued**

- If opening the Register of Electors to new entrants on or after a writ of election is published, it would be desirable to do so in a way that can still facilitate an election within 6 weeks of dissolution of LegCo.
- Even if restricting the opening of the register to new entrants there would be little to no time to resolve any appeal to the Magistrates Court.
- Administratively it is possible to open the register of electors for a short time after the dissolution of LegCo; a change to the Elections Ordinance would be required.

Comments from the meeting were as follows:

- We do make provisional registers throughout the year allowing objections to be submitted.
- We do encourage people to register at the point we ask them too should they like to exercise their vote when needed.
- We need to think about cost implications of taking it right to the end e.g. printing registers etc.
- People can apply to be on the register of electors anytime of the year but it is only after the writ is issued that they cannot.

### **Whether those without Saint Helenian Status should be allowed to vote?**

- This issue has a cross over with the Immigration law. When the public consultation on the draft immigration Policy was held, members of public questioned why they can have Saint Status and be residents on island but not be allowed to vote e.g. TC staff.
- In the UK, other citizens are allowed to vote. As long as you have Saint Status, your nationality shouldn't matter in terms of voting.
- The only people who fall through this gap are those who are ordinarily resident i.e. those who are here short term or spend too much time off island as oppose to on island. Therefore should we lower the criteria for Saint Status is the other argument?

Comments from the meeting were as follows:

- This links with universal suffrage rights to vote and the permanent resident status that is proposed in the draft Immigration Policy.
- If a person was overseas for a while and returned to the Island, can they vote? *CG said if a Saint returns to the Island after being overseas for 20 years then they would not be eligible to register but CG would refer their request to the AGs Chambers however, the ordinance does state that if you are away from the island for more than 30 months for a continuous period then you are not allowed on the register.*
- Would the 30 months apply to Saints on Ascension? *CG said that no one on Ascension has the right of abode therefore it would not apply but the Attorney General currently has a different view and this matter is with him to review. It would be a matter as to whether the law would apply to Ascension residents as well. A person's name would only be removed from the register if they are absolutely certain that that the person is not returning from overseas etc. and the Attorney General would have to give an order to remove their name from the register.*
- What if someone has no fixed abode or a Saint has returned or worked here for 6 months and had two addresses whereby they spent half time in each place, would they still qualify to vote here? *CG said yes they would still qualify to vote here if they met the criteria and been here for a continuous period of time.*
- It would also be good for those Saints in the Falkland's to also be able to cast their vote as they contribute to the Island as well as the Saints on Ascension. We should find a way to include them, even if it is electronically.
- We also need to look at what is meant by 'ordinarily resident'.

Hon DT re-joined the meeting.

CG was requested to clarify the point about Ascension right of abode with the AG's Chambers which could potentially affect the current law on the 30 month stipulation of being continuously resident on island and could affect their eligibility to register to vote.

**(Action: CG)**

The Committee requested AG to combine the supplemental note with the sub-committee's report and send to Committee for their perusal so that they come prepared with comments

and questions at the Special SCDC on 24 March to discuss this report in its entirety. Special meeting arranged for Wednesday, 24 March at 10 am.

**(Action: AG/Committee)**

#### **4. Confirmation of open minutes from the meeting held on 10 February 2021**

The open minutes of the meeting held on 10 February were confirmed.

**(Action: NP)**

#### **5. Matters Arising**

##### **5.1 Safeguarding Board & Endorsement of their Terms of Reference (TORs)**

The TORs had been updated and sent back to the Safeguarding Board.

##### **5.2 World Café Event**

Hon DT/NP to send NP for the Committee a copy of Sam Dunn's graphic recording from the world café event held on 6 Feb.

**(Action: Hon DT/NP)**

##### **5.3 Archives Lending Policy**

NP to KIV for the Committee the updated/strengthened Archives Lending Policy for further discussion.

**(Action: NP)**

##### **5.4 Equality Legislation request from EHRC**

Hon TG had written to the EHRC, seeking clarification of the details of legislation required as well as needing to highlight the gaps in current legislation to enable the Committee to respond appropriately. Hon TG/NP to keep in view response which will also need to be sent to the AG's Chambers.

**(Action: Hon TG/NP)**

##### **5.5 Domestic Violence Policy & Adults Policy**

NP had sent SCDC decision documents on the above policies to the AGs Chambers as requested to progress the legislation for each policy.