

General Information	
Ministerial Decision Type	Miscellaneous
Report Title	Amendment to the Police Act 1997 (Criminal Records and Registration) (Jersey) Regulations 2010
Minister	Home Affairs
Signatory	Minister
Lead Department	Justice and Home Affairs (JHA)
Ministerial Decision Summary: Public or <a href="#">Absolutely/Qualified</a> Exempt	Public Select if more than one Absolutely/Qualified Exemption.
Date decision made if different to date 'Ministerial Decision Summary' signed.	Select date.
Report and Supplemental Report Details	
Report Author	Private Secretary
Date of Report	23/02/2022
Ministerial Decision Report: Public or <a href="#">Absolutely/Qualified</a> Exempt	Public Select if more than one Absolutely/Qualified Exemption.
Associated Law(s) and/or Subordinate Legislation	The Police Act 1997 (Criminal Records and Registration) (Jersey) Regulations 2010
Action required if recommendation agreed	Government of Jersey officers to inform the UK Home Office that the decision has been made. The Law Officers to continue to liaise with the Home Office and MoJ to ensure the Regulations achieve their intended effect.
Resource Implications	There are no new financial and/or manpower implications.

## Background

Criminal records certificates are issued in respect of Jersey residents by the Disclosure and Barring Service (DBS), which is based in the UK.

The UK Home Office has consulted with the Government of Jersey regarding a reduction in fees charged by the DBS for criminal records certificates.

It is proposed to reduce the fees charged, from 6 April 2022, as follows:

- Enhanced certificate: from £40 to £38
- Standard certificate: from £23 to £18
- Basic certificate: from £23 to £18

These fees will be changed for applicants in England and Wales, and in all of the crown dependencies.

Part 5 of the Police Act 1997 was extended to Jersey by the Police Act 1997 (Criminal Records) (Jersey) Order 2010. This includes the power to make fees regulations under extended section 125 of the Police Act 1997.

The Police Act 1997 (Criminal Records and Registration) (Jersey) Regulations 2010 provide for the fees to be charged in Jersey under Regulation 3. The Regulations were last amended in 2019.

The Minister is asked to confirm whether he is content for Regulations to be drafted by the Home Office with input from the Law Officers' Department in Jersey, and made by the Secretary of State, under the powers conferred by Police Act 1997 as extended to Jersey. The Regulation will amend the Police Act 1997 (Criminal Records and Registration) (Jersey) Regulations 2010 to give effect to the fee reduction for Jersey applicants for DBS certificates.

## Recommendation

That the Minister confirm he is content for the drafting of Regulations to be taken forward and made by the Secretary of State, as described.