

STATES OF JERSEY



DRAFT STATES OF JERSEY POLICE FORCE LAW 201-

Lodged au Greffe on 16th November 2011
by the Minister for Home Affairs

STATES GREFFE



Jersey

DRAFT STATES OF JERSEY POLICE FORCE LAW 201-

European Convention on Human Rights

In accordance with the provisions of Article 16 of the Human Rights (Jersey) Law 2000 the Minister for Home Affairs has made the following statement –

In the view of the Minister for Home Affairs the provisions of the Draft States of Jersey Police Force Law 201- are compatible with the Convention Rights.

(Signed) **Senator B.I. Le Marquand**

REPORT

Unlike the Police Force (Jersey) Law 1974 (“the 1974 Law”), as currently enacted, the States of Jersey Police Force Law 201- (“the draft Law”) will only apply to the States of Jersey Police. The 1974 Law will be renamed the Honorary Police (Jersey) Law 1974 and will apply to the Honorary Police.

Part 4 of the 1974 Law established the Port Control Unit, which comprised Port Control Officers. This specific role no longer exists as, by 2000, there was only one remaining Port Control Officer who was transferred to duties within Police Headquarters. Reference to the Unit is not therefore made in the draft Law.

The draft Law will establish a Police Authority for Jersey. Following a recommendation made in the Clothier One Report (Police Services in Jersey, July 1996), the States approved the establishment of a Police Authority on 19th May 1998 (P.49/1998 – Policing of the Island). Subsequently, the Home Affairs Committee set up a ‘Shadow’ Jersey Police Authority, which operated between 2001 and 2003, to commence the process of establishing a Police Authority in law. However, by 2003 it was becoming clear that the shadow authority was foundering. The Home Affairs Committee analysed the reasons for this in a report which it published as R.C.35/2003. The principal reasons for the problems being experienced at the time were as follows –

- Insufficient application of resources to carry out the task.
- Insufficient focus on the establishment by law of a police authority.
- Taking on the mantle of a police authority without any legal foundation.
- Lack of interest in the post of JPA Chairman.
- The uncertainty in the future role of Connétables.

‘Clothier One’ had recommended that the Connétables should cease to be the heads of the Honorary Police in their parishes. In 1999 the Connétables agreed to separate the policing side of their role from the administrative side, and handed day-to-day responsibility for all policing issues to the Chefs de Police. However, whilst the Honorary Police (Jersey) Regulations 2005 made certain provisions for the Chefs de Police, it remained the case that the policing powers of the Connétables have never been removed formally. The delay in bringing forward the draft Law is due to the discussions and work that have been necessary in seeking to resolve this issue. This will be addressed by the introduction of the Connétables (Miscellaneous Provisions) (Jersey) Law 201-, which will repeal the policing functions of the Connétables, and which will be lodged by the Comité des Connétables in due course, with a view to it being debated by the States coincident with this Law.

In an effort to move this matter forward, the previous 2 Ministers decided to follow the template provided by the Gibraltar Ordinance for the establishment of a police authority in a small jurisdiction and that, for the time being, the provisions would not include the Honorary Police. They had been attracted to this model following discussions at an Offshore Policing Forum in Gibraltar with Her Majesty’s Inspector of Constabulary. Consequently, similar provisions to that ordinance were included at Articles 3 to 6 and 17 and 18 in the Draft Police Force (States) (Jersey) Law 200-. However, the Chief Officer of Home Affairs then carried out a detailed review of the

provisions and advised the then Minister that the Gibraltar provisions could not be read across directly to Jersey given the absence of a Home Department in Gibraltar and the enhanced powers of their Governor.

Following consultation on the Draft Police Force (States) (Jersey) Law 200- in mid-2008, further criticisms of the Police Authority provisions were made, including some arising from an Education and Home Affairs Scrutiny Panel Hearing. The consensus was that the provisions, as drafted, still did not make it clear what the Police Authority was responsible for precisely, and where the division of responsibility would lie between the Authority and the Minister for Home Affairs. It was felt that the draft Law was too weak in relation to oversight of the States of Jersey Police.

In late December 2009, the Minister for Home Affairs requested the Chief Officer of Home Affairs to prepare a report in relation to the creation of an Independent Jersey Police Authority. He worked in consultation with the Acting Chief Officer of the States of Jersey Police and the report was produced in March 2010.

On 23rd March 2010 the States approved Senator Breckon's proposition (P.23/2010 – Independent Jersey Police Authority: establishment):

“to request the Minister for Home Affairs to present to the States for approval no later than December 2010 detailed proposals for the establishment of an Independent Jersey Police Authority to oversee the work of the States of Jersey Police.”

The Minister for Home Affairs welcomed the Senator's Proposition and, in his comments thereon (P.23/2010 Com.(2)), set out his initial views on the need to strike a fine balance in terms of the strength of the Police Authority.

In January 2010 the Minister for Home Affairs had established a Consultative Group, comprising 6 members of the States who have a particular interest in matters relating to policing, to look at the issue. The Group met on a number of occasions, and identified the principles that they felt should underlie the establishment of an independent Police Authority. The principles were as follows –

- (i) The Minister for Home Affairs would retain the responsibility for setting policy in respect of key aims and objectives, on advice from the Police Authority. The role of the Police Authority would be to oversee the implementation of that policy.
- (ii) There was a need to safeguard the operational freedom of the States of Jersey Police, but with the Minister or the Police Authority having the right to make enquiries and to seek a report from the Chief Officer of Police in relation to the manner in which any operation is being conducted.
- (iii) The Minister for Home Affairs may set management policies for the States of Jersey Police Force in areas which may impact on the reputation or image of the States of Jersey Police Force or the Island of Jersey.
- (iv) The Police Authority would consist of 7 people with a Chairperson, 2 States Members and 4 lay members.
- (v) The budget for the Police Authority would come from within the Home Affairs Department budget, but would need to be far more moderate than that which was normal in the UK.

On 21st December 2010, the Minister for Home Affairs lodged P.192/2010, which set out formally the principles that should apply to the establishment of a Police Authority in Jersey and the roles to be played by the Minister for Home Affairs, the Police Authority and the Chief Officer, States of Jersey Police. The Minister also undertook to bring forward for approval the necessary draft legislation to include those provisions.

As mentioned above, the draft Law establishes the Jersey Police Authority and sets out its duties (Article 4). This links with principle (i) above. The membership of the Authority is set out in Article 5 of the draft Law. Principle (iv), agreed by the Consultative Group, was that there should be 7 members of the Authority. The draft Law allows for flexibility in the number of members and provides that the Authority should consist of a minimum of 5 and a maximum of 7 members; this recognises that there may be a period of time where a member, or members, have left and a recruitment process is being undertaken to replace them.

The Appointments Commission will be consulted in relation to the appointment of the members of the Police Authority who are not elected members of the States. The recruitment process will follow the guidance set out in the Commission's Code of Practice for Appointments to Autonomous and Quasi-Autonomous public bodies and tribunals.

Having consulted with the Chief Officer, States of Jersey Police, the Police Authority will draw up an Annual Policing Plan each year before 1st December in respect of the following financial year. The Plan will set out the aims and objectives for the Force for the following year. The Minister is able to amend the Plan, having consulted with the Police Authority and the Chief Officer, States of Jersey Police; he will then present it to the States (Article 19). It is intended that the Minister will be able to present the Plan to the States before the end of the year in which it has been received from the Police Authority.

The Police Authority will also be responsible for compiling an Annual Policing Report within 3 months of the end of the previous financial year. The Report will set out the way in which the provisions of the Annual Policing Plan have been addressed by the Force and will review the performance of the Force. The Minister will be responsible for placing the Report before the States, but is not able to amend the Annual Policing Report (Article 20). The Annual Policing Report will replace the current Annual Performance Report.

The functions of the Minister in relation to the States of Jersey Police and the Police Authority are set out in the draft Law (Article 3). The draft Law gives the Minister overall and ultimate responsibility for the functioning of the States of Jersey Police Force. It also makes the Minister responsible for ensuring that the Police Authority carries out its functions effectively. Further, it provides that the Minister shall set policies in relation to the key aims and objectives of the States of Jersey Police Force and the Force's management policies in areas which may impact on the Force's reputation or the reputation of Jersey and its people, having consulted with the Police Authority. These are new provisions and link in with principles (i) and (iii) above.

The 1974 Law provided that the Chief Officer of the States of Jersey Police was appointed by the States. However, it is felt that the States involvement in the process of appointing and disciplining the Chief Officer of the States of Jersey Police may overly politicise that post. The draft Law enables the States to make Regulations in relation to the appointment of the Chief Officer and Deputy Chief Officer of the States

of Jersey Police (Article 9). The Regulations may include who may make the appointments, who may determine the periods of the appointments, who may determine terms and conditions, issues relating to suspension or dismissal from office and disciplinary arrangements. For these purposes, the Regulations may impose functions or confer powers on a number of bodies including the States Assembly, the Minister, the States Employment Board and the Royal Court.

The draft Law enables a police officer to make a solemn affirmation, rather than taking the oath of office (Article 15). This is a new introduction, as the 1974 Law only included an oath of office.

The Home Affairs Department is in a unique position in that it is the only department of the States which has 2 Chief Officers who are members of the Corporate Management Board: the Chief Officer of Home Affairs and the Chief Officer of the States of Jersey Police. Under Article 9(3) of the Police Force (Jersey) Law 1974, the Police Chief is legally responsible to the Minister for Home Affairs. The Chief Officer of Home Affairs has no similar legislative responsibility but, clearly, is answerable to the Minister by virtue of his position. Because of these relationships, both Chief Officers occupy an equal position. The Police Chief is solely responsible for the operation of the States of Jersey Police and the Chief Officer of Home Affairs plays no part therein. The only exception to this division of responsibility is in the area of finance, because the Chief Officer of Home Affairs is the accounting officer for the whole of the Home Affairs area, including the States of Jersey Police. Since the advent of Ministerial Government and the introduction of the Public Finances (Jersey) Law 2005, this system operated successfully, but the Historical Child Abuse Enquiry (HCAE) exposed certain weaknesses in the financial management framework. In his report into the HCAE under the Public Finances (Jersey) Law 2005, the Comptroller and Auditor General opined: *“these events highlight a difficulty faced by the Chief Officer of the Home Affairs Department. As Accounting Officer for the Department and thus, in effect, for the services for which the Department is responsible, he is personally accountable for those services’ expenditure. He is thus personally accountable for expenditure by the States of Jersey Police. However, the Department’s Chief Officer is constrained from issuing instructions to the Chief of Police on operational matters in the interest of preserving the operational independence of the States of Jersey Police. Indeed, the Chief of Police reports directly to the Minister for Home Affairs and not to the Chief Officer. The effect is that the Department’s Chief Officer is denied the means which he might satisfy himself that appropriate financial controls have been instituted within the States of Jersey Police as one would normally expect an Accounting Officer to do.”* Because of the introduction of the draft Law, it is considered opportune to address this difficulty by making the Chief Officer of the States of Jersey Police the sole accounting officer of the States Police Force (Article 17(5)). For practical purposes, however, the transfer to the new accounting officer arrangements is planned to take place on 1st January 2012 in advance of the new Law coming into force.

The accountability of the Chief Officer of the States of Jersey Police, is set out in Article 18 of the draft Law. It establishes the reporting lines from the Chief Officer to the Minister and/or the Police Authority in relation to his/her functions and enables the Police Authority or the Minister to advise or provide a report on any policing matter. This links to principles (i) and (ii) agreed by the Consultative Group. Importantly, at sub-paragraph (6) of this Article, the need for the Minister and the Police Authority to have regard to the operational independence of the States of Jersey Police Force is emphasized. This is a core issue, but it is acknowledged that it will not always be easy

to get the correct balance, particularly when operations are ongoing. There is a fine line between a strictly operational matter and something which may become a significant issue and require ministerial involvement or the involvement of the Police Authority.

Under the draft Law, the Chief Officer of the States of Jersey Police will continue to be liable in respect of any torts committed by police officers whilst they are performing their functions as police officers (Article 25).

Article 7 of the 1974 Law currently requires the Chief Officer to inform a Connétable as soon as may be, of any occurrence in the Parish that required action by the States Police and of any investigations being conducted by the States Police in the Connétable's Parish. In turn, the Connétable must inform the Chief Officer of similar information. The draft Law (Article 21) provides that the Chief Officer of the States of Jersey Police and the Attorney General (as titular head of the Honorary Police) must establish appropriate arrangements for working in partnership and exchanging information. This effectively formalises the Memorandum of Understanding which is in place between the Honorary and States of Jersey Police. One of the responsibilities of the Comité des Chefs de Police, under the Honorary Police (Jersey) Regulations, 2005, is to promote consistency in operational practice between the Honorary Police of each Parish. Accordingly, the Comité des Chefs and the Comité des Connétables have to be consulted by the Chief Officer, States of Jersey Police and the Attorney General before establishing the formal arrangements.

In cases where the Chief Officer of the States of Jersey Police feels that the States of Jersey Police needs assistance to meet a special demand on its resources, and having obtained the approval of the Minister, he/she can request assistance from another police force in the British Islands. The States of Jersey Police had this ability under the 1974 Law (Article 3(5)). However, the draft Law goes slightly further, in that it allows the Chief Officer of the States of Jersey Police, to call on the resources of another 'law enforcement agency' (for example, the Serious Organised Crime Agency) in addition to another police force (Article 22).

The draft Law also includes the provision, at Article 23, for the States of Jersey Police to reciprocate and provide assistance to another police force within the British Isles if that force needs to meet a special demand on its resources. This provision was not contained within the 1974 Law and it only applies to providing assistance to other police forces and not to other law enforcement agencies.

The draft Law introduces the facility for the Chief Officer of the States of Jersey Police to make charges for the provision of police services, having sought the approval of the Minister (Article 24). The conditions and circumstances in which a charge could be made will be set out in Regulations, which will require the approval of the States Assembly. This is in line with the provisions of the Act of the States of 24th June 2003, where it was agreed that no new 'user pays' charges should be introduced without to prior approval of the States. It is also in line with Financial Direction 4.1 of the States of Jersey relating to increases in States fees and charges. If approved by the States, the levying of a charge under the Regulations would be discretionary.

The draft Law enables the States, by Regulations, to make provisions for States employees to carry out those functions of a police officer that are specified in the Regulations. These Regulations must include that the Minister will designate States employees, in writing, to carry out such functions of a police officer as may be specified; must specify the conditions which must be met and must make provision

relating to the way in which complaints against, or misconduct by, a States employee will be dealt with whilst they are carrying out the functions of a police officer (Article 26). Further, at Article 27 of the draft Law, the Chief Officer would be able to enter into agreement with contractors for the performance of services which are usually undertaken by police officers. Any such agreement will be governed by Regulations to be placed before the States, which clearly indicate the parameters within which the contractors would operate.

The purpose of these 2 Articles is to afford flexibility to the States of Jersey Police in that it enables them to outsource certain roles. As an example, as part of the CSR process, the States of Jersey Police are considering whether there is merit in outsourcing the transportation of prisoners between custodial facilities. Many police forces in the UK have outsourced prisoner transportation and some elements of custody to private firms.

The wording of Articles 29 and 30 of the draft Law, which deal with offences, namely, impersonation of a police officer and wasting police time, is almost identical to the wording of the same offences in the 1974 Law. The difference, however, is in the level of fine that may be levied against anyone convicted of the offence. In the 1974 Law, the level of fine was expressed as a set amount; for example £200 for wasting police time. In the draft Law, the fine is expressed by reference to the standard scale, which is set out in the Schedule to the Criminal Justice (Standard Scale of Fines) (Jersey) Law 1993. For the offence of wasting police time, a person is liable to a fine of level 4 on the standard scale, which currently equates to £5,000, and to a period of imprisonment of up to 6 months. The offence of impersonating a police officer attracts the same penalty. The tariff reflects the seriousness of these particular offences.

The introduction of the draft Law will amend various other enactments, which are set out in the Schedule to the Law. The principal change is to the 1974 Law which, as set out above, will have various parts repealed and changes made to the effect that it will relate solely to the Honorary Police once the draft Law comes into force. A copy of the Honorary Police Force (Jersey) Law 1974, as it will look once amended by the draft Law, is **attached** as an **Appendix** to this report.

The draft Law introduces a new Article 1, Interpretation, which states, inter alia, that references in the 1974 Law to “police officer” mean a member of the Honorary Police.

The draft Law repeals paragraph (5) of Article 3 of the 1974 Law. This relates to the Minister making agreements with other police forces in the British Islands to put members of that force at the disposal of the States of Jersey Police Force. This does not relate to the Honorary Police, so is no longer required in the 1974 Law and, as detailed above, is covered by Article 22 of the draft Law. Article 5A of the 1974 Law deals with the Honorary Police requesting or giving assistance between parishes.

The draft Law also repeals Articles 6 and 7 of the 1974 Law. Article 6 of the 1974 relates to prescribed offences, and stipulates that where a member of the Honorary Police on investigating any occurrence has cause to believe that any prescribed offence has been or is about to be committed, they must immediately request the assistance of the States of Jersey Police Force. Prescribed offences are those common law and statutory offences that are set out in the Schedule to the Police Force (Prescribed Offences) (Jersey) Order 1974.

As detailed earlier, Article 7 of the 1974 Law relates to the Chief Officer of the States of Jersey Police informing a Connétable of any occurrence in his/her parish which

required action by the States of Jersey Police Force and of any investigations being conducted by the States of Jersey Police Force in the Connétable's parish. It also puts a similar obligation on the Connétable, to inform the Chief Officer States of Jersey Police of any non-trivial occurrence that had taken place in the parish and which required action by the Honorary Police. These exchanges will now be covered by Article 21 of the draft Law, which provides that the Chief Officer of the States of Jersey Police and the Attorney General (as titular head of the Honorary Police) must establish appropriate arrangements for working in partnership and exchanging information; thereby effectively formalising the Memorandum of Understanding which is in place between the Honorary and States of Jersey Police.

The draft Law repeals Parts 3 and 4 of the 1974 Law. Part 3 relates to the States of Jersey Police Force and Part 4 to the Port Control Unit, which no longer exists.

The draft Law repeals Article 21 of the 1974 Law. This relates to remedies against members of the States of Jersey Police Force and Port Control Officers and does not relate to the Honorary Police.

The draft Law amends Article 23 of the 1974 Law, relating to impersonation, etc. of a police officer (Honorary Police Officer). In the current 1974 Law, the level of fine that these offences attract is given as a set amount. The draft Law amends the Article so that the fine is expressed by reference to the standard scale, which is set out in the Schedule to the Criminal Justice (Standard Scale of Fines) (Jersey) Law 1993. For the offence of impersonating an Honorary Police officer, a person is liable to a fine of level 4 on the standard scale, which currently equates to £5,000, and to a period of imprisonment of up to 6 months. The tariff reflects the seriousness of this offence. Wearing any article of police uniform with intent to deceive attracts a fine of level 3 on the standard scale (£2,000); and unlawful possession of an article of police uniform attracts a fine of level 2 on the standard scale (£500).

The draft Law also amends Article 24, to the effect that it now only relates to wasting Honorary Police time. Again, as with the amendment to Article 23, the penalty is expressed by reference to the standard scale. This offence attracts a fine of level 4 on the standard scale (£5,000) and a period of imprisonment of 6 months.

The draft Law repeals Article 25 (Oath of Office), Article 26 (Restriction on taking other employment) and Article 27 (Associations) of the 1974 Law, which relate to members of the States of Jersey Police Force and Port Control officers and not to members of the Honorary Police.

It further repeals Article 28, which enables the Minister for Home Affairs to make Orders for any matter prescribed by the 1974 Law; and Article 29, which provides that the Attorney General and Solicitor General shall be entitled to attend, in a consultative capacity, any meeting of the Minister at which a matter arising under the 1974 Law is to be considered.

Owing to the time taken to bring this draft Law before the States, there has been further consultation with the Comité des Connétables, Comité des Chefs de Police and the Police Association, in order to re-validate those provisions in which they have an interest. As a result, a number of improvements have been made to the draft Law and most of the suggested changes have been accommodated. In particular, the Comités' comments gave greater clarity to Article 16 (duties and powers of police officers) and Article 29 (impersonation of police officer). However, in Article 21 and having consulted the Attorney General as titular head of the Honorary Police, it was felt impractical to add a further provision that the prior agreement of the Comités should

be obtained before establishing arrangements for the exchange of information and partnership working. Both Comités will, of course, be consulted fully on these issues.

Financial and manpower implications

The financial and manpower implications associated with the draft Law relate, primarily, to the establishment of a Police Authority for Jersey. Provision has been made for funding the establishment of the Authority within the Home Affairs growth bids for 2012 in the sum of £100,000 per annum. This figure is an estimate based on the likely requirements for rented office space and part-time administrative support for the Authority. It is intended that members of the Authority will carry out the work on an honorary basis, although they would be able to claim expenses.

European Convention on Human Rights

Article 16 of the Human Rights (Jersey) Law 2000 requires the Minister in charge of a Projet de Loi to make a statement about the compatibility of the provisions of the Projet with the Convention rights (as defined by Article 1 of the Law). On 14th November 2011 the Minister for Home Affairs made the following statement before Second Reading of this Projet in the States Assembly –

In the view of the Minister for Home Affairs the provisions of the Draft States of Jersey Police Force Law 201- are compatible with the Convention Rights.

draft

**HONORARY POLICE (JERSEY)
LAW 1974**

**AS AMENDED BY STATES OF JERSEY
POLICE FORCE LAW 201-**

(Amendments marked in bold or, in the case of titles, in upper case)



Jersey

HONORARY POLICE (JERSEY) LAW 1974

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HONORARY POLICE (JERSEY) LAW 1974

A LAW to make provision for the Honorary Police, and for related purposes.

Commencement

PART 1 GENERAL

1 Interpretation

In this Law, unless the context otherwise requires –

‘designated Customs custody facility’ means any place that may be used for the purpose of detaining arrested persons, by the Agent of the Impôts or any officer of the Impôts, by virtue of the application of Article 33 of the Police Procedures and Criminal Evidence (Jersey) Law 2003 by an Order made under Article 107 of that Law;

‘Force’ means the States of Jersey Police Force;

‘Minister’ means the Minister for Home Affairs;

‘police officer’ means a member of the Honorary Police;

‘prescribed’ means prescribed by Order.

2 Duty of police officer

It shall be the duty of a police officer to the best of his or her power to cause the peace to be kept and preserved and prevent offences, whether under customary law or statutory law, against the person and property of Her Majesty’s subjects and to take all such lawful measures as may be necessary for the purposes of bringing offenders with all due speed to justice.

3 Power of police officer

- (1) Where a police officer with reasonable cause suspects that any person has committed, is committing or is about to commit, an offence the police officer may arrest that person.

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- (2) There shall be expressly reserved to a Connétable and a Centenier the powers of –
 - (a) the customary right of search;
 - (b) the granting of bail to any person;
 - (c) the formal charging of any person with an offence, without prejudice to the customary powers of the Attorney General in the prosecution of offences.
- (3) Subject to the provisions of paragraph (2), a police officer shall have all other powers and privileges relating to policing which a Connétable or Centenier has by virtue of the common law or of any enactment for the time being in force.
- (4) Where a Connétable or, in the Connétable's absence, a Centenier declines to charge any person, the Attorney General may give such directions to such persons as the Attorney General thinks appropriate.

[paragraph (5) repealed]

PART 2

COMPOSITION AND JURISDICTION

4 Composition of Honorary Police

- (1) The Honorary Police shall comprise, as hitherto, one Connétable for each parish in Jersey and such number of Centeniers, Vingteniers and Constable's Officers for each parish or Vingtaine as the States shall specify by law.
- (2) Except as provided in the Centeniers (Terms of Office) (Jersey) Law 2007 and the Connétables (Jersey) Law 2008, members of the Honorary Police shall continue to be elected in the manner specified prior to the coming into force of this Law.
- (3) Subject to paragraph (4), the Honorary Police shall be under the general supervision of the Attorney General.
- (4) The States may make Regulations as to the administration and conditions of service of members of the Honorary Police and in particular, but without prejudice to the generality of the foregoing, as to the qualifications for election, and the retirement of members of the Honorary Police.

5 Jurisdiction

- (1) A member of the Honorary Police of a parish shall be empowered to act within the territorial limits of that parish.
- (2) For the purposes of paragraph (1), the territorial limits of a parish include –
 - (a) the headquarters for the time being of the Force;
 - (b) any police station for the time being used by the Force;
 - (c) any designated Customs custody facility;
 - (d) any building for the time being designated by the States as a place for use by the Magistrate's Court;
 - (e) the General Hospital;
 - (f) the prison (as defined in the Prison (Jersey) Law 1957).

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- (3) A member of the Honorary Police of a parish shall also be empowered –
 - (a) to pursue into any other parish and there arrest any person who has committed, or whom the member of the Honorary Police has reasonable cause to suspect of having committed, or of having been about to commit, any offence; and
 - (b) to continue investigations into any matter in any other parish, where those investigations started in the parish for which he or she is such a member.
- (4) A member of the Honorary Police of a parish shall also be empowered to exercise the powers of a member of the Honorary Police of another parish if the member, whilst in that other parish –
 - (a) encounters a person whom the member reasonably believes is in the act of committing an offence against another person or against another person's property or to have just committed such an offence; or
 - (b) is at the scene of an incident and reasonably believes that the immediate exercise of those powers is necessary in the interests of public order or safety.
- (5) A member of the Honorary Police who decides to exercise the powers conferred by paragraph (4) shall inform the Connétable or a Centenier of the parish in which the powers are to be exercised –
 - (a) before acting upon that decision or,
 - (b) where it is not practicable to do so before so acting, as soon as possible afterwards.

5A Requests for assistance

- (1) The Connétable or a Centenier of a parish (the 'requesting parish') may request the Connétable or a Centenier of another parish (the 'assisting parish') to place at the disposal of the requesting parish members of the Honorary Police of the assisting parish, for the purpose of meeting any policing need in the requesting parish.
- (2) A Centenier of a requesting parish shall, no later than 24 hours after he or she has made a request under paragraph (1), inform the Connétable and (unless the Centenier is the Chef de Police) the Chef de Police of the requesting parish.
- (3) A Centenier of an assisting parish who accedes to a request under paragraph (1) shall, no later than 24 hours after doing so, inform the Connétable and (unless the Centenier is the Chef de Police) the Chef de Police of the assisting parish.
- (4) A member of the Honorary Police of an assisting parish shall, from the time when he or she is placed at the disposal of a requesting parish to the time when he or she is ordered to stand down, have all the powers and duties of a member of the Honorary Police of the requesting parish.
- (5) The Connétable or a Centenier of an assisting parish may, at any time when a member of the Honorary Police of that parish is placed at the disposal of a requesting parish, request the Connétable or the Chef de Police of the requesting parish to order the member to stand down.
- (6) A Connétable or Chef de Police shall comply with a request made under paragraph (5) as soon as is practicable.

- (7) The Connétable or Chef de Police of a requesting parish may order a member of the Honorary Police who has been placed at the disposal of the requesting parish to stand down before the policing need is fully met.
- (8) A Connétable or Chef de Police who orders a member of the Honorary Police to stand down under paragraph (7) shall, no later than 24 hours after doing so, inform the Connétable or Chef de Police of the assisting parish of the order.

[Articles 6 and 7, Parts 3 and 4 repealed]

PART 5 MISCELLANEOUS

20 Property in possession of HONORARY Police

- (1) The States may make Regulations for the disposal of property which has come into the possession of a police officer in cases where the owner of the property cannot be ascertained or found.
- (2) Without prejudice to the generality of paragraph (1), any such Regulations may include a power to dispose of such property by sale and for the proceeds of such sale to be credited to such account as the Regulations may specify.

[Article 21 repealed]

22 Remedies against members of the Honorary Police

- (1) The Connétable of each parish shall be liable in respect of torts committed by members of the Honorary Police of the Connétable's parish in performance or purported performance of their functions in the same manner as a master is liable in respect of torts committed by the master's servants in the course of their employment, and shall in respect of any such tort be treated for all purposes as a joint tortfeasor.
- (2) There shall be paid out of funds provided by each parish –
 - (a) any damages or costs awarded against the Connétable of the parish in any proceedings brought against the Connétable by virtue of this Article and any costs incurred by the Connétable in any such proceedings so far as not recovered by the Connétable in the proceedings; and
 - (b) any sum required in connection with the settlement of any claim made against the Connétable of the parish by virtue of this Article if the settlement is approved by the Procureurs du Bien Public of the parish.
- (3) Any proceedings in respect of a claim made by virtue of this Article shall be brought against the Connétable for the time being or, in the case of a vacancy in that office, against the senior officer of the Honorary Police of the parish; and references in paragraphs (1) and (2) to the Connétable shall be construed accordingly.
- (4) A parish may, in such cases and to such extent as the Parish Assembly shall think fit, pay any damages or costs awarded against a member of the Honorary Police of that parish, in proceedings for a tort committed by the member of the Honorary Police, any costs incurred and not recovered by the member in such proceedings, and any

sum required in connection with the settlement of any claim that has or might have given rise to such proceedings; and any sum required for making a payment under this paragraph shall be paid out of funds provided by that parish.

- (5) In this Article –
- (a) any reference to a member of the Honorary Police of a parish includes a reference to a member of the Honorary Police of another parish whilst he or she is placed at the disposal of the first-mentioned parish pursuant to Article 5A; and
 - (b) any reference to a tort committed by a member of the Honorary Police of a parish includes, where the member of the Honorary Police is acting as described in sub-paragraph (a), a reference to a tort committed by that member whilst so acting.

23 Impersonation etc. of police officer

- (1) Any person who with intent to deceive impersonates a police officer, or makes any statement or does any act calculated falsely to suggest that the person is a police officer, shall be guilty of an offence and **liable to imprisonment for 6 months and to a fine of level 4 on the standard scale.**
- (2) Any person who, not being a police officer, wears any article of police uniform in circumstances where it gives the person an appearance so nearly resembling that of a police officer as to be calculated to deceive, shall be guilty of an offence and **liable to a fine of level 3 on the standard scale.**
- (3) Any person who, not being a police officer, has in his or her possession any article of police uniform shall, unless the person proves that he or she obtained possession of that article lawfully and has possession of it for a lawful purpose, be guilty of an offence and **liable to a fine of level 2 on the standard scale.**
- (4) In this Article “article of police uniform” means any article of uniform or any distinctive badge or mark or document of identification usually issued to a police officer or anything having the appearance of such an article, badge, mark or document.
- (5) In this Article –
 - (a) paragraph (2) does not apply to an article of police uniform worn by a person in the exercise of his or her functions as a member of the Force; and
 - (b) paragraph (3) does not apply to an article of police uniform which is in the possession of a person for the purposes only of his or her functions as a member of the Force.

24 Wasting HONORARY Police time

- (1) Any person who causes any wasteful employment of the Honorary Police by knowingly making to any person a false report tending –
 - (a) to show that any offence has been committed;
 - (b) to give rise to apprehension for the safety of any persons or property; or

(c) tending to show that the person has information material to any inquiry by the **Honorary Police**,

shall be guilty of an offence and liable to imprisonment for 6 months and to a fine of level 4 on the standard scale.

(2) No proceedings shall be instituted for an offence under this Article except by or with the consent of the Attorney General.

[Articles 25, 26, 27, 28 and 29 repealed.]

30 Citation

This Law may be cited as the **Honorary Police Force (Jersey) Law 1974**.

Explanatory Note

This Law will provide for the administration and supervision of the States of Jersey Police Force, leaving the Police Force (Jersey) Law 1974 (renamed the Honorary Police (Jersey) Law 1974) to provide for the Honorary Police.

Article 1 defines certain terms used in the Law.

Article 2 continues the present States of Jersey Police Force, (referred to in the draft Law as the “States Police Force” or “Force”).

Article 3 provides that the Minister has overall and ultimate responsibility for the functioning of the States Police Force and is responsible for ensuring the Police Authority carries out its functions effectively. The Article requires the Minister to set specified policies and to determine the ranks and numbers of police officers.

Article 4 establishes the Jersey Police Authority (“Police Authority”) and sets out its functions. Those functions include ensuring that the States Police Force is efficient and effective, delivers key aims and objectives set out in policies set by the Minister under Article 3 and acts in accordance with any management policies set by the Minister under Article 3.

Article 5 provides for membership of the Police Authority. The Police Authority shall consist of not less than 5 and not more than 7 members. These comprise a Chairman appointed by the Minister; up to 4 members (other than elected States members) appointed by the Minister and Chairman and 2 elected States members, appointed by the States.

Article 6 provides for meetings of the Police Authority. A majority of members is a quorum and matters must be decided by a majority voting. Apart from matters specified in the draft Law, the Police Authority may determine its own procedures.

Article 7 sets out the powers of the Minister in respect of the Police Authority. The Minister can direct the Police Authority to report to the Minister on any matter relating to the States Police Force or require the Force to be inspected by a suitably qualified person.

Article 8 provides for the States Police Force to have a Chief Officer and a Deputy Chief Officer.

Article 9 enables the States to make Regulations setting out the manner in which the Chief Officer and the Deputy Chief Officer may be appointed including who may make such appointments and who may determine their terms and conditions of appointment, including terms relating to disciplinary matters. For this purpose functions may be imposed on a number of specified bodies, including the Minister, the States Employment Board, the Appointments Commission, the Police Authority and the Police Complaints Authority.

Article 10 enables the Minister, by Order, to make provision for the appointment of other police officers, including their promotion, suspension and dismissal. Functions relating to such matters may be imposed on the States Employment Board, the Appointments Commission and the Police Authority.

Article 11 provides for the terms and conditions relating to leave, pay and hours of police officers, other than the Chief Officer and Deputy Chief Officer, to be determined by the States Employment Board. (“Terms and conditions” for this purpose are defined in *Article 1*.) The States may designate a body to negotiate with the States Employment Board as to such terms and conditions and to make non-binding recommendations to the Board. The transitional provisions given effect to by *Article 32* and *Schedule 2* provide for the Police Negotiating Board to continue as if it were a body designated under Article 11.

Article 12 permits the establishment by police officers of an association to represent them in connection with their welfare and efficiency. Police officers are prohibited from becoming members of a union which seeks to influence terms and conditions of employment. The transitional provisions given effect to by *Article 32* and *Schedule 2* provide for the States of Jersey Police Association to continue as if it were an association established under Article 12.

Article 13 provides for the Minister to make general Orders for the governance and administration of the States Police Force, including provision for matters related to performance standards and use of clothing and equipment.

Article 14 prohibits police officers from engaging in any other undertaking, trade, profession, occupation or employment except with the approval of the Chief Officer, or, in the case of the Chief Officer, the Minister.

Article 15 sets out the oath or affirmation of office a police officer must take.

Article 16 sets out the functions of a police officer including the power of arrest. With the exception of the power to formally charge a person, a police officer has all the powers and privileges relating to policing of a Connétable and a Centenier.

Article 17 sets out the functions of the Chief Officer. The Chief Officer is responsible for the command, direction and control of the States Police Force. The Chief Officer is a corporation sole and, in that capacity, can enter into agreements, hold property, sue and be sued in civil proceedings and be charged with a criminal offence.

Article 18 provides that the Chief Officer is accountable to the Minister. The Chief Officer can be required to provide a report on any policing matter if required to do so by the Minister or by the Police Authority.

Article 19 requires the Police Authority to prepare an Annual Policing Plan for the States Police Force. The Minister may amend the plan after consultation with the Police Authority and the Chief Officer and must lay the approved plan before the States.

Article 20 requires the Police Authority to prepare an Annual Policing Report on the way in which the Annual Policing Plan has been addressed and on the performance of the States Police Force generally. The Minister must lay the Report before the States.

Article 21 requires the Chief Officer and the Attorney General to establish appropriate working arrangements with the Honorary Police after consultation with the Comité des Connétables and the Comité des Chefs de Police.

Article 22 allows the Chief Officer, with the Minister’s approval, to seek assistance from another police force or law enforcement agency in the British Islands.

Article 23 allows the Chief Officer, with the Minister's approval, to provide assistance to another police force in the British Islands.

Article 24 allows the Chief Officer, with the Minister's approval, to charge for the provision of police services in such circumstances and such conditions as are set out in Regulations.

Article 25 makes the Chief Officer liable for the civil misdemeanours (torts) of police officers as if he or she were their employer.

Article 26 provides that the States may, by Regulations make provision for specified functions of police officers to be undertaken by States' employees. Such Regulations must provide for the Minister to designate States' employees to undertake such functions as the Minister may specify in accordance with the Regulations. The Minister must also specify whether an employee exercising such a function is under the control of the Chief Officer or under the control of some other person or body.

Article 27 enables the States, by Regulations, to make provision to allow the Chief Officer to enter into an agreement for contractors to perform the functions of police officers.

Article 28 enables the Minister, by Order, to make provision for how lost property that has come into the possession of the Chief Officer is dealt with.

Article 29 makes it an offence to impersonate a police officer or to possess an article of police uniform unless such possession is lawful and for a lawful purpose. A person guilty of an offence of impersonation is liable to a maximum term of imprisonment of 6 months and to a fine of level 4 on the standard scale. A person who wears an article of police uniform with intent to deceive is liable to a maximum fine of level 3 on the standard scale. The offence of possession of an article of police uniform carries a maximum fine of level 2 on the standard scale. (See end of this Explanatory Note for the levels on the standard scale.) "Police uniform" is defined to include uniform which has the appearance of being police form.

Article 30 makes it an offence to waste police time, that is, by giving a false report tending to show that, for example, an offence has been committed. A person guilty of such an offence is liable to a maximum term of imprisonment of 6 months and to a maximum fine of level 4 on the standard scale. (See end of this note for the levels on the standard scale.)

Article 31 provides for consequential amendments to other legislation (the amendments are set out in *Schedule 1*). In particular, the Police Force (Jersey) Law 1974 is amended to remove provisions relating to the States Police Force. A number of enactments are amended to remove definitions of police officer that refer to the Police Force (Jersey) Law 1974. Such definitions currently refer to a member of the Honorary Police or a member of the States of Jersey Police Force. Instead, the interpretation of "police officer" in such enactments will rely on the definition in the Schedule to the Interpretation (Jersey) Law 1954 which refers to a member of the Honorary Police or a member of the States of Jersey Police Force.

Article 32 provides for transitional provisions (the provisions are set out in *Schedule 2*). They make provision for the Chief Officer, Deputy Chief Officer and police officers in office immediately before the relevant Articles in the draft Law come into effect to continue in office as if they had been appointed to those offices under the Law. As explained above, the transitional provisions also provide for the Police Negotiating Board to continue as if it were a body designated under Article 11

and for the States of Jersey Police Association to continue as if it were an association established under Article 12.

Article 33 is a general provision relating to the making of Regulations and Orders.

Article 34 set out the name of the draft Law and provides that it will come into force by Appointed Day Act.

Under the Criminal Justice (Standard Scale of Fines) (Jersey) Law 1993, the standard scale of fines is –

Level 1	£50
Level 2	£500
Level 3	£2,000
Level 4	£5,000.



Jersey

DRAFT STATES OF JERSEY POLICE FORCE LAW 201-

Arrangement

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Jersey

DRAFT STATES OF JERSEY POLICE FORCE LAW 201-

A **LAW** to provide for the administration and supervision of the States of Jersey Police Force, the establishment of a Jersey Police Authority and for connected purposes.

Adopted by the States [date to be inserted]

Sanctioned by Order of Her Majesty in Council [date to be inserted]

Registered by the Royal Court [date to be inserted]

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law –

Interpretation

1 Interpretation

In this Law, unless the context otherwise requires –

“Annual Policing Plan” shall be construed in accordance with Article 19;

“Appointments Commission” means the Jersey Appointments Commission established under Article 17 of the Employment of States of Jersey Employees (Jersey) Law 2005¹;

“Chief Officer” means the Chief Officer of the States Police Force;

“Deputy Chief Officer” means the Deputy Chief Officer of the States Police Force;

“financial year” has the same meaning as in the Public Finances (Jersey) Law 2005²;

“functions” includes powers and duties;

“member of the States” has the same meaning as in the States of Jersey Law 2005³;

“Minister” means the Minister for Home Affairs;

“Police Authority” means the Jersey Police Authority established under Article 4;

“police officer” means a police officer in the States Police Force;

“States Employment Board” means the States Employment Board established under Article 4 of the Employment of States of Jersey Employees (Jersey) Law 2005⁴;

“States Police Force” or “Force” means the States of Jersey Police Force continued in being by Article 2;

“terms and conditions of appointment”, in respect of a police officer, means the officer’s –

- (a) periods of leave of absence (whether by way of annual leave or otherwise) and leave on medical grounds (including pay and allowances while on such leave);
- (b) scale of pay, allowances, gratuities and expenses; and
- (c) hours of duty.

States of Jersey Police Force

2 States of Jersey Police Force

The States of Jersey Police Force continues as a police force.

Minister’s functions

3 Functions of Minister

- (1) The Minister has overall and ultimate responsibility for the functioning of the States Police Force.
- (2) The Minister shall be responsible for ensuring that the Police Authority carries out its functions listed in Article 4 effectively.
- (3) The Minister, after consulting the Police Authority –
 - (a) must set policies in relation to the key aims and objectives of the States Police Force;
 - (b) may set management policies of the States Police Force in areas which may impact on the Force’s reputation or image or on the reputation of Jersey and its people.
- (4) The Minister must, after consulting the Chief Officer, determine –
 - (a) the ranks in the States Police Force; and
 - (b) the number of police officers that may be appointed to each rank.

*Jersey Police Authority***4 Jersey Police Authority**

- (1) There is established a body, named the Jersey Police Authority, that has the duty of ensuring that the States Police Force –
 - (a) is an efficient and effective police force;
 - (b) delivers the key aims and objectives referred to in Article 3(3)(a) within the resources available; and
 - (c) acts in accordance with any management policies referred to in Article 3(3)(b).
- (2) The Jersey Police Authority shall be responsible for seeking from the Minister any additional resources needed to enable the States Police Force to deliver the key aims and objectives referred to in Article 3(3)(a).

5 Membership of the Police Authority

- (1) The Police Authority shall consist of not less than 5 and not more than 7 members comprising –
 - (a) a Chairman, not being an elected member of the States, appointed by the Minister;
 - (b) up to 4 members, not being elected members of the States, appointed by the Minister and the Chairman;
 - (c) up to 2 members, being elected members of the States, appointed by the States by secret ballot.
- (2) An appointment under paragraph (1)(a) or (b) must not be made unless the Appointments Commission has been consulted in relation to that appointment.
- (3) A member of the Police Authority appointed under paragraph (1)(a) or (b) may be appointed for a maximum period of 4 years and upon expiry of appointment is eligible for reappointment.
- (4) The term of office of a member of the Police Authority appointed under paragraph (1)(c) shall expire on the day on which the States are reconstituted after the next ordinary election under the States of Jersey Law 2005 following such appointment unless the member ceases to be a member of the Police Authority earlier than that date under this Article.
- (5) A member of the Police Authority appointed under paragraph (1)(c) whose term of office has expired is eligible for reappointment.
- (6) None of the following may be appointed as a member of the Police Authority –
 - (a) a police officer;
 - (b) a person who is a member of the Honorary Police;
 - (c) an office holder of a Crown appointment;
 - (d) the Minister or his or her Assistant Minister;

-
- (e) a Connétable;
 - (f) a States' employee;
 - (g) a person who is bankrupt, whether under the law of Jersey or under the law of a country or territory outside Jersey;
 - (h) a person who has been a police officer at any time during the previous 5 years; or
 - (i) a person who has been a member of the Honorary Police at any time during the previous 5 years.
- (7) A member of the Police Authority shall hold office in accordance with such terms of his or her appointment as the Minister may determine, including any terms relating to remuneration and payment of out of pocket expenses.
- (8) A member of the Police Authority –
- (a) appointed under paragraph (1)(a) or (b) may resign from office by giving written notice of resignation to the Minister;
 - (b) appointed under paragraph (1)(c) may resign from office by giving written notice of resignation to the Greffier of the States and the Minister.
- (9) The Minister may remove a member of the Police Authority appointed under paragraph (1)(a) or (b) from office –
- (a) if, without the approval of its Chairman or in the case of the Chairman, the approval the Minister, the member has been absent from 3 consecutive meetings of the Police Authority;
 - (b) if, in the Minister's opinion, the member has, without good reason, failed to carry out his or her duties as a member;
 - (c) if, in the Minister's opinion, the member is no longer a fit and proper person to be a member; or
 - (d) if, due to physical or mental incapacity, the member is unable to perform his or her duties as a member.
- (10) The Minister may remove a member of the Police Authority appointed under paragraph (1)(b) only following the recommendation of the Chairman.
- (11) The States may, following a proposition lodged by the Minister, remove a member of the Police Authority appointed under paragraph (1)(c) on any ground described in paragraph (9).
- (12) A person ceases to hold office as a member of the Police Authority if the member becomes a person referred to in paragraph (6).

6 Meetings of the Police Authority

- (1) The Chairman of the Police Authority must fix the time and place for meetings of the Police Authority.
- (2) At a meeting of the Police Authority –
 - (a) a majority of the members appointed to the Police Authority at that time is a quorum;

- (b) the Chairman presides but if the Chairman is absent the members present must elect one of their number to preside;
- (c) matters arising are to be decided by a majority of the members voting but if there is an equality of votes the member presiding has a casting vote;
- (d) minutes must be kept;
- (e) the Police Authority may otherwise determine its procedures.

7 Power of Minister to direct the Police Authority

- (1) The Minister may –
 - (a) require the Police Authority to enquire into and provide a report to the Minister on any matter relating to the States Police Force;
 - (b) direct the Police Authority to submit the States Police Force to an inspection by a suitably qualified person determined by the Minister.
- (2) If a report or inspection mentioned in paragraph (1) identifies an area for improvement, a training need or any inadequacy in the States Police Force, the Minister may direct the Police Authority to ensure that the States Police Force takes appropriate action.

Terms and conditions of appointment of police officers

8 Chief Officer and Deputy Chief Officer

- (1) The States Police Force shall have a Chief Officer and a Deputy Chief Officer.
- (2) The Deputy Chief Officer must carry out the functions of the office of Chief Officer if –
 - (a) the office of Chief Officer is vacant; or
 - (b) the Chief Officer is unable to do so.
- (3) The Minister may, after consultation with the Chief Officer where possible, appoint a person to carry out the functions of the office of Deputy Chief Officer whilst –
 - (a) the office is vacant; or
 - (b) the holder of the office is unable to perform the functions of the office.

9 Appointment of Chief Officer and Deputy Chief Officer

- (1) The States may make Regulations prescribing the manner in which persons may be appointed to the office of –
 - (a) the Chief Officer; and
 - (b) the Deputy Chief Officer.

-
- (2) The Regulations may, in particular, prescribe –
 - (a) who may make the appointments;
 - (b) who may determine the periods of the appointments and the way in which they may be extended;
 - (c) who may determine the terms and conditions of the appointments;
 - (d) the circumstances in which and the manner in which a person may be suspended from office and by whom;
 - (e) the circumstances in which and the manner in which a person may be dismissed from office and by whom;
 - (f) disciplinary arrangements generally and matters related to the handling of complaints.
 - (3) Regulations made under this Article may impose functions and confer powers on –
 - (a) the Royal Court;
 - (b) the Minister;
 - (c) the States Assembly;
 - (d) the States Employment Board;
 - (e) the Appointments Commission;
 - (f) the Police Authority;
 - (g) the Police Complaints Authority established under Article 2 of the Police (Complaints and Discipline) (Jersey) Law 1999⁵; and
 - (h) any other body constituted for the purposes of conducting or reviewing disciplinary proceedings or any other individual whose functions include conducting or reviewing such proceedings.
 - (4) Regulations made under this Article may –
 - (a) include provision for the application of any provision made by or under the Police (Complaints and Discipline) (Jersey) Law 1999 with such modifications as may be considered necessary or expedient; and
 - (b) provide for the services of any other police force in the British Islands, and of any of its officers, to be sought and used for the purpose of investigating complaints.
 - (5) Regulations under paragraph (3)(c) may make provision for the States Assembly to sit in camera.

10 Appointments of other police officers

- (1) This Article applies to police officers other than the Chief Officer and the Deputy Chief Officer.
- (2) The Minister may, by Order, after consulting the States Employment Board and the Police Authority, provide for –
 - (a) the appointment of persons to be police officers; and
 - (b) the promotion of police officers.
- (3) An Order made under this Article may confer functions on –

- (a) the States Employment Board;
- (b) the Appointments Commission; and
- (c) the Police Authority.

11 Terms and conditions of appointment of other police officers

- (1) This Article applies to police officers other than the Chief Officer and the Deputy Chief Officer.
- (2) The States Employment Board must –
 - (a) determine the terms and conditions of appointment of police officers; and
 - (b) as soon as practicable, make any such determination known to those affected by the determination.
- (3) The States may, by Regulations, designate such body as the States think fit to carry out the functions described in paragraph (4) and may make Regulations prescribing the constitution of such a body and the way in which it must carry out its functions.
- (4) The functions referred to in paragraph (3) are to –
 - (a) negotiate with the States Employment Board; and
 - (b) make non-binding recommendations to the States Employment Board,on the terms and conditions of appointment of police officers.
- (5) The body designated under paragraph (3) shall have such other functions as are conferred on it by any other enactment.

12 Association of police officers

- (1) Police officers may establish an association to represent them in matters affecting their welfare and efficiency.
- (2) A police officer may not otherwise be a member of –
 - (a) a trade union; or
 - (b) an association,that has, as a stated objective, an intention to seek to influence the terms and conditions of appointment of police officers.
- (3) Nothing in paragraph (2) prevents a police officer who is a member of an association established under paragraph (1) from being a member of, or appointed to, a body designated under Article 11(3).
- (4) An association mentioned in paragraph (1) has no power –
 - (a) to recommend or engage in industrial action; or
 - (b) to represent an individual police officer on a question of promotion.

13 General Orders

- (1) The Minister may by Order after consulting –
 - (a) the Chief Officer; and
 - (b) the association of police officers mentioned in Article 12; and
 - (c) the Police Authority,provide for the governance and administration of the States Police Force.
- (2) Such an Order may, in particular, provide for –
 - (a) the conduct of police officers;
 - (b) the duties of police officers;
 - (c) the standard of performance required of police officers and the evaluation of that performance;
 - (d) the issue, use and return of clothing, personal equipment and accoutrements;
 - (e) the use of equipment, including information equipment and information technology systems.
- (3) An Order made for the purposes of this Article may provide that anything required to be done under the Order must be done in accordance with the directions of the Chief Officer.

14 Restriction on police officers undertaking other activities

A police officer must not engage in any other occupation, profession or employment or in any undertaking or trade except with, and in accordance with the approval of the Chief Officer or, in the case of the Chief Officer, the Minister.

15 Police officer to take oath or make solemn affirmation

A police officer, on taking office, must either take the following oath or, in the circumstances set out in Solemn Affirmations (Jersey) Law 1963⁶, make the following solemn affirmation –

Oath

You swear and promise before God that well and faithfully you will exercise the office of a Member of the States of Jersey Police Force, that you will faithfully serve Her Majesty Queen Elizabeth the Second, her heirs and successors according to law, and that you will carry out your duties with courage, fairness and integrity, protecting human rights and according equal respect to all people. You will to the best of your ability uphold the laws and usages of Jersey, cause the peace to be kept, prevent offences against people and property and seek to bring offenders to justice according to law.

Affirmation

I [name] do solemnly, sincerely, and truly declare and affirm that I will exercise the office of a Member of the States of Jersey Police Force, that I

will faithfully serve Her Majesty Queen Elizabeth the Second, her heirs and successors according to law, and that I will carry out my duties with courage, fairness and integrity, protecting human rights and according equal respect to all people. I will to the best of my ability uphold the laws and usages of Jersey, cause the peace to be kept, prevent offences against people and property and seek to bring offenders to justice according to law.

Functions of police officers

16 Duties and powers of police officers

- (1) A police officer must, to the best of his or her ability –
 - (a) cause the peace to be kept and preserved;
 - (b) prevent offences, whether under customary or statutory law, against persons and property; and
 - (c) take such lawful measures as are appropriate to bring offenders to justice with due speed.
- (2) A police officer may arrest a person the police officer has reasonable cause to suspect has committed, is committing or is about to commit, an offence.
- (3) A police officer has the powers and privileges relating to policing which a Centenier has under customary law or any enactment except –
 - (a) the power formally to charge any person with an offence;
 - (b) the powers to conduct and decide a parish hall inquiry into an allegation that an offence has been committed; and
 - (c) the power to present a person charged with an offence before a court.

17 Functions and status of Chief Officer

- (1) The Chief Officer has the command, direction and control of the States Police Force and of each of its police officers.
- (2) The Chief Officer in carrying out his or her functions must, in so far as circumstances permit, give effect to –
 - (a) the policies referred to in Article 3(3); and
 - (b) the Annual Policing Plan.
- (3) The office of Chief Officer shall be a corporation sole.
- (4) The Chief Officer may, in the name of his or her office –
 - (a) enter into agreements for any purpose of the office;
 - (b) acquire, hold and dispose of property;
 - (c) sue and be sued in civil proceedings; and
 - (d) be charged with an offence and defend criminal proceedings.

- (5) The Chief Officer, or any person carrying out the functions of the Chief Officer under Article 8, shall be the sole accounting officer of the States Police Force for the purposes of the Public Finances (Jersey) Law 2005⁷, notwithstanding anything in Article 37 of that Law to the contrary.

18 Accountability of Chief Officer

- (1) The Chief Officer is accountable to the Minister for carrying out his or her functions under Article 17(2).
- (2) The Chief Officer is accountable to the Police Authority for –
 - (a) the general administration, governance and business of the States Police Force;
 - (b) the discipline and organisation of its officers; and
 - (c) the training of its officers to ensure that succession planning for officers is both appropriate and effectively implemented.
- (3) Accordingly the Chief Officer, if required to do so by the Police Authority or the Minister, must advise or provide a written report on any policing matter.
- (4) In particular the Chief Officer may, under paragraph (3), be required to advise or to provide a written report on –
 - (a) an event arising out of a matter specified in the Annual Policing Plan;
 - (b) an event arising out of the direction, governance or control of the States Police Force; or
 - (c) any deployment of police officers.
- (5) In addition the Chief Officer may be required to provide a factual assessment on any policing matter.
- (6) In carrying out their functions under this Law the Minister and the Police Authority must have due regard to the need to respect the operational independence of the States Police Force.

Administration of States Police Force

19 Annual Policing Plan

- (1) The Police Authority must, after consultation with the Chief Officer, before 1st December each year –
 - (a) prepare an Annual Policing Plan for the Force for the following financial year; and
 - (b) present it to the Minister.
- (2) The Minister may, after consulting the Police Authority and the Chief Officer, amend the Annual Policing Plan.
- (3) When the Minister has approved an Annual Policing Plan (whether or not with amendments), the Minister must lay it before the States Assembly at the first reasonable opportunity.

20 Annual Policing Report

- (1) The Police Authority must, within 3 months after the end of each financial year, prepare and submit to the Minister an Annual Policing Report.
- (2) The Annual Policing Report must provide a review of –
 - (a) the manner in which the provisions of the Annual Policing Plan, for the financial year have been addressed; and
 - (b) the performance of the States Police Force generally.
- (3) The Minister must lay the Annual Policing Report before the States Assembly at the first reasonable opportunity.

21 Relationship with Honorary Police

- (1) The Chief Officer and the Attorney General must, by agreement, establish appropriate arrangements –
 - (a) for the exchange of information between the States Police Force and the Honorary Police; and
 - (b) for the Force to work in partnership with the Honorary Police.
- (2) Before establishing appropriate arrangements under paragraph (1), the Chief Officer and the Attorney General must consult the Comité des Connétables and the Comité des Chefs de Police.

22 Chief Officer may seek assistance

- (1) This Article applies if the Chief Officer is satisfied, after taking into account the resources of the Force and the Honorary Police, that the Force needs or will need assistance to meet a special demand on its resources.
- (2) The Chief Officer may, with the approval of the Minister, agree that –
 - (a) a police force; or
 - (b) other law enforcement agency,in another part of the British Islands will make officers or other individuals available to the Chief Officer.
- (3) An officer from a police force made available under paragraph (2)(a) is, for the purposes of this Law and any other enactment, a police officer during his or her period of duty in Jersey.
- (4) For the purposes of paragraph (2), “law enforcement agency” means any person or body of persons authorized under the law of any part of the British Islands to enforce any law of any part of the British Islands.

23 Chief Officer may give assistance

- (1) This Article applies if the Chief Officer receives a request from a police force in another part of the British Islands for police officers it believes it needs or will need to meet a special demand on its resources.

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- (2) The Chief Officer may, with the approval of the Minister, agree to make police officers available to the police force.

24 Charge may be made for police services

The Chief Officer may, with the approval of the Minister, charge for the provision of police services in such circumstances and subject to such conditions as the States may set out in Regulations.

25 Chief Officer liable for wrongful acts of police officers

- (1) The Chief Officer is liable in respect of torts committed by police officers in the performance, or purported performance, of their functions as police officers.
- (2) For the purpose of paragraph (1) the Chief Officer shall be taken to be the employer of police officers.

26 States' employees may undertake functions of police officers

- (1) The States may, by Regulations, make provision for such functions of a police officer as may be specified in the Regulations to be undertaken by States' employees.
- (2) Without prejudice to the generality of Regulations that may be made under paragraph (1), such Regulations must –
 - (a) make provision for the Minister to designate in writing States' employees (such designation being by description of post or job title) to carry out such functions of a police officer as the Minister may specify in accordance with such Regulations;
 - (b) specify conditions which must be satisfied relating to designation by the Minister including conditions relating to prior consultation with such person or body as may be specified in the Regulations; and
 - (c) make provision for the handling of complaints relating to, or other instances of misconduct involving, the undertaking by any States' employee of the functions of a police officer.
- (3) Regulations under paragraph (2)(c) may include provision for the application of any provision made by or under the Police (Complaints and Discipline) (Jersey) Law 1999⁸ with such modifications as may be considered necessary or expedient.
- (4) A States' employee does not become a member of the States Police Force by undertaking the function of a police officer following a designation in accordance with Regulations under paragraph (2)(a).
- (5) In making a designation in accordance with Regulations under paragraph (2)(a) the Minister must specify whether a States employee so designated is under the control of the Chief Officer or some other specified person or body.

- (6) A States employee designated by the Minister in accordance with Regulations under paragraph (2)(a) must undertake the function specified by the Minister in accordance with the directions of the person or body specified under paragraph (5).
- (7) The undertaking of a function of a police officer by a States' employee specified in accordance with this Article shall, for the purpose of this Law and any other enactment, have effect as if such function had been undertaken by a police officer.

27 Contractors may undertake functions of police officers

- (1) In this Article “service” means a function usually undertaken by a police officer.
- (2) The Chief Officer may, in accordance with Regulations made by the States, enter into an agreement for the performance of services to the States Police Force.
- (3) Regulations under paragraph (2) –
 - (a) may specify any conditions relating to approval by the Minister and consultation with the Police Authority before any agreement is made;
 - (b) must specify the services that may be performed under any such agreement;
 - (c) must specify both the powers and duties of a police officer that a person may have when performing a service to the States Police Force under such an agreement;
 - (d) may specify the criteria which a person must meet in order to perform a service under such an agreement, including any qualifications which such a person must possess; and
 - (e) may make provision for the handling of complaints relating to, or other instances of misconduct involving, the performance of a service to the States Police Force by any person under such an agreement.
- (4) Regulations under paragraph (3)(e) may include provision for the application of any provision made by or under the Police (Complaints and Discipline) (Jersey) Law 1999⁹ with such modifications as may be considered necessary or expedient.
- (5) The Minister may, at any time, require the Chief Officer to provide a report in relation to services performed by a person to the States Police Force under such an agreement.
- (6) The performance of a service by a person in accordance with such an agreement shall, for the purpose of this Law and any other enactment, have effect as if the service had been performed by a police officer.

28 Property in possession of police officers

The Minister may, by Order, make such provision as he or she deems appropriate for the disposal of property that has come into the possession of the Chief Officer and the owner of the property cannot be ascertained or found.

*Offences***29 Impersonation of police officer**

- (1) A person who, with intent to deceive –
 - (a) impersonates a police officer; or
 - (b) makes a statement or does an act calculated falsely to suggest that the person is a police officer,is guilty of an offence and liable to imprisonment for 6 months and to a fine of level 4 on the standard scale.
- (2) A person who, not being a police officer, wears an article of police uniform in circumstances where it gives the person an appearance so nearly resembling that of a police officer as to be calculated to deceive, is guilty of an offence and liable to a fine of level 3 on the standard scale.
- (3) A person who, not being a police officer, has, in his or her possession, an article of police uniform, is guilty of an offence and liable to a fine of level 2 on the standard scale unless the person proves that he or she –
 - (a) obtained possession of the article lawfully; and
 - (b) has possession of it for a lawful purpose.
- (4) In paragraphs (2) and (3) “article of police uniform” means –
 - (a) an article of uniform; or
 - (b) a distinctive badge or mark or document of identification,usually issued to a police officer or anything having the appearance of such an article, badge, mark or document.
- (5) In this Article –
 - (a) paragraph (2) does not apply to an article of police uniform worn by a person in the exercise of his or her functions as a member of the Honorary Police; and
 - (b) paragraph (3) does not apply to an article of police uniform which is in the possession of a person for the purposes only of his or her functions as a member of the Honorary Police.

30 Wasting police time

- (1) A person who causes a wasteful employment of the resources of the States Police Force by knowingly making a false report tending –
 - (a) to show that an offence has been committed;
 - (b) to give rise to apprehension for the safety of any persons or property; or

- (c) to show that the person has information material to a police inquiry,
is guilty of an offence and liable to imprisonment for 6 months and to a fine of level 4 on the standard scale.
- (2) Proceedings must not be instituted for an offence under this Article except by or with the consent of the Attorney General.

Miscellaneous provisions

31 Amendments to other enactments

- (1) The enactments mentioned in Schedule 1 are amended as set out in that Schedule.
- (2) The States may, by Regulations, make such amendments to enactments other than this Law as appear to the States to be expedient in consequence of the coming into force of any provision of this Law.

32 Transitional provisions

- (1) The transitional provisions set out in Schedule 2 have effect.
- (2) The Minister may, by Order, make such further transitional or savings provisions as he or she thinks fit.

33 Regulations and Orders

An Order or Regulations under this Law may contain such transitional, consequential, incidental or supplementary provisions as appear to the Minister or the States, as the case may be, to be necessary or expedient for the purposes of the Order or Regulations.

34 Citation and commencement

- (1) This Law may be cited as the States of Jersey Police Force Law 201-.
- (2) It shall come into force on such day or days as the States may, by Act, appoint.

SCHEDULE 1

(Article 31)

AMENDMENTS TO OTHER ENACTMENTS**1 Children (Jersey) Law 2002**

- (1) In this paragraph, “Law” means the Children (Jersey) Law 2002¹⁰.
- (2) In Article 1(1) of the Law the definitions “chief officer” and “police officer” shall be deleted.
- (3) In Article 41(2)(d) of the Law, for the words “Chief Officer” there shall be substituted the words “Chief Officer of the States of Jersey Police Force”.

2 Civil Defence (Jersey) Law 1952

In Article 1 of the Civil Defence (Jersey) Law 1952¹¹ for the definition “police force” there shall be substituted the following definition –

“ ‘police force’ means the States of Jersey Police Force;”.

3 Criminal Justice (International Co-operation) (Jersey) Law 2001

In Article 1 of the Criminal Justice (International Co-operation) (Jersey) Law 2001¹² the definition “police officer” shall be deleted.

4 Criminal Procedure (Connétables and Centeniers) (Jersey) Law 1996

In Article 2 of the Criminal Procedure (Connétables and Centeniers) (Jersey) Law 1996¹³, for the words “Article 3(2)(b) and (c) of the Police Force (Jersey) Law 1974” there shall be substituted the words “Article 3(2) of the Honorary Police (Jersey) Law 1974”.

5 Customs and Excise (Jersey) Law 1999

In Article 1(1) of the Customs and Excise (Jersey) Law 1999¹⁴ for the definition “police officer” there shall be substituted the following definition –

“ ‘police officer’ includes any person who, for the time being, possesses the power of, or is entitled to carry out the duties of, a police officer;”.

6 Entertainments on Public Roads (Jersey) Law 1985

In Article 1 of the Entertainment on Public Roads (Jersey) Law 1985¹⁵ the definition “police officer” shall be deleted.

7 Firearms (Jersey) Law 2000

In Article 1(1) of the Firearms (Jersey) Law 2000¹⁶ the definition “police officer” shall be deleted.

8 Health and Safety at Work (Jersey) Law 1989

(1) In this paragraph “Law” means the Health and Safety at Work (Jersey) Law 1989¹⁷.

(2) In Article 1(1) of the Law the definition “police officer” shall be deleted.

(3) In Article 1(2) of the Law –

(a) the word “and” after sub-paragraph (b) shall be deleted;

(b) after sub-paragraph (c) the word “and” and the following paragraph shall be inserted –

“(d) a police officer in the States of Jersey Police Force is to be taken to be an employee of the Chief Officer of that Force and is to be taken to be at work throughout the time he or she is on duty, but not otherwise.”.

9 Motor Vehicle Registration (Jersey) Law 1993

In Article 12(9)(a)(ii) of the Motor Vehicle Registration (Jersey) Law 1993¹⁸ the words “within the meaning of the Police Force (Jersey) Law 1974” shall be deleted.

10 Police (Complaints and Discipline) (Jersey) Law 1999

(1) In this paragraph “Law” means the Police (Complaints and Discipline) (Jersey) Law 1999¹⁹.

(2) In the long title of the Law the words “, port control officers” shall be deleted.

(3) In Article 1 of the Law the definitions “port control officer” and “Port Control Unit” shall be deleted.

(4) In the heading to Part 2 of the Law the words “and Port Control Officers” shall be deleted.

(5) In Article 3 of the Law –

(a) in the definition “complaint” the words “or port control officer” shall be deleted;

(b) in paragraph (c) the words “, port control officer” shall be deleted.

(6) For Article 4(1) of the Law there shall be substituted the following paragraph –

“(1) Nothing in this Part has effect in relation to a complaint in so far as it relates to the conduct of the Chief Officer or Deputy Chief Officer.”.

(7) In Article 7 of the Law –

-
- (a) in the heading the words “or port control officer” shall be deleted;
 - (b) in paragraph (6)(b) the words “or port control officer” shall be deleted.
- (8) In Article 8(a) of the Law the words “or port control officer” shall be deleted.
- (9) In Article 9 of the Law –
- (a) in the heading the words “or port control officer” shall be deleted;
 - (b) in paragraph (1)(a) the words “or port control officer” shall be deleted;
 - (c) in paragraph (5) the words “, a port control officer” shall be deleted.
- (10) In Article 10 of the Law –
- (a) in the heading the words “or port control officer” shall be deleted;
 - (b) in paragraph (8)(a) the words “or port control officer” shall be deleted.
- (11) In Article 11 of the Law, in the heading, the words “or port control officer” shall be deleted.
- (12) In Article 13 of the Law –
- (a) in paragraph (3) the words “or port control officer” shall be deleted;
 - (b) in paragraph (5)(b) the words “or port control officer” shall be deleted.
- (13) In Article 14 of the Law –
- (a) in the heading the words “or port control officer” shall be deleted;
 - (b) in paragraph (1) the words “or port control officer” shall be deleted.
- (14) In Article 15 of the Law –
- (a) in paragraph (1)(a) the words “and port control officers” shall be deleted;
 - (b) in paragraph (1)(b) the words “or port control officer” shall be deleted;
 - (c) in paragraph (1)(c) the words “and port control officers” shall be deleted;
 - (d) in paragraph (1)(d) –
 - (i) the words “or port control officer” shall be deleted,
 - (ii) the words “or officer” shall be deleted;
 - (e) in paragraph (1)(e) the words “or port control officer” shall be deleted;
 - (f) in paragraph (1)(f) the words “or port control officer” shall be deleted;
 - (g) in paragraph (1)(g) the words “or port control officer” shall be deleted.

- (15) In Article 16 of the Law the words “and Port Control Unit” shall be deleted each time those words appear.
- (16) In Article 17(c) of the Law the words “, port control officer” shall be deleted.
- (17) In the Schedule to the Law, in paragraph 1(4)(a) the words “port control officer,” shall be deleted.

11 Police Force (Jersey) Law 1974

- (1) In this paragraph, “Law” means the Police Force (Jersey) Law 1974²⁰.
- (2) The Law shall be renamed the “Honorary Police (Jersey) Law 1974”.
- (3) For the Long Title of the Law there shall be substituted the following Long Title –

“A LAW to make provision for the Honorary Police, and for related purposes.”.
- (4) For Article 1 of the Law there shall be substituted the following Article –

“1 Interpretation

In this Law, unless the context otherwise requires –

‘designated Customs custody facility’ means any place that may be used for the purpose of detaining arrested persons, by the Agent of the Impôts or any officer of the Impôts, by virtue of the application of Article 33 of the Police Procedures and Criminal Evidence (Jersey) Law 2003²¹ by an Order made under Article 107 of that Law;

‘Force’ means the States of Jersey Police Force;

‘Minister’ means the Minister for Home Affairs;

‘police officer’ means a member of the Honorary Police;

‘prescribed’ means prescribed by Order.”.

- (5) In Article 2 of the Law for the words “all offences, whether common law or statutory,” there shall be substituted the words “offences, whether under customary law or statutory law,”.
- (6) In Article 3 of the Law –
 - (a) in paragraph (4) for the words “a member of the Force may refer the matter to the Attorney General, who” there shall be substituted the words “the Attorney General”;
 - (b) paragraph (5) is repealed.
- (7) For the heading of Part 2 of the Law there shall be substituted the heading “Composition and Jurisdiction”.
- (8) Articles 6 and 7 of the Law shall be repealed.
- (9) Parts 3 and 4 of the Law shall be repealed.

- (10) In Article 20 of the Law, in the heading, the word “Honorary” shall be inserted before the word “Police”.
- (11) Article 21 of the Law shall be repealed.
- (12) In Article 23 of the Law –
- (a) in paragraph (1) for the words “liable to imprisonment for a term not exceeding 6 months or to a fine not exceeding £100, or to both” there shall be substituted the words “liable to imprisonment for 6 months and to a fine of level 4 on the standard scale”;
 - (b) in paragraph (2) for the words “liable to a fine not exceeding £100” there shall be substituted the words “liable to a fine of level 3 on the standard scale”;
 - (c) in paragraph (3) for the words “liable to a fine not exceeding £20” there shall be substituted the words “liable to a fine of level 2 on the standard scale”;
 - (d) after paragraph (4) there shall be added the following paragraph –
“**(5)** In this Article –
 - (a) paragraph (2) does not apply to an article of police uniform worn by a person in the exercise of his or her functions as a member of the Force; and
 - (b) paragraph (3) does not apply to an article of police uniform which is in the possession of a person for the purposes only of his or her functions as a member of the Force.”.
- (13) In Article 24 of the Law –
- (a) in the heading the word “Honorary” shall be inserted after “Wasting”;
 - (b) for paragraph (1) there shall be substituted the following paragraph –
“**(1)** Any person who causes any wasteful employment of the Honorary Police by knowingly making to any person a false report tending –
 - (a) to show that any offence has been committed;
 - (b) to give rise to apprehension for the safety of any persons or property; or
 - (c) tending to show that the person has information material to any inquiry by the Honorary Police,shall be guilty of an offence and liable to imprisonment for 6 months and to a fine of level 4 on the standard scale.”.
- (14) Articles 25, 26, 27, 28 and 29 shall be repealed.
- (15) For Article 30 of the Law there shall be substituted the following Article –
- “30 Citation**
- This Law may be cited as the Honorary Police (Jersey) Law 1974.”.
- (16) The Schedules to the Law shall be repealed.

12 Powers of Arrest (Injunctions) (Jersey) Law 1998

In Article 1 of the Powers of Arrest (Injunctions) (Jersey) Law 1998²² the definition “police officer” shall be deleted.

13 Public Employees (Retirement) (Jersey) Law 1967

In Article 1(2) of the Public Employees (Retirement) (Jersey) Law 1967²³ after sub-paragraph (b) there shall be inserted the following sub-paragraph –

“(ba) police officers in the States of Jersey Police Force;”.

14 Radio Equipment (Jersey) Law 1997

In Article 1(1) of the Radio Equipment (Jersey) Law 1997²⁴ the definition “police officer” shall be deleted.

15 Regulation of Investigatory Powers (Jersey) Law 2005

In Article 1(1) of the Regulation of Investigatory Powers (Jersey) Law 2005²⁵ for the definition “Chief Officer” there shall be substituted the following definition –

“ ‘Chief Officer’ means the Chief Officer of the Force;”.

16 Road Traffic (Jersey) Law 1956

In Article 1(1) of the Road Traffic (Jersey) Law 1956²⁶ the definition “police officer” shall be deleted.

17 Social Security (Jersey) Law 1974

In Article 1 of the Social Security (Jersey) Law 1974²⁷ there shall be added after paragraph (7) the following paragraph –

“(8) For the purposes of this Law, a police officer in the States of Jersey Police Force is to be taken to be an employee of the Chief Officer of that Force under a contract of service.”.

SCHEDULE 2

(Article 32)

TRANSITIONAL PROVISIONS**1 Chief Officer and Deputy Chief Officer**

- (1) The persons who, immediately before the coming into force of Article 9 of this Law, were the holders of the offices of Chief Officer and Deputy Chief Officer continue to hold those offices as if they had been appointed to those offices under this Law.
- (2) Until their terms and conditions are amended under this Law, they do so on the same terms and conditions of appointment as applied to them immediately before the coming into force of Article 9 of this Law.

2 Police officers

- (1) Persons who, immediately before the coming into force of Article 10 of this Law, were police officers in the States of Jersey Police Force continue as police officers in the Force as if they had been appointed under this Law.
- (2) Until their terms and conditions are amended under this Law, they do so –
 - (a) with the same ranks as were held by them immediately before the coming into force of Article 10 of this Law; and
 - (b) on the same terms and conditions as applied to them immediately before the coming into force of Article 10 of this Law.

3 Police Negotiating Board

The Police Negotiating Board established under Article 11 of the Police Force (Jersey) Law 1974²⁸ that existed immediately before the coming into force of Article 11 of this Law, continues as if it were a body designated by Regulations under Article 11 of this Law and as if the provisions in Schedule 2 to the Police Force (Jersey) Law 1974 relating to the Police Negotiating Board (other than paragraph 2) were included in Regulations under Article 11 of this Law.

4 States of Jersey Police Association

The States of Jersey Police Association established under Article 27 of the Police Force (Jersey) Law 1974 that existed immediately before the coming into force of Article 12 of this Law, continues as if it were an association of police officers established under Article 12 of this Law.

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- 1 *chapter 16.325*
 - 2 *chapter 24.900*
 - 3 *chapter 16.800*
 - 4 *chapter 16.325*
 - 5 *chapter 23.325*
 - 6 *chapter 07.875*
 - 7 *chapter 24.900*
 - 8 *chapter 23.325*
 - 9 *chapter 23.325*
 - 10 *chapter 12.200*
 - 11 *chapter 23.075*
 - 12 *chapter 08.300*
 - 13 *chapter 08.420*
 - 14 *chapter 24.660*
 - 15 *chapter 25.050*
 - 16 *chapter 23.200*
 - 17 *chapter 05.300*
 - 18 *chapter 25.350*
 - 19 *chapter 23.325*
 - 20 *chapter 23.375*
 - 21 *chapter 23.750*
 - 22 *chapter 12.700*
 - 23 *chapter 16.650*
 - 24 *chapter 06.216*
 - 25 *chapter 08.830*
 - 26 *chapter 25.550*
 - 27 *chapter 26.900*
 - 28 *chapter 23.375*