

**WRITTEN QUESTION TO THE MINISTER FOR HOME AFFAIRS
BY THE DEPUTY OF ST. JOHN
ANSWER TO BE TABLED ON TUESDAY 10TH OCTOBER 2017**

Question

Will the Minister advise what the policy of the States of Jersey Police is in respect of corresponding with alleged victims of, or complainants about, alleged criminal activity when a decision has been made not to continue with a case; how long has this policy been in place and what was the previous policy, if any?

Answer

It is the responsibility of the investigating officer, often referred to as the officer in case (OIC), to keep the victim apprised of developments including any final outcome.

This has been the States of Jersey Police policy since 2006/07 and is stipulated in both the Crime Investigation Policy and the Crime Screening and Investigation Policy. These policies are amended and updated as appropriate.

Post any offender being charged and proceeding through the Criminal Justice System it has (since September 2011) been the responsibility of the States Police Victim & Witness Care Unit to keep the victim updated, including after the outcome of the case. This is outlined as part of the 'Witness Charter' which can be read via the following link:

<https://jersey.police.uk/media/32536/witness-charter.pdf>

In June 2016, the Attorney General issued guidance on contact with prosecution witnesses before trial. This included guidance in respect of violent or sexual offences where a decision is made to discontinue or alter any indictment. The relevant extract states:

Meetings to explain a decision to discontinue a case or significantly alter a charge

It is important for witnesses who are victims of a violent or sexual offence to be informed of the decision to discontinue a case and the reasons for such discontinuance. A meeting with the Crown Advocate may not be necessary in all cases but should take place in all serious cases. This also applies to a decision to significantly alter a charge, e.g. to discontinue a rape charge in favour of accepting a guilty plea to indecent assault. In the case of a child victim it may suffice to meet the parents of the child only. A careful note of the meeting should be taken and communicated to the officer in the case if he or she is not present during the meeting and, in any event, provided to the police for their files. In any event, in every case the Police should consult victims in respect of any such decisions – if the Crown Advocate is unable to do so.

The full guidance can be read via the following link:

<https://www.gov.je/SiteCollectionDocuments/Government%20and%20administration/ID%20AG%20guidelines%20on%20contact%20with%20prosecution%20witnesses%20before%20trial%2020161007%20ALS.pdf>