

3.2 Deputy G.C.L Baudains of St. Clement of the Minister for Home Affairs regarding confidence in the States of Jersey Police administration:

Does the Minister have full confidence in the States of Jersey police administration and what input has she had, if any, into the present internal investigations?

Senator W. Kinnard (The Minister for Home Affairs):

I have full confidence in the States of Jersey Police administration and in its approach to ensuring that the highest ethical standards are maintained within the organisation and it is a view that is supported by other eminent authorities. For example, in order to provide independent assurance of performance and best practice, I arranged last year for Her Majesty's Inspectorate of Constabulary to conduct a full independent review of the force with particular emphasis on leadership and professional standards. The inspection has been completed and a report will be available towards the end of the summer, Sir, and Members will be provided with a copy. While, of course, it is prudent to await the outcome of that full report, I have received a preliminary briefing on its likely findings, which gave very strong reassurance in the effectiveness of the processes currently in place. So far as any investigation concerned with my input, Sir, Deputy Baudains will recall that in 1993, the States decided to remove any direct political involvement from the police disciplinary process when it agreed to the creation of an independent Police Complaints Authority with a right of appeal to a panel of Jurats made possible, of course, by the Police (Complaints and Discipline) (Jersey) Law 1999. Nevertheless, I, and my Assistant Minister, have had regular briefings on the progress of investigations of this kind. The Deputy will also recall, Sir, that the Police Complaints Authority published its annual report earlier this year and its conclusion was it wished to express its appreciation of the high standard of expertise in the Professional Standards Department at Police Headquarters, and that the members and the staff involved have continued to support the work of the Authority. I am very pleased, Sir, to agree with that conclusion.

3.2.1 Deputy G.C.L Baudains:

Thank you, Sir. I am glad the Minister does have full confidence, but given the lack of prosecutions which have apparently occurred in relation to the minor nature of these offences, as we have read about in the *Jersey Evening Post*, does she believe that the investigations have in fact represented good value for taxpayers' money. Also, while she is on her feet, Sir, would she advise who investigates the investigators? We have already seen that the Police Complaints Authority has released unfortunate comments on firearms; other misdemeanours have been attributed to them in the past. Who checks the upper echelons?

Senator W. Kinnard:

It was a bit difficult hearing all of that. There was quite a lot of movement to my left across the Chamber here. I would say, Sir, that I take the matter of ethical values very, very seriously within the States of Jersey Police and, indeed, I give full support to the senior management team in applying those standards. In terms of who oversees, as I mentioned just earlier on in my answer, I have asked Her Majesty's Inspectorate of Constabulary to look at the professional standards and the way in which discipline matters are dealt with. As I say, Sir, we have had very positive feedback from that, also, of course, the independent Police Complaints Authority. Sir, I am concerned that I think I heard, but I cannot be absolutely sure, the Deputy

refer to the matters that were brought up in the *Jersey Evening Post* as minor matters. Sir, I do not consider them to be minor matters, I consider them to be extremely serious matters. But indeed, I should remind the Deputy it is the role of the police in the judicial system to collect and collate evidence, and to present that. It is not for them to decide whether or not a prosecution is appropriate. It is not for them to decide innocence or guilt. That belongs to another place.

3.2.2 Deputy R.G. Le Hérissier of St. Saviour:

Would the Minister clarify for the House whether she has received advice on the speed at which these investigations proceed and if she has, in the light of that advice, would she say she is satisfied with the speed at which these investigations proceeded?

Senator W. Kinnard:

Ideally it is important that any investigation be concluded as quickly as possible, not just for the individuals concerned, but obviously also in terms of the morale of the force and in terms of the reputation of the force. But of course these matters are often quite difficult to investigate and take very, very careful analysis. Sir, again, I have to say that we need to await the outcome of the full report of Her Majesty's Inspectorate of Constabulary and as I say, Sir, I did ask him to specifically look at this area and the initial results I have, Sir, are, indeed, very positive. Sir, I do not have any particular concerns other than that of course in every circumstance, we would wish these matters to be concluded as soon as possible. But indeed, they need very careful analysis, particularly in a very sensitive area like this, where a Professional Standards Department is involved in investigating colleagues.

3.2.3 Deputy J.B. Fox of St Helier:

The Minister will know that I had concerns about the length of time some of these investigations were going and since that time the Council of Ministers, through the officers, have made a new policy and procedures. I just seek reassurance in the first stage that in fact the Minister is happy and will ensure that those new procedures will be adopted. I am interested also in this interim report. Will States' Members have the opportunity of having sight of this report? The other one seems to be some time away. I think it might be useful at this stage.

Senator W. Kinnard:

The new procedures that, of course, have been adopted by the Council of Ministers relate to Civil Service appointments, not to the uniformed services which, of course, have their own rules and regulations and procedures. Indeed we have, as I mentioned before, an independent Police Complaints Authority. However, Sir, I am concerned as anyone that such issues - such investigations - should be concluded as soon as possible, and I am awaiting the more detailed report, the full report of Her Majesty's Inspectorate of Constabulary and if that raises any concerns, then quite clearly those are concerns that I would seek to address, not just in States of Jersey Police but across the whole of the uniformed services sector. But at this point, Sir, I do not have any indication of that. There is no written interim report. This was just a close-out meeting at which certain issues were raised by myself and were raised also by Her Majesty's Inspectorate of Constabulary while he was over in the Island last week.

3.2.4 Deputy S.C. Ferguson of St. Brelade:

Would the Minister kindly tell us when was she aware of the scale and conduct of the investigation? I am hearing stories about people being dragged out of their houses at 7.00 a.m. and handcuffed for conduct - not for criminal matters but for procedural errors. When was the Minister or her Committee - because this goes back 4 years - aware of the scale and conduct of this investigation?

Senator W. Kinnard

As I have mentioned before, we have the independent Police Complaints Authority and if any individual is aggrieved by the alleged behaviour of the States of Jersey Police it is open to them to make a complaint, Sir. I am, I have to say, extremely concerned that certain individuals - and I do not wish to go into details - have sought to pursue their grievances through the organ of the press rather than do it through the appropriate channel, which is the Police Complaints Authority. I do not think it is good enough to say: "I have heard whispers" or "I have heard rumours." Sir, that is not necessarily the way in which one receives the full briefing of what the circumstances are. As I have mentioned, myself, as President previously, now as Minister, and my Assistant Minister, receive briefings whenever such investigations are about to take place and the basis on which they are about to take place. We are kept aware, in general terms, of what is going on, but, Sir, it would not be appropriate to go into that level of detail. It is, of course, a matter of operational concern as to how and when an arrest is or is not made. It will be made on the basis ...

The Bailiff:

Sorry, to interrupt, but Standing Orders require that Ministers reply to questions concisely, because otherwise that inhibits the rights of other Members to ask supplementaries.

Senator W. Kinnard:

Sir, I am very careful to be aware of what is my appropriate role, and not to overstep and step into those areas where my role is not appropriate.

3.2.5 Deputy G.C.L. Baudains:

The Minister has twice mentioned - or in fact mentioned again just a moment ago - the independent Complaints Authority. Could the Minister say whether she has any plans to widen its scope in their terms of reference, because I know from personal experience when I took them an issue of misconduct by the States of Jersey Police, they were unable to do anything about it because their terms of reference is so narrow. Does she have any intention of addressing that issue?

Senator W. Kinnard:

Indeed, the Deputy asked me a question on this very matter attendant upon the concerns that he put to me at the time. I asked the independent Authority if they would like to have wider powers or to have their powers reviewed and they told me, Sir, they are perfectly content with the powers that they have and see them as more than sufficient to do the job.

Deputy G.C.L Baudains:

I take it that the answer is: "No" then?