

**WRITTEN QUESTION TO THE COMITÉ DES CONNÉTABLES
BY DEPUTY M. TADIER OF ST. BRELADE
ANSWER TO BE TABLED ON MONDAY 19th JULY 2010**

Question

Will the Chairman advise how many formal complaints there have been against honorary officers (with a breakdown by parish) in the last two years (2008 and 2009) and how many were upheld, and what the rank of officer against whom the complaint was brought was?

Will the Chairman advise if the Constable is involved in anyway in the complaints/disciplinary process of any complaints of misconduct or other wrong doing of honorary police officers, and if so how?

If there is involvement, will the Chairman explain in what capacity and under what authority this involvement takes place?

Will the Chairman give the names of the six Connétables who still hold warrant cards and if there has been any discussion on the Comité of the appropriateness of Connétables having these?

Answer

In view of the limited number of certain officer holders in some parishes I do not consider it appropriate to provide the following break-down by Parish as it could result in an officer being identified.

	2008	2009
No. of formal complaints against honorary officers	5	6
No. of complaints upheld	1	5
Rank of officer against whom the complaint was brought	Centenier x 2 Vingtenier x 1 CO x 2	Centenier x 2 Vingtenier x 1 CO x 3

The Police (Complaints and Discipline) (Jersey) Law 1999 and the Police (Honorary Police Complaints and Discipline Procedure) (Jersey) Regulations 2000 set out the duties and responsibilities of the Constable in relation to the complaints/disciplinary process and these are set out below. The Constable is not involved other than as required by the Law.

Authority for involvement	Capacity in which involved	Involvement
Law Article 19	Connétable	Where a complaint is submitted to a Connétable, he or she shall take any steps that appear to him or her to be desirable for the purpose of obtaining or preserving evidence relating to the conduct complained of
Law Article 20	Connétable	<ol style="list-style-type: none"> 1. maintain a register of complaints submitted 2. record in the register details of the complaint, steps taken to deal with complaint, and outcome. 3. notify a complainant in writing of the outcome of the complaint. 4. make the register available to the Jersey Police Complaints Authority when so requested 5. make the register available to the Attorney General when so requested

Law Article 21	Connétable	<ol style="list-style-type: none"> 1. record the complaint in the register; and notify the Attorney General that the complaint has been made. 2. comply with the direction and inform the Attorney General of the outcome of the complaint where the Attorney General is satisfied that a complaint may be dealt with informally. 3. when so requested by the Attorney General, request the Chief Officer, States Police, to appoint a member of the Force or a police officer from some other force, in either case of at least the rank of inspector, to carry out an investigation.
Law Article 22	Connétable	Refer to the Attorney General any matter which appears to the Connétable to indicate that a member of the Honorary Police may have committed a criminal offence or an offence against discipline; and is not the subject of a complaint.
Law Article 23	Connétable	Request the Chief Officer, States Police, to select another member of the Force or police officer from some other force and notify the Authority of the person the Chief Officer proposes to appoint where an investigation is supervised by the Authority and the Authority is not satisfied with the person first appointed.
Law Article 24	Connétable	Receive reports and statements from the Jersey Police Complaints Authority where the Authority has supervised an investigation.
Regulations Article 3	Connétable	When directed by the Attorney General to deal with a complaint informally, the Connétable must seek the views of the complainant and the member concerned about the matter; take such other steps as may appear to the Connétable to be appropriate; give the member concerned the opportunity to respond to the complaint, at the member's option, orally or in writing; and give to the Attorney General a copy of the outcome of the complaint.
Regulations Article 4	Connétable	Will be consulted by the Attorney General before he suspends an officer where the officer has been charged with a criminal offence; or there has been a complaint, report or allegation which indicates that a member of the Honorary Police may have committed an offence against discipline, whether or not it has been investigated.
Regulations Article 6	Connétable	When so requested by the Attorney General, request the Chief Officer, States Police, to appoint a member of the Force or a police officer from some other force, in either case of at least the rank of inspector, to carry out an investigation.
Regulations Article 8	Connétable	Receive a copy of the report of the investigating officer.
Regulations Article 28	Connétable	Receive notification of findings of a disciplinary hearing
Regulations Discipline Code	Connétable	Officers must report to the Connétable of the parish in which they serve any proceedings for a criminal offence taken

		against them
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In my statement on 17th November 2009 I advised members that at present the Connétables of St Brelade, St Clement, Grouville, St John, St Mary and St Peter hold a 'warrant card'. The cards were issued to these Connétables as a proof of identity should it be required. There has been no discussion on the Comité of the appropriateness of Connétables having a warrant card other than the Comité recalling that, although the States had agreed, in principle, to the policing powers of the Connétable being removed, and that Connétables no longer took any part in policing, the legislation had not yet been amended and they remained the head of the Parish Honorary Police and were thus entitled to hold a warrant card. I will, as Chairman of the Comité, be meeting with H M Attorney General in due course to discuss this matter further.