

**WRITTEN QUESTION TO H.M. ATTORNEY GENERAL  
BY DEPUTY M.R. HIGGINS OF ST. HELIER  
ANSWER TO BE TABLED ON TUESDAY 16th APRIL 2013**

**Question**

Will H.M. Attorney General advise what steps members of the public can take if the police

- (a) fail to take any action regarding complaints of alleged illegality that are referred to them;
- (b) fail to adequately investigate acts of alleged illegality.

Will he explain what measures, if any, are in place to ensure the police deal with complaints relating to their current or former colleagues fairly?

**Answer**

A member of the public is entitled to make a complaint about the manner in which a States of Jersey Police Officer has discharged their duties and the statutory process is defined in the Police (Complaints and Discipline) (Jersey) Law 1999. Information is available online see:

<http://www.gov.je/Government/Comments/Pages/PoliceComplaintsAuthority.aspx>.

The 1999 Law established the Jersey Police Complaints Authority [Authority] which is an independent body whose function it is to ensure that complaints made about a police officer are properly and independently investigated.

The Authority must be notified of all complaints save for those of a minor nature that are resolved informally. In serious cases, the Authority must supervise the disciplinary investigation. In respect of other cases, the Authority has the discretionary power to supervise. That discretion is exercised having regard to the facts of the particular case. In the event that the Authority supervises an investigation it (a) can decide who should investigate the case (b) must prepare a written comment on the adequacy of the investigation and (c) can direct whether or not disciplinary charges should be brought. If a case is not supervised, decisions are taken by the Chief Officer. In respect of all cases, there is the power to appoint police officers from a different police force to investigate the case.

If a legitimate complaint was not investigated properly or at all by either the Authority and/or the Chief Officer then any such action (or inaction) may provide a basis for seeking a judicial review in accordance with the usual principles. Each case will turn on its own facts.