

2020.05.12

9 Deputy I. Gardiner of the Minister for Home Affairs regarding the establishment of independent police complaints authority (OQ.125/2020)

Will the Minister advise what steps, if any, are being taken to allow the Jersey Police Complaints Authority either to undertake its own investigations, or to engage its own investigating officers, as a means of dealing with complaints, to ensure that it is not reliant on the Professional Standards Department of the States of Jersey Police to undertake such investigations?

Connétable L. Norman of St. Clement (The Minister for Home Affairs):

The Deputy will be pleased to know that over the past 12 months or so my officials have been reviewing our police complaints legislation to ensure it is up to date. I have seen an initial draft of the new legislation, which will allow the Complaints Authority to commission its own legal and investigative expertise as it is recognised that members of the Complaints Authority may sometimes wish to bring an independent, a different eye to help them with a police investigation.

4.9.1 Deputy I. Gardiner:

The Citizens Advice Bureau saw a rise in inquiries related to policing matters from 38 in 2016 to 91 in 2019. Over the same 3 years complaints submitted to the authority dropped from 25 to 11. Would the Minister give an explanation to the Assembly why we have this difference between an increase in numbers of issues raised by the bureau and reduction in the numbers formally referred to the authority?

The Connétable of St. Clement:

I have no remit for Citizens Advice Bureau; people will go there for advice and they will decide at the end of the day whether they will make a formal complaint. The Police Complaints Authority believes, and I have no reason to think they are wrong, that the number of complaints has reduced since the introduction of body-worn cameras, which will obviously give very clear and up-to-date evidence.

4.9.2 Deputy M.R. Higgins of St. Helier:

Will the Minister advise Members what is the current nature of investigations carried out by the Police Complaints Authority? In other words, what do they do in the process to monitor the investigations and ensure that they are properly investigated?

The Connétable of St. Clement:

Their role is to oversee and ensure the investigation is fair, thorough and proper. This is what they do with reviewing the cases, reviewing the papers, meeting with the officers, which they do at least bi-monthly. Their role is to give assurance to the public that any complaint against the police is investigated properly.

4.9.3 Deputy M.R. Higgins:

Can the Minister explain how they are involved in the investigation? They just basically accept papers that come back from the police and rubberstamp them; does he not agree?

The Connétable of St. Clement:

No, of course not. I would refer the Deputy, and I hope he would read thoroughly, the annual report produced recently by the Jersey Police Complaints Authority. They meet with the investigating

officers; they check all the paperwork; they make sure they are satisfied that the investigation has been carried out thoroughly, professionally and properly.

4.9.4 Deputy I. Gardiner:

As indicated, the Jersey Police Complaints Authority has no investigatory powers of its own and on occasion there is a need for the involvement of an external police force because of potential conflicts and complex cases. Would the Minister advise how many times the authority has appointed an investigating officer from the external police force to gather evidence to back up or dispute the 71 complaints made over the last 5 years?

The Connétable of St. Clement:

We will bring in investigators from other police forces where there might be a conflict of interest, where there might be a particularly serious event, and we have done so, to my knowledge, certainly twice in the last 5 years.