

**WRITTEN QUESTION TO H.M. ATTORNEY GENERAL
BY DEPUTY M.R. HIGGINS OF ST. HELIER
QUESTION SUBMITTED ON MONDAY 8th MARCH 2021
ANSWER TO BE TABLED ON MONDAY 15th MARCH 2021**

Question

Further to his answer to OQ.51/2021 on 2nd March 2021 regarding the role of the Jersey Police Authority, will H.M. Attorney General explain in detail the role of the Authority in overseeing the police and ensuring that investigations are carried out and investigated properly; and further, will he also state whether the Authority has any role in deciding whether an investigation should or should not be carried out into allegations?

Answer

The Jersey Police Authority (the “JPA”) is an independent body established under Article 4 of the States of Jersey Police Force Law 2012. The JPA has the duty of ensuring that the States Police Force (a) is an efficient and effective police force; (b) delivers the key aims and objectives set by the Minister within the resources available; and (c) acts in accordance with any management policies set by the Minister. The JPA has no involvement with ensuring investigations concerning police officers are carried out and investigated properly.

My answer to OQ.51/2021 on 2 March 2021 referred to the Jersey Police Complaints Authority (the “Authority”). The Authority is an independent organisation which was established pursuant to the Police (Complaints and Discipline) (Jersey) Law 1999 (the “1999 Law”). The role of the Authority is to oversee, monitor and supervise investigations by the Professional Standards Department of the States of Jersey Police, of complaints made against States of Jersey Police and Honorary Police Officers. The Authority does not carry out the investigations or decide whether matters should be investigated. Except where the 1999 Law provides that certain matters must be investigated, the Chief Officer (in the case of an allegation against a States of Jersey Police officer) or the Attorney General (in the case of an allegation against an Honorary Police officer) will decide whether an allegation should be investigated in accordance with the tests set out in the 1999 Law.

The Authority is independent of the Police, and its members are appointed by the States Assembly on the recommendation of the Minister for Home Affairs. Its role is to ensure that investigating officers carry out the investigations it supervises in a thorough and impartial manner, and to ensure that the Police achieve high standards in the handling of complaints, conduct matters, and death and serious injury matters.

The Authority supervises 3 categories of investigation –

- (1) those arising from complaints made by members of the Public, which have not been dealt with by informal resolution (i.e. where the complainant consents to this and where the Chief Officer is satisfied where the conduct complained of, even if proved, would not justify a criminal or disciplinary charge);
- (2) those arising from issues referred to the Authority on a voluntary basis by the States of Jersey Police Force; and
- (3) those specifically detailed in the Law which must be investigated, such as investigations arising from a complaint into the death or serious injury of individuals following contact with the States of Jersey Police or other descriptions of complaint as prescribed by the Minister for Home Affairs by Order.