

STATES OF JERSEY



JERSEY POLICE COMPLAINTS AUTHORITY: REPORT FOR 2003

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by the Home Affairs Committee**

STATES GREFFE

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The Authority is pleased to submit its third annual report covering the year 2003.

The Authority was established under the Police (Complaints and Discipline) (Jersey) Law 1999 to supervise the investigation of certain complaints made by members of the public against police officers. Members of the Jersey Police Complaints Authority were appointed for a term of 3 years which expired on 31st December 2003.

Proposition P.183/2003 was approved by the States in January 2004 appointing a chairman and 6 other members for periods of one to 3 years commencing on 1st January 2004.

The pattern of complaints against police officers remains virtually unchanged from that experienced in previous years. Friday and Saturday nights appear to be occasions when some people create disturbances or, by their unruly behaviour, necessitate a police presence at the scene. Should an arrest follow, the person or persons involved sometimes file a complaint alleging an abuse of force or that handcuffs were too tight, or in some cases, wrongful arrest.

During the year, the Authority has paid particular attention to those complaints alleging tight handcuffs and has discussed this with the investigating officer. The procedures adopted by the Police are carried out within strict guidelines, due regard being given to the arrested person's own safety and to avoid injury. It must be remembered, however, that at the time of arrest the person being handcuffed is frequently violent and uncooperative, and the police officer has a difficult job to perform. The Authority is satisfied with the procedures adopted.

The number of investigations of complaints supervised by the Authority in 2003 amounted to **30**, which showed a significant increase on the number the previous year.

A summary of complaints during the 3 years that the Authority has been supervising investigations is as follows:

Type of complaint*	2001	2002	2003
Excessive use of force	10	10	17
Harassment and threatening manner	2	5	5
Use of CS Spray	-	3	-
Other	5	3	8
Total	17	21	30

* *The descriptions used are those used by the complainant.*

Whilst the figures show a continuing increase in complaints investigated, it can be reported that no complaint was made which caused the Authority serious concern over the conduct of the States of Jersey Police or the Honorary Police during the past 3 years.

The Authority members take great care in their supervision duties and are satisfied that all the investigations within their remit are both professionally and thoroughly conducted by police personnel.

Analysis of complaints

	2001	2002	2003
Complaint withdrawn	6	12	3
Complaint considered vexatious or incapable of investigation	5	4	3
Complaint unsubstantiated	3	3	7
Complaint substantiated	-	1	1

Investigation in progress at year end	3	1	16
Total	17	21	30

Quite a number of the complaints for which the Authority is supervising the investigation occurred during the latter months of the year, and this, coupled with delays which inevitably occur in some cases due to the complainant being warned for a Court appearance, means that an exceptional number were still in course of investigation at the year end.

The Authority believes that the decision of the States in 1999 to establish this independent supervisory body was well-founded and provides the public with the reassurance that, should a complaint be made against the Police, a truly independent monitoring and supervision process is available.

The Authority again wishes to express its appreciation of the staff of the Professional Standards Department of the States of Jersey Police for their continued diligent approach to the investigation of complaints.

Advocate Nuno Santos-Costa retired from the Authority on 31st December 2003 and the Authority wishes to thank him for his valuable services during these first 3 years of operation.

At the same time the Authority welcomes a new member, Mr. Andrew L. Cornish, who joined the organisation on 1st January 2004.