

STATES OF JERSEY



JERSEY POLICE COMPLAINTS AUTHORITY: REPORT FOR 2004

**Presented to the States on 4th October 2005
by the Home Affairs Committee**

STATES GREFFE

REPORT

The Authority has now completed its fourth year of operation and is pleased to submit its report for the year 2004 to the Home Affairs Committee and requests the Committee to present this to the States.

The Law, which established the Authority as an independent supervisory organisation and under which it operates, is the Police (Complaints and Discipline) Jersey Law 1999 and associated Regulations and Orders.

During 2004 the number of complaints against police officers increased as compared with the previous year and these are analysed later in this report. The Authority diligently and vigorously maintains its independent supervision and monitoring role in the investigation of complaints against both Honorary and States of Jersey police officers. Authority members have, over the years, attained considerable experience in the conduct of investigations, and have also attended demonstrations of police operating procedures at Police Headquarters.

The year started with a backlog of 16 investigations from 2003, which was partially due to the number of complaints which were received towards the end of that year. It must be remembered that in some instances investigations cannot be conducted if the complainant is in prison or otherwise awaiting a court appearance. Every effort is made to complete investigations as quickly as possible, but inevitably some do take many months. Of these 16 complaints 2 were subsequently withdrawn, 2 were vexatious or incapable of investigation, 11 were unsubstantiated and just one was substantiated.

COMPLAINTS BY TYPE DURING 2004

2003	Description*	2004
17	Excessive use of force	11
5	Harassment and threatening manner	12
–	Use of CS spray	1
8	Other	13
30	Total	37

*The description in this schedule is that used by the complainant.

One of the most common reasons for a complaint against the Police is described by the complainant as 'excessive use of force'. The Authority has stated before, and repeats again, that complaints sometimes emanate from incidents which occur when the complainant is either under the influence of alcohol or drugs and the description of the extent of force used is therefore open to debate. It is also known that, in some instances, complainants are violent at the time of an arrest and strenuously react to the arresting officer(s). The Authority is at pains to ensure that each and every investigation that it supervises is thorough and no stone is left unturned to ensure a full, detailed and meticulous investigation.

OUTCOME OF THE INVESTIGATIONS DURING 2004

2003	Outcome	2004
3	Complaint withdrawn	10
3	Vexatious complaints or incapable of	3

	investigation	
7	Complaint unsubstantiated	13
1	Complaint substantiated or in part substantiated	4
16	Investigations in progress at year end	7
30	Total	37

The number of complaints which are either subsequently withdrawn or incapable of investigation for one reason or another is quite considerable. Of those complaints that can be fully investigated, it can be seen from the figures above that the majority are found to be unsubstantiated. In those cases where the complaint is found to be substantiated, appropriate advice or other sanction is given to the police officers concerned.

In addition to the complaints made by members of the public, the Authority, at the request of the Police, also supervised 2 internal police investigations during the year.

At the end of 2004 Major-General G.C. Cornock retired from the Authority, having completed 4 years' service since its inception. Major-General Cornock was a most valuable member and his expertise and contribution will be greatly missed, and we thank him for his outstanding support to the Authority.

From 1st January 2005 we are pleased to welcome 2 new members to the Authority, Mr. Brian Curtis and Mr. Thomas Slattery.