

# **STATES OF JERSEY**



## **JERSEY POLICE COMPLAINTS AUTHORITY: REPORT 2006**

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**Presented to the States on 21st March 2007  
by the Minister for Home Affairs**

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**STATES GREFFE**

## REPORT

In presenting its sixth Annual report, the Authority would wish to remind States members of the purpose of its existence and also its main responsibility.

The Jersey Police Complaints Authority is an independent organisation set up by the States of Jersey under the Police (Complaints and Discipline) (Jersey) Law 1999. Its members are appointed by the States for a period of 3 years – their services are purely voluntary.

The role of the Authority is to oversee, monitor and supervise the investigation by the States Police of certain complaints made by members of the public against States of Jersey police officers and Honorary police officers. The Law requires the Authority to approve the appointment of an Investigating Officer and its responsibility is to ensure that the investigations it supervises are carried out in an impartial, thorough and meticulous manner.

It must be emphasised that the Authority does not, as an entity, carry out an investigation nor are its members trained investigators. The Authority's task is to oversee and monitor investigations carried out by senior officers of the States of Jersey Police, or in certain circumstances, senior officers from another force.

During 2006 the Authority supervised the investigation of 30 complaints against the Police, in addition to supervising an internal investigation. A summary of investigations supervised during the last 3 years is as follows –

Year	Complaints
2004	37
2005	30
2006	30

The majority of complaints refer to alleged excessive use of force or threatening behaviour. (These are descriptions used by the complainant.) In some instances a complainant considers being apprehended as 'threatening' and the act of being handcuffed as 'excessive use of force'. It should be remembered that many complainants are under the influence of alcohol or drugs when apprehended.

Compared to the previous year, the 30 investigations in 2006 can be analysed as follows–

2005	Complaint	2006
6	Excessive use of force	14
11	Harassment/threatening behaviour	6
1	Use of CS spray	–
12	Other	10
<b>30</b>		<b>30</b>

The outcome of investigations of complaints supervised this year is as follows –

2005	Complaint	2006
14	Complaint withdrawn	15
3	Vexatious complaint or complaint incapable of investigation	5
5	Complaint unsubstantiated	4
2	Complaint substantiated	–
6	Investigation in progress at year end	6

The 6 investigations that were outstanding at the end of 2005 were duly completed during 2006. Two were substantiated, two were partially substantiated (minor points), one was considered vexatious and one was withdrawn. Where complaints are substantiated appropriate disciplinary action is taken against the officer concerned.

Some investigations take a long time to finalise. Delays can occur due to the complainant awaiting a court appearance but every effort is made to conclude the investigation as quickly as possible.

As has been previously reported, a significant number of complainants have second thoughts and formally withdraw their complaint. This can happen at any time but in all cases the due process of investigation is carried out until such time as a request is made by the complainant to discontinue.

In carrying out its supervision/monitoring duties the Authority has received unanimous support and assistance from Investigating Officers of the States of Jersey Police.

During the year the Chairman met the President of the Honorary Police Association and discussed the Authority's new Information Leaflet, which was published early in 2006.

### **Membership changes**

At the end of 2006 Mr. Peter Holliday (Deputy Chairman) and Mr. Derek Le Maistre retired, both having been members since January 2001. The authority would wish to record its thanks and appreciation for their assistance and support during the past 6 years.

Four existing members, Mr. Leslie May (Chairman), Mr. Andrew Cornish, Mr. Anthony Beaumont and Mrs. Toni Roberts, completed their current term of office on 31st December 2006 and have been re-appointed for a further period of 3 years.

From 1st January 2007 Mr. Stephen Luce has been appointed a member of the authority.