
STATES OF JERSEY



INDEPENDENT CUSTODY VISITOR SCHEME: TRANSFER OF ADMINISTRATION FROM THE HOME AFFAIRS DEPARTMENT TO THE JERSEY POLICE AUTHORITY

Presented to the States on 24th August 2015
by the Minister for Home Affairs

STATES GREFFE

REPORT

On 11th September 2009 the States Assembly, as previously constituted, approved [P.122/2009: Custody Visitor Scheme](#), lodged by the former Deputy of St. Martin.

The Proposition requested the Minister for Home Affairs to establish an independent Custody Visitor Scheme (“the scheme”) in Jersey, akin to that in the UK, to inspect the manner in which people are detained in police custody. It was noted at the time that the UK Independent Custody Visitors fell under the remit of the UK Police Authorities (now replaced with Police and Crime Commissioners) but that, as a Police Authority did not exist in Jersey at that time, it should fall under the direct responsibility of the Minister for Home Affairs.

Following a recruitment campaign and training, received from the UK Independent Custody Visiting Association, the first batch of Independent Custody Visitors (“ICVs”) commenced unannounced visits to Police Headquarters in November 2010. Further recruitment campaigns and training took place in 2012 and 2014, and there are currently a dozen trained ICVs who regularly visit Police Headquarters to ensure that the people detained there are held in an appropriate manner and in accordance with the provisions of Code C of the [Police Procedures and Criminal Evidence \(Jersey\) Law 2003](#). After each visit, the ICVs complete a report on their findings, copies of which are left with the States of Jersey Police and sent to the Home Affairs Department (“the Department”).

It should be noted that the ICVs carry out this important work on a voluntary basis, and I am very grateful to them for their commitment and dedication to this work.

The Jersey Police Authority (“the Authority”) was established in July 2013 by virtue of the coming into force of the relevant Articles of the [States of Jersey Police Force Law 2012](#). The Chairman of the Authority was appointed in August 2013 and further members thereafter, comprising a mixture of members of the States Assembly and members of the Island community. The Authority was formally established in January 2014.

Members will have seen the most recent annual report of the ICVs: [R.58/2015: Independent Custody Visitor Report Jersey 2014](#), which provides statistics on the visits during the year and highlights any issues that have arisen. In the report, the joint Chairmen identify that outline discussions took place between them and the Department over a possible transfer of responsibility for the scheme to the Authority.

Further discussions have taken place this year between the Department, the Authority and the joint Chairmen of the scheme. As a result of these discussions, it has been agreed that responsibility for the administration of the scheme should transfer from the Department to the Authority on 1st October 2015.

I would like to extend my thanks to the Chairman and members of the Authority for taking over the responsibility for the scheme.

I can reassure Members that the change in administration will not affect the day-to-day operation of the scheme, and the ICVs will continue to visit Police Headquarters and report on their findings in the usual way.