

4.12 Deputy M.R. Higgins of the Attorney General regarding the accountability of the Chief Officer and Deputy Chief Officer of the States of Jersey Police:

Will H.M. Attorney General advise Members to whom the Chief Officer and Deputy Chief Officer of the States of Jersey Police are accountable for their conduct and who would determine whether they should be investigated in circumstances in which they are alleged to have perverted the course of justice?

Mr. H. Sharp Q.C., H.M. Solicitor General:

In respect of disciplinary matters concerning the Chief Officer and Deputy Chief Officer, then of course the Minister for Home Affairs is responsible for such issues. In the event of a criminal allegation being made, as described in the question, the Attorney General would advise as to whether or not a criminal investigation is merited. If the Attorney General advises that there should be a criminal investigation then the Minister for Home Affairs has various powers at his disposal, that include appointing police officers from another police force in the British Isles, to investigate the matter.

4.12.1 Deputy M.R. Higgins:

Supplementary, Sir. Can I ask the Solicitor General, if the Minister for Home Affairs has not consulted with the Attorney General or will not admit to having consulted with the Attorney General and takes no action whatsoever, what recourse is there for members of the public or anyone else who is interested in the integrity of the criminal justice system?

The Solicitor General:

I would not expect a Minister to say whether or not they had taken advice from the Attorney General. That is a well-known rule.

The Bailiff:

I think there was a supplementary question there as to what would a member of the public do then if he thought there was criminal conduct.

The Solicitor General:

If the member of the public thought the Minister was doing nothing then I suppose the member of the public could make direct contact with the Attorney General.

The Bailiff:

Let me just see if there are any questions. No. Final question then, Deputy Higgins.

4.12.2 Deputy M.R. Higgins:

This is not a political question for the Solicitor General. If the Minister for Home Affairs takes no action whatsoever and will not explain his actions, what course is available to the Members of this Assembly's interest that regard?

The Bailiff:

I do not think that is a matter which falls within the Attorney General's purview. It is to give political advice to States Members.