

POLICING OF THE ISLAND

**Lodged au Greffe on 17th March 1998
by the Defence Committee**



STATES OF JERSEY

STATES GREFFE

175

1998

P.49

Price code : B

PROPOSITION

THE STATES are asked to decide whether they are of opinion -

- (1) to approve the establishment by law of a Police Authority with responsibility for -
 - (a) securing the maintenance of effective and efficient policing throughout the Island;
 - (b) setting local objectives and performance targets for the States of Jersey Police Force and the honorary police;
 - (c) issuing an annual policing plan to be presented to the States and published;
- (2) to agree -
 - (a) that the constitution of the Police Authority shall be as follows -
 - (i) an independent Chairman appointed by the States on the recommendation of the Defence Committee;
 - (ii) two members of the Defence Committee, not being Connétables, appointed by that Committee ;
 - (iii) two Connétables appointed by the Comité des Connétables;
 - (iv) two independent persons appointed by the States on the recommendation of the Defence Committee following an open selection procedure involving the Attorney General and the Defence Committee,

the States appointments to be made following consideration in camera;

- (b) that, subject to paragraph (4), the Authority's term of office shall be three years and that appointments may be made to fill any vacancies occurring during the Authority's term of office;
- (3) to approve the recommendations in paragraph 2.2 of the Report of the Working Party on Policing in the Island dated 5th December 1997, as follows -
- (a) that the office of Chef de Police for each parish, be established by law to have charge of the honorary police within the parish and perform such other duties as may be prescribed by law; and that the Connétables shall cease to fulfil an operational policing role but retain overall responsibility for the effective and efficient policing of their parish;
 - (b) that posts of Chairman, and Deputy Chairman, of the Honorary Police, and the responsibilities of the respective posts, be established by law;
 - (c) that the Centeniers Association and the Association of Vingteniers and Constables Officers be recommended to merge into a single association;
 - (d) that the senior Procureur du Bien Public in a parish should be empowered by law to deputise for the Connétable in the event of the latter's incapacity or absence from the Island;
 - (e) that the Attorney General be requested to prepare and maintain a Code of Practice covering Parish Hall inquiries and to monitor the consistency of awards and procedures at such enquiries;

- (4) to agree that, pending the passing of the necessary legislation, the Police Authority should be appointed with the charge, in consultation with all interested parties, to develop and to bring forward to the Defence Committee an action plan to give effect to recommendations in paragraph (3), and any consequential changes that may be necessary; to identify in that action plan the new or amending legislation, and all administrative measures, necessary to implement the plan; and to charge the Defence Committee to resolve with the Policy and Resources Committee the timetable for drafting the legislation, and in consultation with the Comité des Connétables, to bring to the States the necessary changes for approval;
- (5) to charge the Defence Committee, in consultation with the Finance and Economics Committee, to ensure that sufficient funds are made available to support the work of the Authority.

DEFENCE COMMITTEE

NOTE: The Finance and Economics Committee notes that no information is presently available on the financial implications of this proposition. However, any costs arising should be bid for as part of the revenue budget process.

Report

1. On 31st January 1995 the States adopted a proposition of the Defence Committee - Policing system in Jersey - independent review - **(P.94/94)** and charged the Defence Committee to commission a full and thorough independent review of the policing system in Jersey. At that time it was also agreed that the report and recommendations of the independent review should be debated by the States.
2. The Review Body was constituted under the Chairmanship of Sir Cecil Clothier, K.C.B., Q.C. and its report, which contained 38 recommendations, was presented to the States on 23rd July 1996. Having consulted widely on the recommendations the Defence Committee concluded that there were a number of key issues which required further clarification before decisions could be taken.
3. Following consideration of a report and proposition of the Defence Committee - Police Services in Jersey: independent review - **(P.184/96)** the States, on 5th November 1996, received the report of the Independent Review Body and charged the Defence Committee to set up a Working Party to consider whether and, if so to what extent, the following matters should be implemented and to report back to the States with recommendations -
 - (a) the formation of a Police Authority or Committee in the Island, and its constitution, terms of reference and relationship with other bodies;
 - (b) the transfer of the Attorney General's function as titular head of the Honorary Police to a new post of Chief of the Honorary Police;
 - (c) the cessation of the Connétables policing functions and the transfer of these functions to a new head of the Honorary Police in each parish;

- (d) the procedures for the conduct of Parish Hall inquiries throughout the Island; and
 - (e) any other matters in the report which were considered appropriate.
- 4. On 9th December 1997 the report and recommendations of this Working Party were presented to the States - **(RC.41/97)**. At that time the President of the Defence Committee advised the Assembly that the recommendations made would provide the framework for a report and proposition which would be lodged 'au Greffe', together with the comments of the relevant Committees in the New Year.
- 5. The Defence Committee has given detailed consideration to the recommendations of the Working Party and, whilst fully supporting them, is aware of the complexities of implementation, in particular in relation to the legislative changes. The Committee is of the view that the most appropriate course of action would be to proceed immediately to establish the Police Authority for an initial period of four years with the charge, in consultation with all interested parties, to develop and bring forward to the Defence Committee an action plan to give effect to the recommendations of the Working Party.
- 6. It should be noted that the Authority would not require statutory powers to undertake this work, and would not be in a position to assume responsibility for the States of Jersey Police and the Honorary Police until the necessary legislation was in place.
- 7. Subject to the approval of the States, the Committee intends to resolve with the Policy and Resources Committee the timetable for drafting the legislation and, in consultation with the Comité des Connétables bring forward the necessary draft revisions for approval as soon as practicable.
- 8. The Committee would also consult with the Finance and Economics Committee to ensure that sufficient funds were made available to support the work of the Authority.