

**WRITTEN QUESTION TO THE CHIEF MINISTER
BY DEPUTY J.A. HILTON OF ST. HELIER
ANSWER TO BE TABLED ON MONDAY 5th OCTOBER 2015**

Question

Can the Chief Minister inform Members whether he is intending to review the legislation relating to the remand of children/young persons without charge for an unlimited time and if not, why not?"

Answer

The Police Procedure and Criminal Evidence (Jersey) Law 2003, Part 5, contains the relevant provisions in Jersey law which govern the granting of bail to persons under investigation on suspicion of having committed a criminal offence or offences.

Article 31 of the Law is reproduced below. These provisions do not distinguish by age and do not include time limits.

Article 31 - Bail on arrest

Where, following a person's arrest for an offence, it appears to the custody officer that the inquiry into the offence cannot be completed within a reasonable period he may release that person on bail.

In May 2015, I made a Ministerial Decision which instructed the Law Draftsman to prepare a new draft Bail Law, which will include statutory provisions relating to pre-charge bail. The new provisions will include a limit to the duration of pre-bail, beyond which there will be a requirement to satisfy the Magistrate's Court that the investigation is being carried out efficiently and effectively.

These new provisions will take account of similar proposals currently being considered in the United Kingdom. The draft Bail Law should be lodged with the States Assembly during 2016.