

3.15 Deputy M.R. Higgins of the Minister for Home Affairs regarding the role of the Jersey Police Complaints Authority in supervising complaints made against the police: [1(656)]

Further to her responses to earlier questions on this subject, will the Minister explain how a member of the Jersey Police Complaints Authority appointed to supervise a complaint made against the police undertakes that role, once appointed?

The Deputy of St. Peter (The Minister for Home Affairs):

As confirmed in the response to written question 9(725) in 2016, the role of the Jersey Police Complaints Authority in supervising investigations into complaints regarding the conduct of police officers is as set out in the Police (Complaints and Discipline) Law 1999, in particular Articles 9 to 13, for the States of Jersey Police Force and 23 to 26 for the Honorary Police. Further detail as to how the J.P.C.A. (Jersey Police Complaints Authority) undertakes its work was also provided in response to written question 382 of 2017. I think the Deputy is also aware that the Police (Complaints and Discipline) (Jersey) Law 1999 and associated legislation is currently under review.

3.15.1 Deputy M.R. Higgins:

Supplementary: can the Minister, in plain English, without quoting sections, tell us what the role is of the person appointed by the chairman of the Independent Police Complaints Authority, say what the role of the individual is as part of overseeing the investigation? That was the question.

The Deputy of St. Peter:

I have directed the Deputy to the relevant Articles of the relevant law, which have been in the past put in the public domain in an answer to the Deputy in the form of the written questions that I have just identified. I do not really understand what more the Deputy wants.

3.15.2 Deputy M.R. Higgins:

Let me put this to the Minister then: my understanding of the role of the person who is appointed to oversee the police investigation is to make sure that a proper investigation is carried out. How can that be done? How can the person who is supposed to be overseeing the police sign off a report where the police have not taken a statement from the person who brought the complaint and did not interview the person who brought the complaint? How can that be considered an adequate investigation and yet the person who is named as the reviewing person failed to do that job? Does the Minister think that is acceptable that the police do not question the individual, do not take the statement, basically did not do their job?

The Deputy of St. Peter:

It appears the Deputy is referring to a specific case and of course I do not have knowledge of the case that he is referring to, so it is rather difficult to respond in a full and frank way. I am aware that the previous chair of the J.P.C.A. has offered to meet with the Deputy on many occasions. He has never taken her up on that offer, and I am sure that the current chair would also extend a similar invitation. Likewise I would be happy to meet with the Deputy if he wishes to raise a specific point.

3.15.3 Senator S.C. Ferguson:

Would the Minister like to confirm that although the complaint is made to the Police Complaints Authority, the undertaking of the investigation is done by the Professional Standards Department of the Police and that, on occasion, the officer about whom the complaint has been made has written to the complainant to explain that the complaint has not

been upheld, which seems a little odd certainly, but basically the Complaints Authority merely sub-contract the investigation to the Police Standards Authority?

The Deputy of St. Peter:

There are many points to make there. Firstly, as I pointed out in my original answer, the law is being reviewed at the moment and I am sure that there may be some changes falling out of that to the way that the work of the Police Complaints Authority is undertaken, but of course I cannot put the cart before the horse. Secondly, it is correct that the role is an oversight role currently, but I am very grateful to the members of the Police Complaints Authority who are intelligent independent members of our community who assist us by undertaking this work.

3.15.4 Deputy M.R. Higgins:

I will come to the Minister with information, and I will ask her to look into the matter. If she will review what the Independent Police Complaints Authority are doing or fail to do, would you investigate that matter if the evidence was brought to you because there was a total failing all around? Secondly, I am not aware of the offers to see the former head of that body. If you have the information I would love to see it and I would love to meet with ...

The Bailiff:

Through the Chair.

Deputy M.R. Higgins:

Through the Chair. Thank you.

The Deputy of St. Peter:

Yes, of course, I would be delighted to meet with the Deputy.

The Bailiff:

It might be convenient I think to take the urgent oral question before the questions to Ministers without notice. I am not quite sure why it is listed there. So the Connétable for St. John, would you speak to that?