

**WRITTEN QUESTION TO THE MINISTER FOR HOME AFFAIRS
BY DEPUTY M.R. HIGGINS OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 19th NOVEMBER 2013**

Question

Further to answers given on 5th November 2013, will the Minister inform Members –

1. When and what time the States Police received an allegation of harassment which led to the arrest of a woman known as HG?
2. Whether a female officer was present when HG was arrested at her flat and, if not why?
3. Was HG given time to change from her night attire and into appropriate day clothes and, if not, why not?
4. Was HG placed in a police car whilst her flat was searched and, if so, why?
5. Was HG charged 11 hours after her arrest and, if so, what was the reason for the delay?
6. Why, given that HG was of good character, employed and had a fixed abode, was bail denied after she was charged?

Answer

1. The States of Jersey Police received the allegation of harassment at 0934 hours on 26 September 2010.
2. No female was present during arrest. There is no requirement for a female officer to be present when a female is arrested; only for search purposes.
3. Both arresting officers and the custody officer have been spoken to and cannot recollect what she was wearing. There is no custody photo from the date of arrest. CCTV in custody is kept only for 90 days. The States of Jersey Police say that it is inconceivable that either they or the Court would have allowed her to appear in Court on 27 September 2010, for the remand hearing wearing night attire. When she arrived at the Prison on 27 September she was wearing a navy blue sweat shirt, a navy blue polo shirt, blue tracksuit bottoms and training shoes. Furthermore, the custody photo taken when HG returned from Court awaiting her departure from Jersey on 11 October 2010, shows that she was wearing appropriate clothing including a blue sweat shirt and blue polo shirt.

4. Yes, she was placed in a police car, guarded by a Police Officer, whilst another Police Officer searched for evidence relating to the alleged offence.
5. No. HG was in police custody for 9 hours and 25 minutes prior to charge. She arrived at the police station at 1022 hours and was charged at 1947 hours. Delays were due to the need for a mental health assessment by a doctor (Force Medical Examiner) in consultation with a consultant psychiatrist and the need to obtain an appropriate adult to support her at interview.
6. Decisions as to whether or not a person should be retained in custody prior to presentation before a court and as to whether bail should be opposed in Court are made by prosecutors and not by the Police. Bail was opposed in Court on 27 September 2010 by a Centenier upon the basis of the risk of re-offending and upon the basis of the protection of HG herself.

The Magistrate indicated that the reasons for the refusal of bail were the risk of further offending and also for HG's own protection and he was influenced by information that HG's landlady did not want her to reside at her former accommodation.