

**WRITTEN QUESTION TO THE MINISTER FOR HOME AFFAIRS
BY DEPUTY M.R. HIGGINS OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 28TH JUNE 2016**

Question

How many times has Article 26 of the States of Jersey Law been used to authorize an external police force to conduct an investigation into any matter since ministerial government was introduced in 2005? How many times, and for what purpose, has Article 26 been used in the same time period? Are investigations by external police forces usually determined by the Chief of the States of Jersey Police and is the cost usually met from the Police budget?

Answer

Article 26 of the States of Jersey Law 2005 provides Ministers with powers to enter into agreements for any purpose of their office, acquire, hold and dispose of movable property, do any other thing which the Ministers can do by virtue of their office, and do anything reasonably necessary or expedient for or incidental to any of the aforementioned matters. These general powers provide a legal basis for numerous and various actions, decisions and functions undertaken by Ministers on a daily basis in the performance of their role and duties as Ministers. Therefore, there is no record of how many times and for what purpose Article 26 has been used since 2005, nor is there a record of the Minister having utilised Article 26 other than further to the recent complaint made by Mr Roy Boschat.

If it is appropriate for an external police force to investigate a matter, ordinarily the Chief Officer of the States of Jersey Police would invite an external police force to do so, and the cost would be absorbed by the police budget. In exceptional circumstances, for example, where the Chief Officer of the States of Jersey Police refers a complaint about the States of Jersey Police to the Minister, the power in Article 26 of the States of Jersey Law 2005 to enter into an agreement (with an external police force) can be utilised. A decision on which budget may be used to pay for an investigation would depend on factors such as the nature, extent and estimated cost of an external investigation.