

### **3.3 Deputy M.R. Higgins of St. Helier of the Minister for Home Affairs regarding complaints investigated by the Jersey Police Complaints Authority, the Deputy Chief of the States of Jersey Police and the Professional Standards Department:**

Is the Minister satisfied with the way in which complaints made by serving and former police officers and the public have been investigated by the Jersey Complaints Authority, the Deputy Chief of the States of Jersey Police and the Professional Standards Department?

#### **Senator B.I. Le Marquand (The Minister for Home Affairs):**

There have been no individual cases of disciplinary complaint against States police officers in relation to which I have been dissatisfied with the investigation. However, I do not become involved in individual disciplinary complaints against police officers, other than the Chief Officer and the Deputy Chief Officer. My responsibility is for oversight of the general police complaints system. Members of the Assembly will recall that there is currently underway a review taking place of the whole system in relation to disciplinary matters concerning States police officers.

#### **3.3.1 Deputy M.R. Higgins:**

I find it amazing that the Minister for Home Affairs can make the statement that he has made. He has had repeated complaints to his office and to himself of delays on the part of the States of Jersey Police, even to provide people with information placed under subject access requests. He is aware of allegations of perversion of the course of justice and, as the Minister for Home Affairs, I would have thought he would have taken it on board to at least investigate. The question I am going to ask right now is, is it right that people who put in subject access requests, should be denied the information by the States of Jersey Police or inordinately delayed on it and, in the case of one person who made a complaint against the Deputy Chief Officer of Police, who gets a response from the Deputy Chief Officer of Police to say there is no case to answer. Is that good enough?

#### **Senator B.I. Le Marquand:**

If there is a disciplinary complaint against the Chief Officer of Police or the Deputy Chief Officer of Police, then I will ensure that that is properly looked at. That is very much part of my province but the fact is that the whole area of subject access is a very complex one. It is one which is highly technical. There are inevitably going to be disagreements between people who want to get access to information and those who think that they should not for very good reasons. These are known to happen. The Deputy is, of course, aware of one particular case. I am aware of that particular case. I wish the Deputy would come and see me about it rather than first asking questions in the Assembly in this way.

#### **3.3.2 Deputy T.M. Pitman:**

The Minister for Home Affairs said if there is a complaint against the Deputy Chief Officer. Obviously, we know there is a complaint against the Deputy Chief Officer. Given that it would not fall to the Chief to investigate that, can the Minister then clarify if an outside police force has been brought in to investigate that?

#### **Senator B.I. Le Marquand:**

When I receive a complaint against the Chief Officer of Police or the Deputy Chief Officer of Police, I have first got to decide as to whether there is a sufficient basis to warrant bringing in an outside force to do an investigation. As the Members of this Assembly know from previous cases, that is a very expensive exercise and so what I do, in many cases, is I ensure that there is a preliminary inquiry in relation to the matter, so I get some idea what it is about and as to whether there is a significant issue here which warrants going outside the Island. The point here is this, that in relation to complaints, sometimes people make complaints but they are not disciplinary

complaints, so that is the first issue. The second issue is there may be some technical failure which has taken place which does not warrant disciplinary action, but just warrants correcting the system or whatever. This is why I go through this process initially, except in cases where there very clearly is an issue which must go outside the Island.

**3.3.3 Deputy M.R. Higgins:**

Just first of all, I will just say I am not referring to one complaint about subject access requests. I have probably got about half a dozen. I have got about 12 people that I have been talking to who have got complaints against the States of Jersey Police and the current investigations and previous investigations. In fact, will the Chief Minister tell us then has he just recently received an external report about a complaint against the Chief Officer of Police, and if not, why not?

**Senator B.I. Le Marquand:**

I thank the Deputy for my promotion to Chief Minister. I am still the Deputy Chief Minister and I am very grateful to hold that office as I always say on these occasions for a whole variety of reasons. The answer is I have not received an external report in relation to the current Chief Officer of Police.

**Deputy M.R. Higgins:**

I will notify the Minister for Home Affairs what the complaint is about, and I will be asking the question next time and I hope that by then, he will have read it.