

**WRITTEN QUESTION TO THE MINISTER FOR HOME AFFAIRS
BY DEPUTY M. R. HIGGINS OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 29TH NOVEMBER 2016**

Question

Will the Minister explain why investigation reports produced by the States of Jersey Police into complaints made against one or more of its officers are not published to the complainant even in a redacted form?

Will she further state what rights complainants have when they consider such reports to be factually wrong or to contain unfair criticisms of them?

Answer

The Police (Complaints and Discipline) (Jersey) Law 1999 does not include a provision which would entitle a complainant to receive a copy of the investigating officer's report.

Given the third party personal data and / or sensitive personal data potentially contained within an investigating officer's report, the information contained would not generally be disclosable in response to a subject access request made by the complainant under Article 7 of the Data Protection (Jersey) Law 2005, particularly if this was likely to prejudice the prevention, detection or investigation of a crime.

The Police (Complaints and Discipline) (Jersey) Law 1999 is currently under review and consideration will be given as to whether this aspect of the Law is in accordance with legislative frameworks elsewhere in the British Isles.