

**WRITTEN QUESTION TO THE MINISTER FOR HOME AFFAIRS
BY CONNETABLE S.A. CROWCROFT OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 19th JANUARY 2010**

Question

Would the Minister provide a timetable for the conclusion of the Wiltshire Police investigations into Operation Rectangle and Operation Blast, and a timetable for the conclusion of any disciplinary procedures arising from these investigations?

Answer

It is not possible for me to provide an accurate timetable for all these events because there are various factors outside of my control which will affect progress in relation to these matters.

When I first became involved with these matters, the information which I was given was that the first Wiltshire Police investigation (Operation Rectangle) would be completed by March 2009. That date then slipped back in stages, many of which were reported to the States by way of answers to oral questions.

Eventually, the draft report with regard to the bulk of the matters covered by the first Wiltshire Police investigation (Operation Rectangle) became available to me towards the end of October 2009 and the status of this draft report was changed to that of a final report in late November 2009.

However, I have not yet seen the report of the Wiltshire Police investigation in relation to the outstanding matters with regard to Operation Rectangle. Similarly, I have not yet seen any report with regard to the second Wiltshire Police investigation which is in relation to Operation Blast. The current estimation is that all the remaining reports of the Wiltshire Police will be completed by the end of January 2010, which hopefully will be so.

Under the terms of the Disciplinary Code in relation to the Chief Officer of Police, the next stage in the current disciplinary procedure is for the Chief Executive to the Council of Ministers (whose responsibilities are being fulfilled by the Deputy Chief Executive) to provide an interim report to me which will enclose copies of the relevant statements of witnesses and other documents. The reports of the Wiltshire Police will form part of that interim report. It is possible that I may receive interim reports in relation to different matters at different times.

I will need time to consider the interim report or reports. Thereafter, under the terms of the Disciplinary Code, both I and the Deputy Chief Executive will meet with the Chief Officer of Police in order to discuss the matter. Following that meeting, I will decide what, if any, disciplinary complaints the Chief Officer of Police will face and the order in which they will be dealt with.

If I decide to proceed with disciplinary complaints then these will be notified in writing to the Chief Officer of Police. I would expect that subsequently there would be at least one and possibly several formal meetings in relation to issues such as procedure at a hearing, the witnesses who should be called in order to give live evidence and the way in which evidence will be treated. In parallel with this, issues will arise as to what information and documents should properly be released to the Chief Officer of Police so that he could prepare properly for the formal hearing or hearings. It is anticipated that the Attorney General would take primary responsibility for ensuring that the Chief Officer of Police receives fair and proper disclosure. It is not possible to accurately estimate the length of time which would be required in order to complete these preliminary stages and in order to allow the Chief Officer of Police to prepare properly for any hearing or hearings.

Subsequently, any hearing or hearings would take place. Under the terms of the Disciplinary Code, the Chief

Officer of Police has the right to refer any adverse decision which I may make to an independent panel. If such a panel were to become operative then I must consider their recommendations but am not bound to follow these. If my decision were to be that the Chief Officer of Police would be fully exonerated or dealt with by way of a sanction less than dismissal then he would be reinstated.

However, if my decision with regard to any disciplinary complaints which may arise were that the Chief Officer of Police ought to be dismissed from office, then the final decision would rest with the States of Jersey and the matter would be referred by me to the States for a decision.

In the meantime, each month I review the issue as to whether the Chief Officer of Police should remain suspended from office upon the basis of the information which is currently available to me.

I conducted a full review of the issue as to whether the Chief Officer of Police should remain suspended from office in February and March 2009. My decision in March 2009 that the Chief Officer of Police should continue to be suspended from office was challenged by the Chief Officer of Police by way of an application to the Royal Court for Judicial Review but was upheld by the Royal Court by virtue of their decision in September 2009.

Finally, I cannot properly comment as to whether or not disciplinary proceedings may arise in relation to other serving police officers.