### 5 Deputy M.R. Higgins of the Minister for Home Affairs regarding the rules followed in the strip search of prisoners: (OQ.223/2019)

Will the Minister advise Members what rules, or regulations, the States of Jersey Police must follow in the strip-search of prisoners, who are placed in cells at Police Headquarters and what safeguards there are to ensure that any such rules, or regulations, are followed?

### Connétable L. Norman of St. Clement (The Minister for Home Affairs):

Strip-searches are governed by Code C of the Police Procedures and Criminal Evidence (Codes of Practice) (Jersey) Order 2004. There are a number of safeguards in place, to ensure that the rules governing strip-search are followed and these are contained within the Order. In order to be helpful to the Deputy, I have brought a copy of the Order with me, which I shall give to him and I will refer him especially to Code C, annex A, section B.

### 3.5.1 Deputy M.R. Higgins:

Can I ask the Minister whether it is usual for inebriated clients, let us say, of the police station to be stripped naked and put in the cells overnight and have male officers standing outside the door while the stripping takes place?

### The Connétable of St. Clement:

I am not aware of such a scenario.

### 3.5.2 Deputy M.R. Higgins:

Just following through then, is there a policy dealing with removing clothes from prisoners and putting them in a cell overnight?

### The Connétable of St. Clement:

I am certainly not aware of such a policy, because a strip-search can only take place if the custody officer, who would be a sergeant, considers it to be necessary to remove an article, which the detained person would not be allowed to keep and the officer reasonably considers that the person might have concealed such an article. That is the purpose of what the Deputy refers to and is referred to in the Code of Practice as a strip-search. During that search, there must be 2 other people of the same sex present while that search takes place. If it involves a juvenile, or someone who is vulnerable, then one of the people must also be an appropriate adult.

### 3.5.3 Deputy M.R. Higgins:

Again, following on from my question, I am referring to a specific case, of which I will give details to the Minister. The individual was stripped twice, including in the morning when they were sober. Again, a male police officer said: "Leave her alone. Do not take her underwear off her." I would ask the Minister to look definitely at the Code and I will speak with him. Will he make a statement on this at the next States sitting, please?

[10:15]

### The Connétable of St. Clement:

Once again, we have from Deputy Higgins a speculative scenario, which may, or may not, have taken place. I am not aware of it. I think if he really was concerned about things like this, surely, rather than raising it here, why not and come and speak to me, or the Police Chief and then deal with the

issue that way?  **[Approbation]**  Because I do not know if what the Deputy describes happened.  He does not know, because I suspect he was not in the police station at the same time.  But there are ways of dealing with these things, instead of trying continuously to undermine the confidence in the States of Jersey Police, who are doing a wonderful job for this Island and they do not need the sort of undermining contributions made continuously by Deputy Higgins.

## Deputy M.R. Higgins:

More openness and transparency.

## The Connétable of St. Clement:

I welcome openness and transparency, but come and talk to me, come and talk to the people who know what is going on.  Do not just speculate and listen to rumours.

### The Bailiff:

I am not sure, Deputy, if it is helpful to mention that your constituent may wish to be advised about the police complaints procedures.

## Deputy M.R. Higgins:

With respect, Sir, with the answer I just got from the Attorney General, it is a waste of space, the Police Complaints Authority.

### The Bailiff:

It is not the Attorney General, it was the Minister and, in addition, the Police Complaints Authority is a different organisation.