



Jersey

## **POLICE FORCE (AMENDMENT No. 11) (JERSEY) LAW 2009**

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## **POLICE FORCE (AMENDMENT No. 11) (JERSEY) LAW 2009**

A **LAW** to amend further the Police Force (Jersey) Law 1974 and for connected purposes

*Adopted by the States*

*12th September 2008*

*Sanctioned by Order of Her Majesty in Council*

*10th December 2008*

*Registered by the Royal Court*

*2nd January 2009*

**THE STATES**, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law –

### **1 Interpretation**

In this Law, “principal Law” means the Police Force (Jersey) Law 1974<sup>1</sup>.

### **2 Article 5 substituted**

For Article 5 of the principal Law there shall be substituted the following Articles –

#### **“5 Jurisdiction**

- (1) A member of the Honorary Police of a parish shall be empowered to act within the territorial limits of that parish.
- (2) For the purposes of paragraph (1), the territorial limits of a parish include –
  - (a) the headquarters for the time being of the Force;
  - (b) any police station for the time being used by the Force;
  - (c) any designated Customs custody facility;

- (d) any building for the time being designated by the States as a place for use by the Magistrate's Court;
  - (e) the General Hospital;
  - (f) the prison (as defined in the Prison (Jersey) Law 1957<sup>2</sup>).
- (3) A member of the Honorary Police of a parish shall also be empowered –
- (a) to pursue into any other parish and there arrest any person who has committed, or whom the member of the Honorary Police has reasonable cause to suspect of having committed, or of having been about to commit, any offence; and
  - (b) to continue investigations into any matter in any other parish, where those investigations started in the parish for which he or she is such a member.
- (4) A member of the Honorary Police of a parish shall also be empowered to exercise the powers of a member of the Honorary Police of another parish if the member, whilst in that other parish –
- (a) encounters a person whom the member reasonably believes is in the act of committing an offence against another person or against another person's property or to have just committed such an offence; or
  - (b) is at the scene of an incident and reasonably believes that the immediate exercise of those powers is necessary in the interests of public order or safety.
- (5) A member of the Honorary Police who decides to exercise the powers conferred by paragraph (4) shall inform the Connétable or a Centenier of the parish in which the powers are to be exercised –
- (a) before acting upon that decision or,
  - (b) where it is not practicable to do so before so acting, as soon as possible afterwards.

#### **5A Requests for assistance**

- (1) The Connétable or a Centenier of a parish (the 'requesting parish') may request the Connétable or a Centenier of another parish (the 'assisting parish') to place at the disposal of the requesting parish members of the Honorary Police of the assisting parish, for the purpose of meeting any policing need in the requesting parish.
- (2) A Centenier of a requesting parish shall, no later than 24 hours after he or she has made a request under paragraph (1), inform the Connétable and (unless the Centenier is the Chef de Police) the Chef de Police of the requesting parish.
- (3) A Centenier of an assisting parish who accedes to a request under paragraph (1) shall, no later than 24 hours after doing so, inform the Connétable and (unless the Centenier is the Chef de Police) the Chef de Police of the assisting parish.

- (4) A member of the Honorary Police of an assisting parish shall, from the time when he or she is placed at the disposal of a requesting parish to the time when he or she is ordered to stand down, have all the powers and duties of a member of the Honorary Police of the requesting parish.
- (5) The Connétable or a Centenier of an assisting parish may, at any time when a member of the Honorary Police of that parish is placed at the disposal of a requesting parish, request the Connétable or the Chef de Police of the requesting parish to order the member to stand down.
- (6) A Connétable or Chef de Police shall comply with a request made under paragraph (5) as soon as is practicable.
- (7) The Connétable or Chef de Police of a requesting parish may order a member of the Honorary Police who has been placed at the disposal of the requesting parish to stand down before the policing need is fully met.
- (8) A Connétable or Chef de Police who orders a member of the Honorary Police to stand down under paragraph (7) shall, no later than 24 hours after doing so, inform the Connétable or Chef de Police of the assisting parish of the order.”.

### 3 Article 22 amended

After paragraph (4) of Article 22 of the principal Law there shall be added the following paragraph –

- “(5) In this Article –
- (a) any reference to a member of the Honorary Police of a parish includes a reference to a member of the Honorary Police of another parish whilst he or she is placed at the disposal of the first-mentioned parish pursuant to Article 5A; and
  - (b) any reference to a tort committed by a member of the Honorary Police of a parish includes, where the member of the Honorary Police is acting as described in subparagraph (a), a reference to a tort committed by that member whilst so acting.”.

### 4 Police (Complaints and Discipline) (Jersey) Law 1999 amended

In the Police (Complaints and Discipline) (Jersey) Law 1999<sup>3</sup> –

- (a) in Article 17, for the words “in which that member serves” there shall be substituted the words “for which that member is elected”;
- (b) in Article 20(1), for the word “serving” there shall be substituted the words “elected to serve”.

**5 Citation and commencement**

This Law may be cited as the Police Force (Amendment No. 11) (Jersey) Law 2009 and shall come into force 7 days after it is registered.

**M.N. DE LA HAYE**

*Greffier of the States*

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- <sup>1</sup> *chapter 23.375*  
<sup>2</sup> *chapter 23.775*  
<sup>3</sup> *chapter 23.325*