



Jersey

## STATES OF JERSEY POLICE FORCE (AMENDMENT No. 3) LAW 2021

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## STATES OF JERSEY POLICE FORCE (AMENDMENT No. 3) LAW 2021

A LAW to amend the [States of Jersey Police Force Law 2012](#).

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<i>Adopted by the States</i>	<i>11th May 2021</i>
<i>Sanctioned by Order of Her Majesty in Council</i>	<i>21st July 2021</i>
<i>Registered by the Royal Court</i>	<i>23rd July 2021</i>
<i>Coming into force</i>	<i>30th July 2021</i>

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

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**1 Amendment of the [States of Jersey Police Force Law 2012](#)**

This Law amends the [States of Jersey Police Force Law 2012](#).

**2 Article 3 (functions of Minister) amended**

For Article 3(4) there is substituted –

“(4) The Minister must, after consulting the Police Authority and the Chief Officer, determine the ranks in the States Police Force.”.

**3 Article 4 (Jersey Police Authority) substituted**

For Article 4 there is substituted –

**“4 Jersey Police Authority**

- (1) The Jersey Police Authority is established.
- (2) The Jersey Police Authority’s main duties are –
  - (a) to promote and support continuous improvement in the policing of Jersey; and
  - (b) to oversee the performance of policing services by the States Police Force.

- (3) The Jersey Police Authority must seek from the Minister any additional resources needed to enable –
  - (a) the States Police Force to deliver the key aims and objectives referred to in Article 3(3)(a); and
  - (b) the Police Authority to perform its duties.”.

#### **4 Article 7 (power of Minister to direct the Police Authority) amended**

- (1) For Article 7(1) there is substituted –
  - “(1) The Minister may request that the Police Authority enquire into and provide a report to the Minister on any matter relating to the States Police Force.”.
- (2) In Article 7(2) there is deleted “or inspection”.
- (3) After Article 7(2) there is inserted –
  - “(3) If a report of an inspection undertaken under Article 28AB identifies that the Police Authority is not adequately carrying out its duties, the Minister may direct the Police Authority to take remedial measures.”.

#### **5 Article 8 (Chief Officer and Deputy Chief Officer) amended**

In Article 8(3) for “where possible” there is substituted “if practicable”.

#### **6 Article 17 (functions and status of Chief Officer) amended**

- (1) After Article 17(1) there is inserted –
  - “(1A) The Chief Officer must ensure that the States Police Force is an efficient and effective police force.
  - (1B) The Chief Officer may determine the number of police officers that may be appointed to each rank.”.
- (2) In Article 17(2) there is deleted “, in so far as circumstances permit,”.

#### **7 Article 19 (Annual Policing Plan) amended**

- (1) In Article 19(1)(a), after “financial year” there is inserted “and for the 3 financial years following the next financial year”.
- (2) After Article 19(1) there is inserted –
  - “(1A) In preparing an Annual Policing Plan, the Police Authority must consider –
    - (a) the key aims and objectives set by the Minister;
    - (b) the efficiency and effectiveness of the States Police Force; and
    - (c) the resources available to the States Police Force.”.

**8 New Article 25A (States' employees working for Police Force) inserted**

After Article 25 there is inserted –

**“25A States' employees working for Police Force**

- (1) States' employees who are employed to assist the operation of the police force are, in the carrying out of their functions, subject to the direction and control of the Chief Officer.
- (2) This Article does not apply to a States' employee whose employment duties involve providing legal advice.

**9 New Articles 28AA (Inspection of States Police Force) and 28AB (Inspection of Police Authority) inserted**

After Article 28 there is inserted –

*“Inspections*

**28AA Inspection of States Police Force**

- (1) The Police Authority must arrange for the States of Jersey Police Force to be inspected.
- (2) The inspections must –
  - (a) be performed by an independent body that, in the opinion of the Police Authority, is suitably qualified; and
  - (b) be undertaken at regular intervals determined by the Police Authority, which must be at least once every 4 years.

**28AB Inspection of Police Authority**

- (1) The Minister may direct an independent body that, in the opinion of the Minister, is suitably qualified to –
  - (a) inspect the Police Authority; and
  - (b) provide a report to the Minister on the findings of the inspection.
- (2) The body that undertakes the inspection must, before finalising a report, –
  - (a) provide a copy of the draft report to the Police Authority;
  - (b) give the Authority 28 days to respond; and
  - (c) consider any response from the Police Authority.
- (3) As soon as practicable after receiving a final report, the Minister must –
  - (a) provide a copy of the report to the Police Authority; and
  - (b) present the report to the States.”.

**10 Amendment to [States of Jersey Police Force \(Chief Officer and Deputy Chief Officer\) \(Jersey\) Regulations 2017](#)**

- (1) In Regulation 6(3) of the [States of Jersey Police Force \(Chief Officer and Deputy Chief Officer\) \(Jersey\) Regulations 2017](#) there is deleted “or Deputy Chief Officer”.
- (2) After Regulation 6(3) of the [States of Jersey Police Force \(Chief Officer and Deputy Chief Officer\) \(Jersey\) Regulations 2017](#) there is inserted –
  - “(3A) Before the Minister appoints a person to the office of Deputy Chief Officer, the Minister must –
    - (a) consult the Police Authority;
    - (b) if practicable, consult the Chief Officer; and
    - (c) present to the States notice of the Minister’s intention to make the appointment at least 2 weeks before the appointment is made.”.

**11 Amendment to [States of Jersey Police Force \(General Provisions\) \(Jersey\) Order 2016](#)**

- In the [States of Jersey Police Force \(General Provisions\) \(Jersey\) Order 2016](#), –
- (a) in Article 5(3) for “The Minister may, on the recommendation of the Chief Officer,” there is substituted “The Chief Officer may”;
  - (b) in Article 5(4) for “Minister” there is substituted “Chief Officer” in both places;
  - (c) in Article 6(1) for “The Minister, on the recommendation of the Chief Officer,” there is substituted “The Chief Officer”;
  - (d) in Article 6(6)(b) for “Minister” there is substituted “Chief Officer”.

**12 Citation and commencement**

This Law may be cited as the States of Jersey Police Force (Amendment No. 3) Law 2021 and comes into force 7 days after it is registered.