



Jersey

# **HONORARY POLICE (JERSEY) LAW 1974**

## **Official Consolidated Version**

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Showing the law from 11 January 2024 to Current



Jersey

## HONORARY POLICE (JERSEY) LAW 1974

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Jersey

## HONORARY POLICE (JERSEY) LAW 1974<sup>1</sup>

A LAW to make provision for the Honorary Police, and for related purposes.<sup>2</sup>

Commencement [[see endnotes](#)]

### PART 1

#### GENERAL

#### 1 Interpretation<sup>3</sup>

In this Law, unless the context otherwise requires –

“designated Customs custody facility” means any place that may be used for the purpose of detaining arrested persons, by the Agent of the Impôts or any officer of the Impôts, by virtue of the application of Article 33 of the [Police Procedures and Criminal Evidence \(Jersey\) Law 2003](#) by an Order made under Article 107 of that Law;

“Force” means the States of Jersey Police Force;

“Minister” means the Minister for Justice and Home Affairs;

“police officer” means a member of the Honorary Police;

“prescribed” means prescribed by Order.

#### 2 Duty of police officer<sup>4</sup>

It shall be the duty of a police officer to the best of his or her power to cause the peace to be kept and preserved and prevent offences, whether under customary law or statutory law, against the person and property of His Majesty’s subjects and to take all such lawful measures as may be necessary for the purposes of bringing offenders with all due speed to justice.

### 3 Power of police officer

- (1) Where a police officer with reasonable cause suspects that any person has committed, is committing or is about to commit, an offence the police officer may arrest that person.
- (2) Subject to the provisions of any other enactment, there shall be expressly reserved to a Centenier the powers of –
  - (a) the granting of bail to any person;
  - (b) the formal charging of any person with an offence, without prejudice to the customary powers of the Attorney General in the prosecution of offences;
  - (c) conducting and deciding a parish hall inquiry into an allegation that an offence has been committed; and
  - (d) presenting a person charged with an offence before a court.<sup>5</sup>
- (3) Subject to the provisions of paragraph (2), a police officer shall have all other powers and privileges relating to policing which a Centenier has by virtue of the common law or of any enactment for the time being in force.<sup>6</sup>
- (4) Where a Centenier declines to charge any person, the Attorney General may give such directions to such persons as the Attorney General thinks appropriate.<sup>7</sup>
- (5) <sup>8</sup>

## PART 2

### COMPOSITION AND JURISDICTION<sup>9</sup>

#### 4 Composition of Honorary Police

- (1) The Honorary Police shall comprise such number of Centeniers, Vingteniers and Constable's Officers for each parish or Vingtaine as the States shall specify by law.<sup>10</sup>
- (2) Except as provided in the [Centeniers \(Terms of Office\) \(Jersey\) Law 2007](#) members of the Honorary Police shall continue to be elected in the manner specified prior to the coming into force of this Law.<sup>11</sup>
- (3) Subject to paragraph (4), the Honorary Police shall be under the general supervision of the Attorney General.
- (4) The States may make Regulations as to the administration and conditions of service of members of the Honorary Police and in particular, but without prejudice to the generality of the foregoing, as to the qualifications for election, and the retirement of members of the Honorary Police.<sup>12</sup>

#### 5 Jurisdiction<sup>13</sup>

- (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](#)).
- (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<sup>14</sup>

- (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.

**6** 15

**7** 16

### **PART 3<sup>17</sup>**

### **PART 4<sup>18</sup>**

### **PART 5**

#### MISCELLANEOUS

#### **20 Property in possession of Honorary Police<sup>19</sup>**

- (1) The States may make Regulations for the disposal of property which has come into the possession of a police officer in cases where the owner of the property cannot be ascertained or found.
- (2) Without prejudice to the generality of paragraph (1), any such Regulations may include a power to dispose of such property by sale and for the proceeds of such sale to be credited to such account as the Regulations may specify.

**21** 20

#### **22 Remedies against members of the Honorary Police<sup>21</sup>**

- (1) The Connétable of each parish shall be liable in respect of torts committed by members of the Honorary Police of the Connétable's parish in performance or

purported performance of their functions in the same manner as a master is liable in respect of torts committed by the master's servants in the course of their employment, and shall in respect of any such tort be treated for all purposes as a joint tortfeasor.

- (2) There shall be paid out of funds provided by each parish –
  - (a) any damages or costs awarded against the Connétable of the parish in any proceedings brought against the Connétable by virtue of this Article and any costs incurred by the Connétable in any such proceedings so far as not recovered by the Connétable in the proceedings; and
  - (b) any sum required in connection with the settlement of any claim made against the Connétable of the parish by virtue of this Article if the settlement is approved by the Procureurs du Bien Public of the parish.
- (3) Any proceedings in respect of a claim made by virtue of this Article shall be brought against the Connétable for the time being or, in the case of a vacancy in that office, against the senior officer of the Honorary Police of the parish; and references in paragraphs (1) and (2) to the Connétable shall be construed accordingly.
- (4) A parish may, in such cases and to such extent as the Parish Assembly shall think fit, pay any damages or costs awarded against a member of the Honorary Police of that parish, in proceedings for a tort committed by the member of the Honorary Police, any costs incurred and not recovered by the member in such proceedings, and any sum required in connection with the settlement of any claim that has or might have given rise to such proceedings; and any sum required for making a payment under this paragraph shall be paid out of funds provided by that parish.
- (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 sub-paragraph (a), a reference to a tort committed by that member whilst so acting.<sup>22</sup>

## **23 Impersonation etc. of police officer**

- (1) Any person who with intent to deceive impersonates a police officer, or makes any statement or does any act calculated falsely to suggest that the person is a police officer, shall be guilty of an offence and liable to imprisonment for 6 months and to a fine of level 3 on the standard scale.<sup>23</sup>
- (2) Any person who, not being a police officer, wears any article of police uniform in circumstances where it gives the person an appearance so nearly resembling that of a police officer as to be calculated to deceive, shall be guilty of an offence and liable to a fine of level 3 on the standard scale.<sup>24</sup>
- (3) Any person who, not being a police officer, has in his or her possession any article of police uniform shall, unless the person proves that he or she obtained possession



of that article lawfully and has possession of it for a lawful purpose, be guilty of an offence and liable to a fine of level 2 on the standard scale.<sup>25</sup>

- (4) In this Article “article of police uniform” means any article of uniform or any distinctive badge or mark or document of identification usually issued to a police officer or anything having the appearance of such an article, badge, mark or document.
- (5) In this Article –
- (a) paragraph (2) does not apply to an article of police uniform worn by a person in the exercise of his or her functions as a member of the Force; and
  - (b) paragraph (3) does not apply to an article of police uniform which is in the possession of a person for the purposes only of his or her functions as a member of the Force.<sup>26</sup>

#### **24 Wasting Honorary Police time<sup>27</sup>**

- (1) Any person who causes any wasteful employment of the Honorary Police by knowingly making to any person a false report tending –
- (a) to show that any offence has been committed;
  - (b) to give rise to apprehension for the safety of any persons or property; or
  - (c) tending to show that the person has information material to any inquiry by the Honorary Police,
- shall be guilty of an offence and liable to imprisonment for 6 months and to a fine of level 3 on the standard scale.<sup>28</sup>
- (2) No proceedings shall be instituted for an offence under this Article except by or with the consent of the Attorney General.

**25** <sup>29</sup>

**26** <sup>30</sup>

**27** <sup>31</sup>

**28** <sup>32</sup>

**29** <sup>33</sup>

#### **30 Citation<sup>34</sup>**

This Law may be cited as the Honorary Police (Jersey) Law 1974.

**SCHEDULE 1<sup>35</sup>**

**SCHEDULE 2<sup>36</sup>**

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement
Police Force (Jersey) Law 1974	<a href="#">L.24/1974</a>	1 January 1975
Police Force (Amendment) (Jersey) Law 1979	<a href="#">L.20/1979</a>	6 July 1979
Police Force (Amendment No. 2) (Jersey) Law 1982	<a href="#">L.15/1982</a>	1 May 1983 (except Art.3) ( <a href="#">R&amp;O.7173</a> )
Police Force (Amendment No. 3) (Jersey) Law 1986	<a href="#">L.14/1986</a>	4 July 1986
Police Force (Amendment No. 4) (Jersey) Law 1987	<a href="#">L.9/1987</a>	26 June 1987
Police Force (Amendment No. 5) (Jersey) Law 1993	<a href="#">L.11/1993</a>	1 August 1993 ( <a href="#">R&amp;O.8563</a> )
Police Force (Amendment No. 6) (Jersey) Law 1997	<a href="#">L.10/1997</a>	18 April 1997
Police Force (Amendment No. 7) (Jersey) Law 1998	<a href="#">L.35/1998</a>	28 February 1999 ( <a href="#">R&amp;O.9355</a> )
Police (Complaints And Discipline) (Jersey) Law 1999	<a href="#">L.4/1999</a>	1 January 2001 ( <a href="#">R&amp;O.111/2000</a> )
Police Force (Amendment No. 8) (Jersey) Law 2000	<a href="#">L.30/2000</a>	1 February 2001 ( <a href="#">R&amp;O.18/2001</a> )
Police Force (Amendment No. 10) (Jersey) Law 2004	<a href="#">L.9/2004</a>	21 May 2004
States of Jersey (Amendments and Construction Provisions No. 7) (Jersey) Regulations 2005	<a href="#">R&amp;O.47/2005</a>	9 December 2005
Employment of States of Jersey Employees (Consequential, Amendment, Repeal, Transitional and Savings Provisions) (Jersey) Regulations 2005	<a href="#">R&amp;O.155/2005</a>	9 December 2005
Police Force (Amendment No. 9) (Jersey) Law 2003	<a href="#">L.31/2003</a>	24 January 2006 ( <a href="#">R&amp;O.3/2006</a> )
Connétables (Jersey) Law 2008	<a href="#">L.15/2008</a>	28 March 2008
Police Force (Amendment No. 11) (Jersey) Law 2009	<a href="#">L.8/2009</a>	9 January 2009

Legislation	Year and No	Commencement
States of Jersey Police Force Law 2012	<a href="#">L.37/2012</a>	24 July 2013 (Schedule 1, paragraph 11(9) to the extent that it repeals Article 8(1) and (2) and Article 9(3)) <a href="#">(R&amp;O.105/2013)</a> Remaining provisions in force 1 August 2014 <a href="#">(R&amp;O.87/2014)</a>
Connétables (Miscellaneous Provisions) (Jersey) Law 2012	<a href="#">L.30/2012</a>	1 August 2014 <a href="#">(R&amp;O.80/2014)</a>
Criminal Justice (Miscellaneous Provisions) (Jersey) Law 2016	<a href="#">L.1/2016</a>	20 September 2016 <a href="#">(R&amp;O.98/2016)</a>
States of Jersey (Transfer of Justice Functions – Chief Minister to Justice and Home Affairs) Order 2023	<a href="#">R&amp;O.76/2023</a>	21 September 2023

### Table of Renumbered Provisions

Original	Current
PART I	PART 1
8(4)	repealed by <a href="#">L.15/1982</a>
8(5),(6),(7)	repealed by <a href="#">L.4/1999</a>
PART II	PART 2
PART III	PART 3
12	repealed by <a href="#">L.15/1982</a>
13	repealed by <a href="#">L.15/1982</a>
PART IIIA	PART 4
13A	12
13B	13
13C	14
13D	15
13E	16
13F	17
13G	18
13H	19
PART IV	PART 5
14	20
(3)	spent, omitted from this revised edition
14A	21
14B	22
15	23
15A	24
15B	25
15C	26
15D	27
16	28

Original	Current
16A	29
17	spent, omitted from this revised edition
18	30
FIRST SCHEDULE	SCHEDULE 1
SECOND SCHEDULE	SCHEDULE 2

## Table of Endnote References

- <sup>1</sup> *This Law has been amended by the States of Jersey (Amendments and Construction Provisions No. 7) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government.*  
*This Law has also been amended by the Public Finances (Consequential Amendments) (Jersey) Regulations 2005. The amendments are consequential upon the repeal of the Public Finances (Administration) (Jersey) Law 1967 and its replacement by the Public Finances (Jersey) Law 2005.*  
*This Law has also been amended by the Employment of States of Jersey Employees (Consequential, Amendment, Repeal, Transitional and Savings Provisions) (Jersey) Regulations 2005. The amendments are consequential upon the repeal of the Civil Service (Administration) (Jersey) 1948 and its replacement by the Employment of States of Jersey Employees (Jersey) Law 2005. Renamed by L.37/2012*
- <sup>2</sup> *Long title* substituted by L.37/2012
- <sup>3</sup> *Article 1* substituted by L.37/2012, amended by R&O.76/2023
- <sup>4</sup> *Article 2* amended by L.37/2012, revised on 11 January 2024 by Law Revision Board item [2023/1](#)
- <sup>5</sup> *Article 3(2)* substituted by L.30/2012
- <sup>6</sup> *Article 3(3)* amended by L.30/2012
- <sup>7</sup> *Article 3(4)* amended by L.30/2012, L.37/2012
- <sup>8</sup> *Article 3(5)* repealed by L.37/2012
- <sup>9</sup> *Part 2* heading substituted by L.37/2012
- <sup>10</sup> *Article 4(1)* amended by L.30/2012
- <sup>11</sup> *Article 4(2)* amended by L.15/2008, L.30/2012
- <sup>12</sup> *Article 4(4)* amended by L.4/1999
- <sup>13</sup> *Article 5* substituted by L.8/2009; former Article amended by L.9/1987, L.31/2003
- <sup>14</sup> *Article 5A* inserted by L.8/2009
- <sup>15</sup> *Article 6* repealed by L.37/2012
- <sup>16</sup> *Article 7* repealed by L.37/2012
- <sup>17</sup> *Part 3* repealed by L.37/2012
- <sup>18</sup> *Part 4* repealed by L.37/2012
- <sup>19</sup> *Article 20* heading amended by L.37/2012
- <sup>20</sup> *Article 21* repealed by L.37/2012
- <sup>21</sup> *Article 22* inserted by L.10/1997
- <sup>22</sup> *Article 22(5)* substituted by L.8/2009

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- <sup>23</sup> *Article 23(1)*                    *amended by L.37/2012, L.1/2016*
- <sup>24</sup> *Article 23(2)*                    *amended by L.37/2012*
- <sup>25</sup> *Article 23(3)*                    *amended by L.37/2012*
- <sup>26</sup> *Article 23(5)*                    *added by L.37/2012*
- <sup>27</sup> *Article 24*                        *inserted by L.20/1979, heading amended by L.37/2012*
- <sup>28</sup> *Article 24(1)*                    *substituted by L.37/2012, amended by L.1/2016*
- <sup>29</sup> *Article 25*                        *repealed by L.37/2012*
- <sup>30</sup> *Article 26*                        *repealed by L.37/2012*
- <sup>31</sup> *Article 27*                        *repealed by L.37/2012*
- <sup>32</sup> *Article 28*                        *repealed by L.37/2012*
- <sup>33</sup> *Article 29*                        *repealed by L.37/2012*
- <sup>34</sup> *Article 30*                        *substituted by L.37/2012*
- <sup>35</sup> *Schedule 1*                      *repealed by L.37/2012*
- <sup>36</sup> *Schedule 2*                      *repealed by L.37/2012*