



Jersey

POLICE PROCEDURES AND CRIMINAL EVIDENCE (CODES OF PRACTICE) (AMENDMENT No. 4) (JERSEY) ORDER 201-

Explanatory Note

This Order amends the Police Procedures and Criminal Evidence (Codes of Practice) (Jersey) Order 2004 (the “Codes of Practice Order”) the purpose of which is to give effect to the operation of revised Code C in the Schedule to the Codes of Practice Order, to enable records to be made in electronic form. Code C is the code of practice for the detention, treatment and questioning of persons by police officers.

In accordance with Article 62 of the Police Procedures and Criminal Evidence (Jersey) Law 2003, the Minister for Home Affairs published a draft of this Order on [date 2018].

Article 1 is an interpretation provision.

Article 2 is a corrective amendment to the preamble of the Codes of Practice Order.

Article 3 amends Code C the effect of which is that where any provision in that Code or any other Code requires the making of a record in a pocket book, that record may be made on an electronic device instead.

Article 4 provides for the title by which this Order may be cited and for it to come into force 7 days after it is made.



Jersey

**POLICE PROCEDURES AND CRIMINAL
EVIDENCE (CODES OF PRACTICE)
(AMENDMENT No. 4) (JERSEY) ORDER 201-**

Arrangement

Article

1	Interpretation	5
2	Police Procedures and Criminal Evidence (Codes of Practice) (Jersey) Order 2004 amended	5
3	Code C amended	5
4	Citation and commencement	6



Jersey

**POLICE PROCEDURES AND CRIMINAL
EVIDENCE (CODES OF PRACTICE)
(AMENDMENT No. 4) (JERSEY) ORDER 201-**

Made

[date to be inserted]

Coming into force

[date to be inserted]

THE MINISTER FOR HOME AFFAIRS makes this Order under Articles 61 and 62 of the Police Procedures and Criminal Evidence (Jersey) Law 2003 –

1 Interpretation

In this Order “Code C” means Code C (a code of practice for the detention, treatment and questioning of persons by police officers) in the Schedule to the Police Procedures and Criminal Evidence (Codes of Practice) (Jersey) Order 2004.

2 Police Procedures and Criminal Evidence (Codes of Practice) (Jersey) Order 2004 amended

In the preamble to the Police Procedures and Criminal Evidence (Codes of Practice) (Jersey) Order 2004, for “The Home Affairs”, there is substituted “The Minister for Home Affairs”.

3 Code C amended

(1) After paragraph 1.13 of Code C there is inserted –

“1.14 In any provision of this and any other Code which allows or requires police officers or police staff to make a record in their pocket book, the reference to pocket book includes any official report book or electronic recording device issued to them that enables the record in question to be made and dealt with in accordance with that provision.

1.15 References in this and any other Code to written records, forms and signatures include electronic records, forms and electronic

confirmation that identify the person making the record or completing the form.

1.16 The Chief Officer must be satisfied as to the integrity and security of the devices, records and forms to which paragraphs 1.14 and 1.15 refer and that use of those devices, records and forms satisfies relevant data protection legislation.”.

- (2) In paragraph 3.2 of Code C, for “rights to have a copy of the custody record in accordance with paragraph 2.3”, there is substituted “right to have a copy of the custody record supplied in accordance with paragraph 2.4(d).”.

4 Citation and commencement

This Order may be cited as the Police Procedures and Criminal Evidence (Codes of Practice) (Amendment No. 4) (Jersey) Order 201- and comes into force 7 days after it is made.

CONSULTATION DRAFT