

LAWMAKERS & LAWBREAKERS

A Brief History Of Policing In Jersey

The history of policing in Jersey can be broadly divided into three periods – the medieval period through to the mid-19th century, the mid-19th century to mid-20th century during which reformers both in and outside the island struggled to break through the deeply embedded island traditions, and the modern period from 1960 when the island-wide paid police force became the States of Jersey Police Force.

The medieval period to the mid-nineteenth century

In the Middle Ages, Jersey developed its own way of enforcing the law which had developed out of the Norman customary law brought to the island in the tenth century; originally centred on the Seigneurs and their feudal courts, the system was adapted with the appearance of Connétables and Vingteniers in the parishes (first mentioned in 1462). Each parish community had its own elected, unpaid police force – the honorary police - which over the centuries became close linked with the parochial system and parish politics.

By the 16th century, the central Royal Court had developed an encompassing system for trying criminal or civil cases. By the eighteenth century, the Jurats were as susceptible to the proliferating party politics as anyone else in the island and with the police so closely involved politically the impartiality and unbiased approach required of them was sadly missing. It is not surprising that many political factions were known as 'police' or 'anti-police'

Mid-nineteenth century to the twentieth century

By the 1840s, the population of St. Helier was approximately 23,000 and had grown out of all proportion to the rest of the island and some in the parish felt that the traditional system of policing no longer worked. In May 1846, two English barristers were appointed Commissioners to '*enquire into the criminal laws now in force in the Channel Islands and into the constitutions and powers of the tribunals charged with the execution of such laws.*' The commission produced a 280 page report which included recommendations that:

- The honorary police should be replaced by a paid police force for the whole island.
- A criminal code be enacted by the States, defining offences on the basis of English law.
- No member of the States should be a member of the Court.
- Criminal procedures should be reformed, in order to provide for trial by one jury only, and, for the hearing of witnesses before the jury.

The main support for change came from St. Helier, the rural parishes remaining stoutly opposed to any form of change to the island system. However, the Connétable of St. Helier, Pierre Le Sueur, suggested a compromise which included the appointment of a magistrate and the introduction of a paid 'night watch'. While the Commissioners had envisaged an island-wide system of policing (a superintendent and 22 men to operate totally independent of the honorary system), Le Sueur advocated strongly that the criminal responsibilities should remain with the centeniers. His most forceful argument against any transfer of authority centred upon the potential cost.

The States compromised; a States' committee would appoint ten men to function as a night watch - in the town only - controlled by the Connétable of St. Helier. The prime aim of the Commission - to sever the police/political connection - had not materialised and the issue was destined to haunt the professional police service well into the 20th century. The States of Jersey passed an Act for 'the Appointment of a Paid Police force' in 1853. In January 1854, the St. Helier Paid Police - the night watch or '*garde de nuit*' - finally appeared on the town streets, patrolling the town between the hours of 6pm and 2am.

A Committee consisting of the Bailiff and residents of the parish of St Helier elected ten salaried Officers of Police acting under the Connétable of St Helier, especially at night. They would have to be bilingual in French and English and to have no other occupation; they would have no vote in Parish assemblies or public functions. The salary was to be 18/- a week. They could be suspended by the Connétable of St Helier with the sanction of the Bailiff, or dismissed by a committee of the States.

Expenses of this service were to be defrayed, one-third by the States, out of Harbour revenues, and two-thirds by householders of the parish.

The first ten paid police officers appointed were:

1. John Fauvel
2. Francis Le Brun
3. John B Hornbrook
4. George Henley
5. Peter Voisin
6. John Coutanche
7. Augustus Ph Jolin
8. John de Gruchy
9. Francis Thaout
10. Jean Rapsey.

Although uniformed on similar lines to United Kingdom officers and encountering all of the same problems of general policing, their powers were restricted and were entirely dependent upon the specific authority of Centeniers in matters of arrest and search. If an arrest was made during the day, they were to take the miscreant to the Constable or a Centenier; but, if the arrest was during the night, that person was taken to a Station House, which was to be provided, and then presented to an honorary officer at a convenient time. This situation remained unchanged for 120 years.

In 1934 another commission was set up to consider these primary questions - could police experts be placed at the disposal of the honorary police? And was it expedient to retain the fundamental principle of the honorary system of policing? They were to present a recommendation for re-organising the paid police to ensure that they could operate in accordance with the policing needs of the Island.

The aim of the Commissioners was to introduce a more flexible and professional police system, whilst retaining the honorary principle and the authority of the Connétable in their parishes. They recommended that the Connétable of St. Helier should relinquish his powers over the paid police and that the States should have responsibility for 'all insular purposes foreseen and expected'. In 1938, the rural members of the States blocked the resulting bill, and it was not until after the Second World War and the island's liberation from occupation that the policing issue was

taken up again. In 1950, the report commissioned by the Defence Committee and produced by Sir Alexander Maxwell (former Permanent Under Secretary) and Mr FT Tarry (HM Inspector of Constabulary) proved that little had changed since 1934. They recommended that the honorary police should be supplemented by the professional services of the paid police to assist in crime prevention and detective work, and that the paid police should have the same powers in all parishes. They further recommended that a full time Chief Officer of Police should be appointed, responsible for training and technical aids. The new force should also be provided with Headquarters premises away from the St. Helier Town Hall. The report was extensive and resulted in the Paid Police Force (Jersey) Law, 1951, being passed and the Jersey Paid Police operating on an island-wide basis.

In the following years, many of the Maxwell-Tarry recommendations were adopted including the appointment of a Chief Officer. Under the guidance of their new Chief Officer, the force began to take on a more professional role; the relationship with the honorary police still remained a tolerated one with the paid police remaining subordinate to their honorary colleagues. The Defence Committee still only had responsibility for administering the force in matters of organisation, training and discipline.

The continuing increase in calls upon the force for assistance with a widening range of offences and incidents called for a further assessment of the situation and the status of the paid police. As a result in 1958 Mr Tarry and his assistant Superintendent JW Kennedy were invited to return to Jersey to carry out an informal inspection of the force. They found little to criticise in the organisation, training and knowledge of the paid police but felt that in general terms the island was not receiving the level or standard of service compared to the United Kingdom because of the inadequate strength of the paid police force and because, in their view, *'the efficiency and status of the force could not be expected to reach its full potential so long as the members of the force remained in a subordinate position to the honorary police - did not possess the power to arrest - and did not hold the full initiative and responsibility in the investigation of crime'*.

These comments prompted the question of whether the traditional system of honorary policing was able to cope with the island-wide increase in policing matters.

The time was not, however, considered appropriate to pursue this controversial issue. One of Mr Tarry's recommendations was that the name of the force should be changed to reflect its island wide responsibilities. As a result in 1960 the 'Jersey Paid Police Force' became 'The States of Jersey Police Force'. It was not until 1974, however, that following an inspection and report by Mr RG Fenwick QPM, an Inspector of Constabulary, the States passed the Police Force (Jersey) Law, 1974, giving members of the force the power to arrest offenders and suspected offenders and the ability to go about their duties without regard to parish boundaries. This was almost 130 years after the 1846 Royal Commission had recommended the establishment of an island-wide police force.

In order to learn more about the History of Jersey's Police force, visit or contact Jersey Archive:

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