



**FACTUAL CORRECTIONS TO COUNCILLOR BUCKLEY'S ADJOURNMENT  
DEBATE SPEECH**

<b>Incorrect statement/ suggestion</b>	<b>Correction</b>
<p><i>'Unannounced recent Firearms training exercises at Ladder Hill adjacent to residential areas have caused needless anxiety to the people living there. At 3 o' clock in the afternoon when kids are arriving home from school, they are greeted by officers carrying guns...'</i></p>	<p>The firearms training took place in the lower car park area of the fire station, away from the residential area. There were safety officers present during all training sessions.</p> <p>Every measure was taken to reduce any concern and every effort was made to ensure that no visible outside training was completed when children were coming home from school.</p>
<p><i>'Officers approach citizens as if they are guilty until proven innocent'</i></p>	<p>Incorrect. All investigations are impartial, fair and conducted in line with the legislation adopted or created by the Elected Members.</p> <p>The work of the Directorate is scrutinised by the Attorney General's Chambers and the Court.</p>
<p>Councillor Buckley spoke of another incident where 20 officers had turned up to a person's home fully dressed, he asserted, in riot gear and with a riot shield, to search for vehicle documentation.</p>	<p>This is an ongoing case and Councillors should not refer to any cases where a judicial decision is still to be taken.</p> <p>However, officers were in normal police clothing, not riot gear and 20 police officers did not attend.</p>
<p>Councillor Buckley commented on an incident where an officer had climbed through a window and searched a person's house while the person was absent and then tried to serve the warrant.</p>	<p>The Police and Criminal Evidence Ordinance states that a search warrant gives the police a power to search a property. The owner or occupier does not have to be present when the search is conducted.</p> <p>In this case, the search warrant was obtained under Section 7(1) of the PACE Ordinance 2003 which gave the police a power to enter and search any building or vehicle on land specified in the warrant within one month from the date of issue of</p>

	<p>the warrant and to search for articles in respect of which the application is made and if any articles are found seize such items.</p> <p>On this occasion no one was at home, so rather than force entry officers climbed through a window to gain access.</p> <p>A police officer visited the addressees the following day in order to give each householder the list of property taken and to ensure the occupant had a copy of the warrant. They also wished to ensure that the property owner had found the copy as no one had been in when the warrant was executed.</p>
<p>Regarding statistics from an update on SHG's 10 Year Plan, Councillor Buckley said:</p> <p><i>'My interpretation of these statistics suggests that almost half of all these cases either lack evidence or shouldn't have been in court in the first instance'.</i></p>	<p>The figures used by Councillor Buckley are old figures. The current 2018/2019 figures show that there were 67 cases heard in the court, 63 resulted in a conviction and in four cases the charged person was not found to be guilty.</p> <p>Cases can be withdrawn for a number of reasons prior to an actual court hearing, for example when an Out-of-Court Disposal is agreed or victims and witnesses are no longer willing to support a prosecution and give evidence in court.</p>
<p>On the subject of courts, Councillor Buckley criticised CID officers for sitting in court <i>'practically all day even when they are not required to give evidence'</i>.</p>	<p>There is no victim / witness care service on the Island so on occasions officers will support the family in the role of Family Liaison Officers in certain cases.</p> <p>Outside of this CID officers only attend court when required or if the Attorney General's Chambers require them there.</p>
<p>Councillor Buckley refers to a man who had been arrested and cautioned for tattooing a minor. Councillor Buckley states: <i>'A proactive approach between the parties, a meeting with a councillor or a note of concern to Safeguarding would have addressed the issue. Instead we have a young innocent man unaware of his action and consequences who is left with a criminal record'</i>.</p>	<p>The situation is that this matter was referred to the Police by the Safeguarding Directorate due to the concern about the number of young persons involved and concern regarding the appropriateness of tattooing minors. This is something they cannot legally consent to and potentially raised issues from a health perspective.</p>

	<p>The offence is committed under sections 1 and 2 of the Tattooing of Minors Act 1969 which applies to St Helena and is on the list of St Helena's laws.</p> <p>The outcome was proportionate to address the concerns raised.</p>
<p>Councillor Buckley criticised the police for charging people with a higher offence than they have evidence for.</p>	<p>Incorrect. Ultimately the Attorney General's Chambers ratify the charges an accused will face in court during the court proceedings. They are skilled, experienced lawyers independent of the police.</p>
<p><i>'This [police] unprofessionalism...has led to young officers leaving the force and recently officers have been stood down. This could create a recruitment issue.'</i></p>	<p>This is incorrect.</p> <p>There are now more applicants than there are roles in the Police Service. Officers are not leaving as they once were. This is due to the training they receive and the leadership within the Directorate.</p> <p>Over the past 12 months, five officers have left the Police Service. Two of these left to pursue careers overseas due to better terms and conditions. Both stated they wished to return to the Police when their contracts are completed.</p> <p>Two left to pursue other life interests. One wishes to return to the police in the next 12 months. One left to pursue a career in another Directorate.</p> <p>In summary, three of the five officers who left wish to return and they left to achieve personal ambitions or to achieve a better income.</p>

**Chief of Police David Lynch**  
**1 April 2019**