



Government of South Georgia & the South Sandwich Islands

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Guide to the *Police Ordinance*

Introduction

The Police Ordinance is legislation made by the Government of South Georgia & the South Sandwich islands (the Government) which applies to the Territories of South Georgia and the South Sandwich Islands (the Territory). It establishes a framework for policing the Territory setting out how Police Officers will be appointed and managed, and how they will carry out their duties.

The previous Police Ordinance that applied to the Territory dated back to 1967 and was out of date and no longer fit for purpose.

The Policing Objectives

The policing objectives for the Territory are stated near the beginning of the Policing Ordinance. They set the tone for policing the Territory and what we should expect from Police Officers. They are to:

- uphold the law fairly and firmly;
- prevent crime;
- pursue and bring to justice those who break the law;
- keep the Queen's peace;
- protect, help and reassure persons present in the Territory; and
- act, and be seen to act, with integrity, common sense and sound judgment.

In the objectives, “the Queen’s peace” means the protection that the Queen provides to her subjects in the Territory, which is to be maintained through the delivery of the policing objectives.

The Chief of Police

There will be a Chief of Police who is appointed by the Commissioner. Before making the appointment the Commissioner must be satisfied that the person being appointed has the appropriate knowledge and experience of exercising police functions.

In practice the Chief of Police will usually be the same person who is appointed as the Chief of Police for the Falkland Islands. This is a sensible arrangement because although there will be

reserve Police Officers on South Georgia, any full time professional officer that may be required to deal with an incident will most likely be drawn down from the Royal Falkland Islands Police (RFIP).

The Chief of Police is responsible for:

- the management and direction of Police Officers including reserve and temporary Police Officers;
- deploying the available police resources to deliver the policing objectives;
- advising the Commissioner about the resources required for policing The Territory; and;
- producing an annual policing report.

Police Officers

The Commissioner also appoints permanent and reserve Police Officers and makes temporary appointments as necessary.

In practice the Government Officers based at King Edward Point (KEP) will be appointed as reserve Police Officers. A number of Officers of the RFIP will be appointed as Police Officers to give support from the Falkland Islands. Additional Police Officers can be temporarily appointed as necessary and could be drawn from the RFIP, a UK police force or military police force.

The job of a Police Officer is to deliver the policing objectives.

Powers of Police Officers

Police officers have all the powers and authority that a police officer of the RFIP has. They also have, provided the Commissioner gives permission, the power to arrest or detain a person while waiting for them to be removed from the Territory and during their removal from the Territory.

Police Stations

The Territory does not have any permanently established police stations. The Commissioner can designate places to be used as police stations and must publish a notice of designation in the Gazette.

In practice the Commissioner will designate police stations. They will be areas of the accommodation at KEP that can be easily adapted for use for police purposes, including the detention of a person if necessary. The Commissioner will also designate the police station in Stanley, Falkland Islands as a police station for the Territory as it is the base for the Chief of Police and the RFIP.

Property

Where property comes into the possession of the police either because it is lost property or it is evidence then normally it will be returned to its owner unless that person cannot be identified or located.

If after 3 months the property has not been claimed or the owner has not been located the property can be sold. The proceeds are kept for further 3 months in case the owner makes a claim. Once three months has passed the money from the sale can be used for police purposes.

If the Court has forfeited property which has come into its possession as a result of legal or other proceedings then the property or its proceeds will not be given to the owner but will be retained by the police. The Court may also make an Order that property should be destroyed. Different arrangements can be made for perishable property.

Conduct of Police Officers

Police Officers must aim to comply with the Code of Conduct set out in the Schedule to the Ordinance. This Code of Conduct is a similar code to the one followed by the RFIP and includes things like honesty, fairness, obeying lawful orders and generally behaving in a way appropriate for a Police Officer.

If a Police Officer is also a serving Police Officer in another police force then that force can discipline them.

The Chief of Police must have a complaints system to deal with any complaints against Police Officers. If there is a complaint about the Chief Police Officer then the Commissioner will deal with those complaints.

Offences

Under the Ordinance it is an offence to do any of the following:

- assault a Police Officer;
- obstruct a Police Officer in the exercise of their functions;
- impersonate a Police Officer with intent to deceive.

The penalty for committing one of these offences is a fine and or six months imprisonment.