

No. 7 ]                      *Police Complaints (Amendment) Act*                      [ 2013.

**SAINT LUCIA**

—  
No. 7 of 2013

**ARRANGEMENT OF SECTIONS**

1. Short title
2. Interpretation
3. Amendment of section 18



I ASSENT

[L.S.]

PEARLETTE LOUISY,  
*Governor-General.*

*December 4, 2013.*

## **SAINT LUCIA**

—————  
**No. 7 of 2013**

**AN ACT** to amend the Police Complaints Act, Cap. 14.14

[ 4th December, 2013 ]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the House of Assembly and the Senate of Saint Lucia, and by the authority of the same, as follows:

**Short title**

1. This Act may be cited as the Police Complaints (Amendment) Act, 2013.

**Interpretation**

2. In this Act “principal Act” means the Police Complaints Act, Cap.14.14.

**Amendment of section 18**

3. Section 18 of the principal Act is amended by deleting section 18 and substituting the following—

**“18. COMPLAINTS UNIT**

- (1) The Commissioner shall, after consultation with the Minister, establish and maintain for the purposes of this Act, a unit within the Police Force to be known as the Complaints Unit and shall ensure that the Unit is supplied with sufficient staff and facilities to receive complaints from the Commission and to record and investigate those complaints.
- (2) The Unit shall—
  - (a) investigate complaints made by members of the public against police officers and referred to it by the Commission;
  - (b) resolve the said complaints in accordance with this Act;
  - (c) submit to the Commission and to the Commissioner –
    - (i) at the end of every 3 months, a progress report on the work undertaken by the Unit;
    - (ii) a final report on all investigations; and
  - (d) carry out such other duties as the Commissioner or the Commission may assign to it from time to time.
- (3) The Unit shall be headed by a police officer of a rank no lower than that of Assistant Superintendent save that, where a complaint is made —
  - (a) against the Head of the Unit;

(b) against an officer of a higher rank than the Head of the Unit the Commissioner shall Appoint an officer of a rank senior to that of the officer against whom the complaint is made to investigate that complaint.

(4) Notwithstanding subsections (2) and (3) of this section the Minister may appoint one or more persons to investigate any matter involving a member or members of the Police Force.

(5) Persons referred to in subsection (4) of this section may be appointed from persons within or outside of Saint Lucia.

(6) Any person or persons appointed to conduct such an investigation by the Minister shall have full powers to review such matters, conduct or order any and all investigations and request or undertake any analysis necessary and shall have all the powers, authority, advantages and immunities given to Police officers under the Police Act, Cap. 14.01 in furtherance of the investigation, and shall report to the Minister.

(7) Where, in any investigation authorised by the Minister, it appears to the investigator or lead investigator that there is prima facie evidence of criminal conduct, he or she shall transmit to the Director of Public Prosecutions all evidence, statements and other relevant materials arising from the investigation.

(8) A previous hearing or finding by the Complaints Unit, or the prior conduct of a Coroner's Inquest concerning the matter to be investigated shall not preclude an investigation from being authorised by the Minister.”.

Passed in the House this 19th day of November, 2013.

PETER I. FOSTER,  
*Speaker of the House of Assembly.*

Passed in the Senate this 28th day of November, 2013.

CLAUDIUS J. FRANCIS,  
*President of the Senate.*