



Education and Home Affairs Scrutiny Panel Camera Surveillance Review

FRIDAY, 28th JUNE 2013

Panel:

Connétable M.P.S. Le Troquer of St. Martin (Acting Chairman)
Deputy M. Tadier of St. Brelade
Deputy G.P. Southern of St. Helier
Dr. P. Fussey (Panel Adviser)
Professor W. Webster (Panel Adviser)

Witnesses:

Acting Chief Inspector A. Williamson, States of Jersey Police
Senator B.I. Le Marquand (The Minister for Home Affairs)

[9:32]

Connétable M.P.S. Le Troquer of St. Martin (Acting Chairman):

I am sure you are aware this morning is a public interview, a public scrutiny hearing and we are looking at closed circuit camera surveillance on the Island. If we could start, Minister, if you want to give us your view, just broad views at the moment on the use of C.C.T.V. (closed circuit television) police in particular obviously, systems that you are operating on the Island.

The Minister for Home Affairs:

I have a sense of déjà vu because, well, just thinking about it, I thought, have I given evidence to you before or was that informally?

The Connétable of St. Martin: It was not ... we had an informal meeting.

The Minister for Home Affairs:

At an informal meeting, okay, that is ... okay, well, then I do need to go back over ...

Deputy M. Tadier:

Just do not change your story and then you will be all right.

The Minister for Home Affairs:

Yes, that is right. I am not sufficiently imaginative to be able to change my story. Yes, so from my perspective, a political perspective, I am very positive about the C.C.T.V. That is because it provides an objective photographic record of what occurs at any particular incident. It also provides the ability of the police force to ... when the system is fully operational and there is somebody monitoring it, which I understand is on a Friday night and a Saturday night but if I am wrong on that I will be corrected, which are the peak times, to be watching what is going on and therefore responding very quickly to any incident which is happening or potentially going to happen and so on. From my standpoint as former Magistrate, of course, the evidential value was massive, both in terms of proving the prosecution case but sometimes in terms of proving the defence case because it does have this element of objectivity and I can give examples from my own past experience of both ways or all different ways in relation to that. So I am very positive about this and I think that it is an important modern tool which assists the police in reducing instances of crime, reacting to the instances of crime, increasing the level of public safety, et cetera. That is a general opening statement.

The Connétable of St. Martin:

Okay, no, I think it is exactly right. I think it is right to have a general opening statement of that sort. It is not one that would have been unexpected, I think. If I can move on, maybe, and I think probably the Chief Inspector would be answering these. Can you tell us how many police cameras there are in operation on the Island?

The Minister for Home Affairs:

Do you want me to ... I have got some stuff as well but I think if I leave the more technical stuff but I have figures as well.

Acting Chief Inspector, States of Jersey Police:

Sir, if you are happy if I refer to the notes ...

The Connétable of St. Martin:

Please, yes.

Acting Chief Inspector, States of Jersey Police:

I have got quite extensive notes on this. The responses are drawn from across the force from I.T. (information technology) who were responsible for the initial introduction of cameras, along with the management at the time. So in terms of how many cameras do we have, we need to provide some clarity in terms of ... my understanding is the scrutiny panel are looking at the overt town C.C.T.V. system.

The Connétable of St. Martin:

Yes, that is correct.

Acting Chief Inspector, States of Jersey Police:

And, on the whole, I will respond in relation to the town system. There needs to be a very, very clear distinction between what we, the police, do overtly and what we do covertly with cameras. I understand that scrutiny panel is not here to discuss or look into the covert use of ...

The Connétable of St. Martin:

The covert would be covered more by legislation anyway.

Acting Chief Inspector, States of Jersey Police:

R.I.P.A. (Regulation of Investigatory Powers Act), that is right. That is solely covered with R.I.P.A. in respect of that, my answers are related to the town C.C.T.V. system.

Deputy M. Tadier:

Can I just say we may be interested in covert. We appreciate there may be limitations as to what you could tell us but in the terms that covert may affect the public space, we do not need to know about classified information but anything ...

Acting Chief Inspector, States of Jersey Police:

Fine.

Deputy M. Tadier:

Yes, we can talk about that maybe afterwards, that is fine.

Acting Chief Inspector, States of Jersey Police:

Fine, no problem, and I will do my best to elicit the answers to those questions.

Dr. P. Fussey: Chief Inspector, I just add one thing. As well as the public CCTV, something that falls under that in terms of our area of interest is things like A.N.P.R. (Automatic Number Plate Recognition) as well ...

Acting Chief Inspector, States of Jersey Police:

Yes that ... and in terms of A.N.P.R. and we will be discussing but is normally done. These, to my mind, all evoke overt systems that the public are aware of that are out there running. So in terms of the town centre system, there are currently 23 cameras. States of Jersey Police do utilise other camera systems. For instance, there are 15 cameras within our custody police headquarters. There are 4 additional cameras. That is predominantly for building security. I think any organisation would have that.

The Connétable of St. Martin:

The building security of the police station?

Acting Chief Inspector, States of Jersey Police:

That is correct. Predominantly ... well, Summerland and the main police headquarters and these are normal what I would term security cameras that any good business would have.

The Connétable of St. Martin:

Fifteen inside the premises?

Acting Chief Inspector, States of Jersey Police:

Fifteen relating to the custody unit.

The Connétable of St. Martin:

And then 20-odd along the street?

Acting Chief Inspector, States of Jersey Police:

I ... 23, my understanding is 23 at this time.

Deputy M. Tadier:

In the custody, would that be in cells?

Acting Chief Inspector, States of Jersey Police:

No, I am pleased you mentioned that. We have no ... we have a very old custody suite as we term it. Far beyond its sell-by date. So in terms of the custody unit, if I briefly take you through, we have what we call the detention bay when a prisoner is brought in in a vehicle. This is a large enclosed area where a police vehicle will come in and the detainees get out of the vehicle. That clearly has to be monitored and then if you go through the custody department, including the cells and the main detention room, that is where prisoners are booked in, that is one of the 2 places that is both audio and visually recorded. That is clearly in everybody's best interests, a prisoner coming into police custody. We need to record what is said by the police and, indeed, the detainee, ensure the full provision of rights and the visual gives an opportunity for people if they need to at a later stage to assess the demeanour. So the main booking in area is visually and audio and then throughout the custody suite down to the cells, covering most of the cellblock, the doors to all the cells, there is a visual system. It would be beneficial for the States of Jersey Police to have a cell that was monitored 24/7 by a C.C.T.V., although some may consider that an invasion of privacy. The occasions that these are used would predominantly be around concern for welfare. Increasingly, part of police business is dealing with people that we term "concerned for welfare." They are predominantly people with mental health issues, more often than not, people who have attempted self-harm. On those occasions, it necessitates having a permanent cell guard, somebody sitting outside the cell with the door open to ensure that they do not self-harm. So ...

Deputy M. Tadier:

Okay. Could I just ask, on the back of that, would you envisage, then, that somebody would be able to watch a screen for 24/7 instead of standing at the cell because presumably the purpose is for prevention rather than the capturing anything.

Acting Chief Inspector, States of Jersey Police:

That is correct. The benefit in that, it adds ... C.C.T.V. is very useful in providing an additional pair of eyes. While the custody sergeant, and it is poor terminology, it is the custody officer, the common vernacular for us is "jailer". It is a poor term but that is the term we use. When the custody and jailer are not actively and periodically checking on prisoners, for instance, the standard if there are no additional concerns would be an hour. That could go to half an hour if there are alcohol-related matters. If there are further matters, it could go to 15 minutes. What we do do in terms of concern for welfare is a permanent guard. The custody C.C.T.V. could be monitored both from the force control room but more importantly from the custody sergeant's office. There is a suite of monitors there that shows him what is happening, live time, around the custody suite. It is some distance from the custody sergeant because of the poor design, the custody sergeant's office and, indeed, the detention room and cells.

Deputy G.P. Southern:

Can I just ask, that sounds very intense ... very manpower heavy, very demanding.

Acting Chief Inspector, States of Jersey Police:

It is where we are. It is unfortunate. We are fortunate in so much that we are likely to have a new custom-built police headquarters but we have got to remember that we are currently working out of 4 or 5 locations. What we call Rouge Bouillon Police Station is the old granite building with the ...

The Connétable of St. Martin:

That is the old militia building.

Acting Chief Inspector, States of Jersey Police:

Exactly, it is an old militia building. We have got cells in what is a building from the 1800s and it is mix and match. I know we are not here to talk about custody but the design, we have concerns about ligature points because of the building and, for that reason, we need to have continuous monitoring.

Deputy G.P. Southern:

Just to get a picture, how often would you have somebody with the door open being monitored on a permanent basis? How often would that happen?

Acting Chief Inspector, States of Jersey Police:

Just a ballpark figure, I would say in terms of that level of concern, perhaps 2 or 3 times a month. In terms of how often would we have a permanent guard, possibly for our own safety reasons, looking through the wicker hatch, which is this wall, I would increase that to perhaps 4 or 5 times a month for a permanent cell guard. Yes, so it is just one of the other factors of not having an ideal custody suite but we are where we are and we work around it.

[9:45]

Dr. P. Fussey:

Looking at this, at the 23 cameras that are on the street plus your A.N.P.R. or whatever, would you be able to outline the main policing functions?

Acting Chief Inspector, States of Jersey Police: If I ...

The Connétable of St. Martin:

If we can go back to the 23, because I think we are straying off into the building problems.

Acting Chief Inspector, States of Jersey Police:

Yes, sorry, okay. I forget what your question was.

Dr. P. Fussey:

Oh, sorry, about the ... just a general, very open general operational uses of the public cameras, the ones that are on the High Street, for example?

Acting Chief Inspector, States of Jersey Police:

I can refer to copious notes but from a practical policing point, where are we with C.C.T.V? Well, C.C.T.V. introduced 1995/1996 clearly nationally. What are the main benefits? From a practical policing basis, the very first question a police officer asks when we are dealing with certain types of offences, public order, assaults, licensing infractions, arrests on the street, the very first question anybody asks is: "Is there any C.C.T.V?" and that is because of the value that C.C.T.V. has to us. We can talk about public reassurance and safe places and prevention and detection of crime but, as the Minister pointed out, it just speeds up the whole judicial process. If you have C.C.T.V., it can prove or negate. It works for both the prosecution and defence. One of the early actions, when you are dealing with somebody for an assault or some other offence, is to sit them down in the interview room, get their account, they give their account and strange as you may find it, their account probably differs to what actually happened. It does happen on occasions. It is very easy then to show them the C.C.T.V., it is one question: "Is this you?" Once they answer that question, it is before you. There is the potential to misinterpret what you see on a camera so it is not 100 per cent hard and fast but it is a very, very good indication of what is taking place and if you see yourself on the screen, it is very, very difficult to suggest that you were doing something else or it was a misinterpretation.

The Connétable of St. Martin:

Perhaps ... can we just go back. When did Jersey start the C.C.T.V?

Acting Chief Inspector, States of Jersey Police:

My understanding of ... I took the opportunity to look back. The information I am given is that it was about 1995 and 1996.

The Connétable of St. Martin:

You would not know how many cameras were installed initially?

Acting Chief Inspector, States of Jersey Police:

My understanding is 12. What I did do is review all the past force management board meetings, all the annual reports, all the quarterly reports, to get some sort of timeline. With the police, in

certain circumstances, and the C.C.T.V. is a prime example, after a certain period, you get so used to singing its praises and saying how good it is that ... and perhaps blasé is the wrong term but because you have proved what an effective system it is, for the following years, you perhaps do not collect the data you should. Now, I have got some data from 2006 in terms of how many arrests but I am guessing that after 2006/2007, we had told the public how valuable it was in contributing to the number of arrests that we just got fed up. I have done a timeline and I can take you through that timeline to give you an indication of how we got to where we are if that is helpful.

The Connétable of St. Martin:

I know we are restricted by time. Maybe you can provide that in paper form to the officers.

Acting Chief Inspector, States of Jersey Police:

My understanding is that the initial number of cameras that we went with when we started this initiative was 12.

The Connétable of St. Martin:

So we started with 12 on street cameras?

Acting Chief Inspector, States of Jersey Police:

Twelve on street cameras.

The Connétable of St. Martin:

We have gone to 23?

Acting Chief Inspector, States of Jersey Police:

We have gone to 23, yes.

The Connétable of St. Martin:

Whose authority would that have been under?

Acting Chief Inspector, States of Jersey Police:

It would have been decisions at ... what the police work on, once we had set up and funded that initial outlay for the cameras, I get a feeling that it was predominantly police-driven. We in the States of Jersey Police have a force of 227 sworn officers. We follow national best practice. We do not do that blindly. We look to see what is most effective and we are fortunate because we are not a Home Office force. We can draw on the experience of 43 Home Office forces. So we look to see where best practice is. We look at national guidance to see where we are moving and we make a decision. We made a decision to set up a C.C.T.V. system initially with 12 cameras. We

would then evaluate how effective that was. Clearly, we have decided that the use of C.C.T.V. within the town area was a good, smart, effective move so we have built on that.

The Connétable of St. Martin:

When you say “we”, do you mean the States Police, the Minister, or the public?

Acting Chief Inspector, States of Jersey Police:

There would be a lot of consultation.

The Connétable of St. Martin:

In what form?

Acting Chief Inspector, States of Jersey Police:

In terms of ... I believe ... we disseminated a lot of information back in 2001. I know we sent out a quite significant media release in terms of setting up the cameras. In terms of engaging the public and public feedback, I have no idea. I can find out.

The Connétable of St. Martin:

That is the general public, not the public who have a house next door, flat next door to that camera. I have got a house in David Place and you decide, you, not you personally, States Police, the Chief Officer or the Minister: “We think it would be nice to have a camera near the Royal Hotel, David Place” and that camera affects my front door because it is pitched. What consultation have I had with you deciding ...

Acting Chief Inspector, States of Jersey Police:

Right, in terms of the siting of the camera, my understanding is that there would be consultation. There is no ... we are not empowered to decide: “Well, this is a good location for a camera” and just put that camera up. There was a consultation. There is a host ... we clearly have to site the cameras where they are most useful and there is no point in siting a camera where it would cause some obstruction. I do not know the answer to the question but I cannot imagine that the States of Jersey Police would site a camera without some consultation to the premise owner ...

The Connétable of St. Martin:

Do you find any difficulties ... I was just going to say do you do it?

Deputy G.P. Southern:

The question is and if you were to consider siting 6 new cameras tomorrow, do you know what procedure you would be following in order to consult, in order to decide where those cameras would go and what ... is there a procedure in place?

Acting Chief Inspector, States of Jersey Police:

Right, okay. Yes, there is, and it is ... the initial stage ... you will hear quite often we are an intelligence-led service. What that entails is siting the cameras where they are most effective. It is identifying particular hotspots. Now, going back to 1995/1996, a prominent location for ... we talk very much of the night-time economy. This is about people going out on a Friday/Saturday night. Back then in 1995/1996, Wednesday night was also a busy night and I think still Sunday afternoons were busy. That dynamic has changed and the dynamics around crime offending and, indeed, people going out and enjoying themselves, changes. Back then, I can recall that we used to talk of the "Breda triangle". That was police vernacular. That consisted of Bath Street and the licensed premises around Bath Street up to West Centre so because that was the busiest place. That is where the 2,000-3,000 people would congregate and on the strength of that, the cameras were sited there. But they are sited for other reasons, those cameras. Clearly, Bath Street, David Place, is a key route into and out of ...

The Minister for Home Affairs:

Rue de Funchal. Cattle Street.

Acting Chief Inspector, States of Jersey Police:

Yes, that is it, that whole area.

Deputy M. Tadier:

That led on to Mary Ann Square and Calgross(?) Corner.

Acting Chief Inspector, States of Jersey Police:

That is ... exactly, exactly.

Dr. P. Fussey:

So in terms of siting the cameras, was that based on kind of a formal crime map or is it just too obvious to basically even say that among officers is this tacit knowledge that this place is ...

Acting Chief Inspector, States of Jersey Police:

A lot of the time ... although we say we are intelligence-led, a lot of the time it is common sense. That was the busy ... everybody knows that was the busiest area.

The Connétable of St. Martin:

Who within the States police then makes the decision because you are in a difficult position today. You are representing the Chief Officer. I know you do as Minister.

The Minister for Home Affairs:

Yes, can I just cut in here. One of the difficulties we have got ... I am looking down at the dates when things came in and one of the difficulties that this officer has got, because you are asking questions about what happened in the past, is that the main change was 1995/1996. There has not been, as far as I am aware, any extension at all of systems in the period since I have been Minister, which is from late 2008.

Deputy G.P. Southern:

Well, we have moved from 12 to 23 so there has been some extension.

The Minister for Home Affairs:

Yes, not in the period I have been Minister and I think it is fair to ...

Deputy G.P. Southern:

The relevance of that is?

The Minister for Home Affairs:

I came in as Minister in December 2008. The point I am making here is I think there has been a change in culture or change in approach because certainly if we are going back to prior to that period, the police leadership in that period took a very broad view of what were operational matters and may, I do not know, because I was not Minister then, may have had the view that things like this were fundamentally operational. I do not know. The new police law has made it clear to a certain degree what are operational and what are not operational matters. I would be quite clear that anything that impinges on image or reputation of the police force, and that wording is used in the new law, is a legitimate interest of the Minister. Therefore, I would take the view, whatever the past procedures have been, that the siting of cameras in the future was a legitimate interest of the Minister.

Deputy G.P. Southern:

My question was, if you were to locate 6 new cameras tomorrow what was the procedure you would go through in order to consult the public or to decide where those cameras should be?

Acting Chief Inspector, States of Jersey Police:

Predominantly it is based on hotspots. Where is the activity at? Where is the activity happening? Where are people congregating? Where is crime occurring? And this would be based on the number of crime reports we get, the number of public order incidents we get. There would be some practical input in terms of: "This is where it is busy, boss, these are the busy nightclubs, these are the busy areas."

The Connétable of St. Martin:

So this would be your crime analyst ...

Acting Chief Inspector, States of Jersey Police: Yes, that is right.

The Connétable of St. Martin:

... putting this to who, to the Minister or to the Chief Officer?

Acting Chief Inspector, States of Jersey Police:

Initially it would go to the force management board and I have got communications of minutes from the force management board that may help that. But, importantly, one of the press releases I picked out from 2000, so we have moved on 1995/1996, with its inception ... would you like me just to read this press release, just to give you an indication of how we keep the public informed.

The Connétable of St. Martin:

Yes, okay.

Acting Chief Inspector, States of Jersey Police:

This was a press release that went out on 9th August 2000 and is indicative of the press releases that we would have put out around the C.C.T.V. because we have to remember that back in 1995/1996, up until 2000, probably up until 2004/2005, C.C.T.V. would have been of high public interest but after that period, I would suggest it had become the norm. So on Wednesday, 9th August: "The States of Jersey Police are increasing the number of C.C.T.V. cameras in St. Helier. The States have agreed to fund 4 extra cameras in town and expand the control monitoring facilities at police headquarters. Research is being carried out to identify hotspots that are currently covered by existing cameras. Several areas are being discussed." It then goes on to list the areas, the Waterfront, Colomberie, Snow Hill. "Liberation Square is currently covered by 4 cameras in the Weighbridge area; 2 of these monitor the Square directly. The cameras are sited at the top of New North Quay, at Caledonia Place near the bus station, on the Esplanade and at the junction of Mulcaster Street and Wharf Street." It then goes on to give a quote from Superintendent Trevor Garrett who at the time was leading the C.C.T.V. There has been no

intention to hide the location, the fact that we are expanding and where the cameras are sited. We are telling the public as much as we can.

Deputy M. Tadier: But can I ask on the back of that - and that part of the information is useful and perhaps if we have not got it already we can have a summary of that - in terms of the percentage of cover of St. Helier, what roughly percentage is covered by C.C.T.V. cameras?

Acting Chief Inspector, States of Jersey Police:

I apologise, I cannot answer that question. I can give you the locations.

Deputy M. Tadier:

That is okay, I think we could probably figure it out. We know that ... but another question is to do with the proliferation of cameras. Do you think at the moment we have the optimum coverage in St. Helier or are we likely to need additional cameras or to reposition the existing camera sites?

Acting Chief Inspector, States of Jersey Police:

Apologies for a convoluted answer. The benefit of cameras is having an extra pair of eyes on the ground and it contributes hugely in the efficient effective deployment of police officers. There are only a certain number of police officers and it is probably most prevalent on a Friday night and Saturday night. We need as much coverage as possible. Now, in terms of do we need to extend that camera coverage, at the moment we are reviewing extending that camera coverage but those are key areas or hotspots. For instance, we identified Cheapside as a key route into town and there are an increased number of incidents of antisocial behaviour. That is not just linked to the ... we use the term "street drinkers on the parade", but linked to other crime issues. It is directly next to the hospital and there has been an increase in crime in that area and I think around St. Johns Road but we identify where they would be most beneficial. Where is crime happening? Where do we need to monitor it? In terms of what would be utopia, I do not ever imagine that we would look at moving out into the rural parishes. Having said that, it is about intelligence-led hotspots. St. Aubin is becoming a very, very busy location.

Deputy M. Tadier:

Can I ask about that specifically? In terms of it is mainly St. Helier which currently has ... or possibly has all of the C.C.T.V.s, the airport

Acting Chief Inspector, States of Jersey Police:

Yes, it is. Apart from the airport and harbours, it is all in St. Helier but, I mean, there could be an argument Quennevais, particularly around Quennevais precinct, although we do have some private access there ... availability there. Quennevais peaks and troughs like crime.

Deputy M. Tadier:

Can we talk about ... I am particularly interested in Le Quennevais. Obviously, that is my constituency and I am sure others will be interested in different areas. When you say you have got powers that are there, can you tap into them or are they ...

Acting Chief Inspector, States of Jersey Police:

When I say "we", "we" is a bad phrase. "We" do not have it. They are privately owned and the extent of coverage is Quennevais precinct top car park and the bottom car park. That is a private crime prevention initiative to monitor the car parks but we do have some access to that and when we talk about police access to other systems that are not police-controlled or police-owned, the normal data protection protocols exist in terms of the prevention and detection of crime.

The Connétable of St. Martin:

If you get on to those systems ... and I take it there are some at Bonne Nuit.

Acting Chief Inspector, States of Jersey Police: Yes.

The Connétable of St. Martin: Some at the harbour?

Acting Chief Inspector, States of Jersey Police: Yes.

The Connétable of St. Martin:

Do you need permission at the time, or do you just switch "bang"?

Acting Chief Inspector, States of Jersey Police:

I cannot recall whether that is a T.T.S. (Transport and Technical Services) system or a private, but I did make a note in respect of that. Would it be helpful to take it from the top in terms of cameras that we have access to as well?

The Connétable of St. Martin: Yes.

Acting Chief Inspector, States of Jersey Police:

So the town centre network comprises 23 cameras. However, the States of Jersey Police have access to additional systems not owned by the police. They are not police systems. On request, some of them can be monitored from the force control room, and these include systems from T.T.S. For instance, Howard Davis Park, Millennium Park and other T.T.S. sites, I think they are predominantly ... when I say "other sites", I think Bellozanne Valley, at their premises there. There are private systems, private company. I will not mention the names of the companies, but they

cover Quennevais precinct and the car parks. It is the same company that monitors Bonne Nuit. LibertyBus, they have got systems on the bus and outside the bus that monitor.

The Connétable of St. Martin:

But you have not got access to that.

Acting Chief Inspector, States of Jersey Police

No, not live time. Certainly not live time, but if there are offences, or potentially, with cameras outside, road traffic collisions, if there is evidence, it is the normal standard. It is the data protection request, to add that, and most companies are quite helpful. On occasions, subject to special contingencies, additional police cameras may be sited. That relates to issues like Jersey Live where there are 10,000 people, and predominantly that is a public safety aspect. In terms of the private cameras, T.T.S., Millennium Park, they have a camera there. It was invaluable during the Gas Place fire. T.T.S. allowed us free access to monitor it, and it is crucial in the deployment of both police, fire and ambulance from a safe distance, and that is an additional benefit.

The Connétable of St. Martin:

Is that just switched over to you, to the States Police, in the control room at the police station?

Acting Chief Inspector, States of Jersey Police

Yes, and we can utilise that. Yes. To my knowledge, that covers most of the systems.

Deputy M. Tadier:

What is the procedure ... let us say if you want to tap into a T.T.S. camera at Howard Davis Park, how would your operator go about that?

Acting Chief Inspector, States of Jersey Police

My understanding, it is similar to the harbour system. The harbour system is predominantly monitored and controlled, and that is the issue. It is no good having a camera if you have not got control of it because obviously you need to pan and tilt, zoom in, on what is particular to your needs. So in terms of harbour, we can log straight into the harbour system, but as a courtesy we would let them know. Otherwise, likewise, the Customs and Immigration Service can use the harbour, and if there has been ... one unfortunate occasion I can recall, we were all looking for the same thing, and perhaps having to touch base, and then wondering why the camera keeps moving. So that is the importance of letting the camera run and the lead, now that we are utilising it, but my understanding, T.T.S., it is just a call to let them know that we would like to almost take control of the camera, if that makes sense.

Deputy G.P. Southern: And the private companies?

Acting Chief Inspector, States of Jersey Police

The private companies, to my knowledge, we do not have access. I think there might be an ability to downstream that to us if we were to ask, but as it involves a private company, although they are very good, similar to nightclubs, pubs and clubs who have their cameras, although they are happy to copy and let us use, it would be remiss of us to abuse the opportunity. So on the whole, it is only when something goes wrong, drastically wrong, that we would seek to take over or downstream.

The Connétable of St. Martin:

I think we will move on to that in a moment. We will get back on to that. As a member of the public, I think the States Police have got 23 cameras that can monitor me in town. They have probably got hundreds if they can tap into all these others around the Island. I could be being monitored at Bonne Nuit, I could be monitored at Red Houses, at Howard Davis Park on a Sunday, because you have asked States Police to patch in.

Acting Chief Inspector, States of Jersey Police

I certainly would not move into the hundreds. I would say certainly a lot more than 23, if you take into account our systems and the harbour systems. I would perhaps ...

The Connétable of St. Martin: You can see how members of the public might, and that is why members of the public are concerned.

Acting Chief Inspector, States of Jersey Police

Yes. I would perhaps double or treble that. Yes.

The Connétable of St. Martin: "How are the police monitoring me?"

Acting Chief Inspector, States of Jersey Police Yes.

Deputy M. Tadier:

Could I ask ... it is probably not the best of use of time now, but if you have got all the information regarding that, could you send it through? For example, if we do not have it already, what the other cameras are apart from the 23 and how they are accessed, et cetera.

Acting Chief Inspector, States of Jersey Police I will do my most to find out that information.

Deputy M. Tadier: Yes. I think that is probably the most useful way to receive it.

The Connétable of St. Martin:

Taking that a little bit further as well, I think, the difficulty for yourself, and the Minister, is if I want to go to make an inquiry today at the police station about C.C.T.V., who do I speak to? Because I know police officers move regularly in departments; they change. Is it the I.T. manager? Whose head falls if something goes wrong? Today, you are representing somebody.

Acting Chief Inspector, States of Jersey Police Yes.

The Connétable of St. Martin:

So who is in charge of police C.C.T.V. programming?

Acting Chief Inspector, States of Jersey Police

In terms of the police C.C.T.V. programme, at this time, it would fall under superintendent operations. I say it would fall under superintendent operations. Superintendent operations has just moved into post. There would be some discussion between superintendent operations and I.T., our information systems, where they provide the actual appointments and do the assessment on the equipment and put the equipment in place, but in terms of who would you contact, certainly there are clear protocols in place should anybody have any concerns or complaints in respect of States of Jersey Police, and that information is easily accessible on our website. However, I think most people know that if they have any concerns in respect of any matter involving the States of Jersey Police, they can write directly to the Chief Officer, they can come into the station, and those concerns will be addressed.

The Connétable of St. Martin:

The data protection officer would knock on whose door to say: "There is a prosecution coming and we need to see you"?

Deputy G.P. Southern:

Who then is the nominated data controller?

Acting Chief Inspector, States of Jersey Police That would be the Chief Officer.

Deputy G.P. Southern: It is the Chief Officer. Okay.

Acting Chief Inspector, States of Jersey Police

That falls to the Chief Officer with any stop search, anything.

Deputy G.P. Southern:

Can I come back to my question, because it has not been answered, and if you were to site a new camera tomorrow on David Place or wherever, what process would be involved in order to site or establish a camera on a new site?

Acting Chief Inspector, States of Jersey Police

Right. The first stage ...

Deputy G.P. Southern:

Who would be responsible for that?

Acting Chief Inspector, States of Jersey Police

The first stage would be some analysis: "Why are we siting this camera here? Is it the right place? Is it most efficient and effective?" There would be discussion between operations and information systems in terms of that and some assessment that it was credible. It would then go to the senior management board, who meet periodically, the last Thursday of every week, to discuss whether it was appropriate. In terms of public consultation, I do not know; I will find out.

Deputy M. Tadier:

Can I ask a question? I am guessing that obviously cameras have multiple uses, and I have listed 4, if you can just tell me if that is correct and if there are any more. So prevention of crime, as a deterrent, response, intelligence-gathering and then evidential/prosecution. Are those largely the 4 areas that they are useful in?

Acting Chief Inspector, States of Jersey Police

Yes. Predominantly. If you would like, I have down here the N.P.I.A. (National Policing Improvement Agency). They were Centrex. We have rebranded; they are now the policing college. They are the centre of excellence and they will have very articulately outlined the rationale for cameras and the benefits of cameras. We recognise that there is the counterargument of privacy, but they are the main reasons. On a practical basis, they give the States of Jersey Police the ability to monitor town, throughout the day, 24/7. They are at their most useful during the night-time economy when you have 3,000 people just down the road from us, milling about, in terms of identifying the potential - something does not have to be happening - identifying the potential, and it gives us the ability to deploy appropriate resources to nip things in the bud. The cameras are so useful in nipping issues in the bud before they start, and that is one of the key benefits. When they have started, it is in terms of just speeding up and saving the financial cost of a lengthy judicial process when you can present very, very credible evidence.

The Connétable of St. Martin:

We have heard this week as well that the camera system that the police operate is probably too advanced and too expensive. It has got far more capabilities than what is actually needed. So who is responsible for the procurement of new equipment? Who decides what equipment we are going to have?

Acting Chief Inspector, States of Jersey Police

There would be some ... clearly, again, looking towards national best practice, what best suits our need. Now, in terms of looking to the future, and it is quite current because, at the moment, we are looking to the future and we are reviewing the C.C.T.V. and we are considering expanding. There are a whole host of cameras on the market that do a whole host of different things. What is key in our decision-making is having a camera ... it will probably be a little bit smaller than the cameras we have got now, but it will still be an overt camera that you can see. It is not enclosed in a dome. We are not looking to make them any less obvious. They are a bit smaller because the technology has gone a bit smaller, but we are certainly not looking at any smaller cameras to try and hide the fact that the cameras are there.

The Connétable of St. Martin:

But they might have better facilities on those, for face recognition or ... would that be the same camera?

Acting Chief Inspector, States of Jersey Police:

Yes, in terms of all the wacky stuff that cameras can do. Yes. We have moved ... I am sorry, when I say "we", technology has moved into iris recognition, facial recognition. I think the MET, at the moment, are doing some interesting work around logos. For instance, if you get a description and somebody has got a Nike logo on their T-shirt, they are the suspect, they are looking at that. They are looking at group dynamics. They are looking at individual behaviour; does your individual behaviour, at a specific location, give a game away. But in terms of the States of Jersey Police looking to develop their cameras, to utilise that, that is certainly not on the cards, and I would imagine there will be a great deal of consultation if that is the way we run the thing. So we are sticking, with standard cameras, tilt and pan, zoom in and out, to give us the best image. The image will improve. We need to sharpen up on the actual image that we are producing. That is predominantly around evidential. There is still ... with a camera, our cameras are good, they are impressive, but in terms of the image we produce, they could be a lot better. Certainly a lot of our regular customers are more aware of evidential gaining; they are acutely aware of our C.C.T.V. cameras, where they are. So, you know, if you are a villain, the last thing you want to do is show up on a camera, so it would be advantageous for us to have ...

The Connétable of St. Martin:

You say the villains or suspects are aware of where they are, is their signage? Do you have signage for your actual 22, 23 ...

Acting Chief Inspector, States of Jersey Police:

It is an obvious question, but the question I put back is where do we put these signs; how big do you want these signs; do you want them in bright fluorescent yellow; do I put them on the camera.

Deputy M. Tadier:

Can we establish ... those are all valid questions, but there are obviously precedents elsewhere. The question we need to ask you, have you got any objection to signage or some kind of way that we would know you are entering an area which is being surveyed?

Acting Chief Inspector, States of Jersey Police:

Is it not a little too late, by the time I have read the sign, that you have ...

Deputy M. Tadier:

I think we are interested in detention because there is an argument that there are some people you do not want to tell where all the cameras are, but then there is a human rights aspect and, you know, most people who are law-abiding should have the right to know when they are being filmed. So in principle, would you have any problem if you can do it practically?

The Minister for Home Affairs:

I do not think there is any intention of secrecy in the siting of the cameras. I think the problem is we start to run into the Women's Institute problem, do we not?

Deputy M. Tadier: What is that?

The Minister for Home Affairs: Well, multitude of ...

Deputy M. Tadier: Too many signs?

The Minister for Home Affairs: Multitude of signs.

Deputy M. Tadier: Road signs, furniture ... yes, okay.

The Minister for Home Affairs:

You know, I think they got quite excited about road signs and so on.

Deputy G.P. Southern: But there is, Ian, surely, a debate to be had about that.

The Minister for Home Affairs: Sorry?

Deputy G.P. Southern: There is a debate to be had about that. There is an issue there.

The Minister for Home Affairs:

Yes, there is debate to be had about that. Yes, definitely, but what I am saying is there is no intention that the siting of the camera should be secret.

Deputy G.P. Southern:

Can I just ask the question: are your cameras signed? Is there notice?

Acting Chief Inspector, States of Jersey Police

No. There is no notice, but the Minister is right; we are not hiding the fact. The locations are released. When we put in new cameras, we do tell people. I am perhaps bound to say this, but I would be surprised that people do not know that we have cameras in town. I would be surprised that anybody is walking around under the illusion that, at some stage during the day, they are not captured by a camera. If you are not captured by a camera, you are leaving your data print somewhere else, and I know it is not about leaving your data print otherwise. I do not mean any disrespect, but perhaps this debate ... it is important we review and are open to scrutiny, but my personal opinion, not that of the States of Jersey Police, this debate has probably come 10 years too late. We have moved on. Everybody knows that there is C.C.T.V. out there. As at 10 years ago, 4.2 million cameras.

Deputy G.P. Southern:

If I may, except that, as you just referred to, there are advances in what those cameras can and cannot do.

Acting Chief Inspector, States of Jersey Police: Yes.

Deputy G.P. Southern:

And there is a step change, if you like, taking place, or a potential step change taking place, and I have just heard you say that we will not be using any cameras that can do these fancy tricks.

Acting Chief Inspector, States of Jersey Police

Not right now. You are right, and it is a valid question.

Deputy G.P. Southern: So this issue is important.

Acting Chief Inspector, States of Jersey Police: Yes.

Deputy G.P. Southern:

I mean, if I could just go back, the Minister has already used the word “deterrence”. Is there evidence, either locally or internationally, nationally, that cameras do act as a deterrent and reduce crime ...

Acting Chief Inspector, States of Jersey Police:

It is so difficult to respond to that. There is a lot of research, mainly U.K. (United Kingdom) based research, 2006, I think it was Chillen(?). I will give you the formal reference. There was a lot done by the Information Commission in 2006. It seems that a huge amount was done in 2006 around cameras. Now, in terms of the siting of cameras, the data that we can produce, and after about 2006, 2007, the States of Jersey Police, not did not seem to collect it but had gone beyond having to outline how effective it was, but the research is very hit and miss. The research will say that if you take 15 locations, that in 13 locations there is a slight reduction. Perhaps in the 2 locations where there are no cameras, crime is even less, but one would assume that you have got cameras in because there is more crime. So in terms of looking at the research, it is not brilliant.

Dr. P. Fussey:

Yes, I mean, I agree with you. As an academic, measuring deterrence, how do you measure when something has not happened? I also agree that it is an old debate about signage. In the U.K., it is in the Data Protection Act 1998, is it? It is, sort of, 15 years old or something. So maybe, I wonder if this is a more helpful way of putting the question. Is there any sort of operational impediment or obstacle? If cameras were signed, would that, from a policing point of view, sort of hinder your operations, do you think, in any way?

Acting Chief Inspector, States of Jersey Police

The straight answer to that is no. It would cause absolutely no problem to the States of Jersey Police to put up the signage. It will cause additional problems, I was going to say that perhaps are not a police concern but of course they are a police concern in terms of aesthetics, in terms of where the signage is placed, in terms of ... it sounds strange. I would argue the cameras reduce ... well, I am going to, I am the police, reduce the fear of crime. Of course I am going to say that, but a counter argument within it, if you start sticking up big signs that say: “You are being monitored”, conversely it would increase the fear of crime. So it is a very strange dynamic. Who knows what is best, but in terms of police, it would not cause us a problem, but my personal view is that it would increase the fear of crime.

The Connétable of St. Martin: Yes. I do not know if you have got any other questions before we move on to other sections.

Professor W. Webster:

Could I just ask a couple of points of clarification? You have talked about the different cameras that you have in the town centre system and the different cameras you have access to. In relation to the police cameras, if we can call them that, you mentioned that one, I think, in the police station had audio, but in terms of the town centre system, do any of them have capabilities beyond just capturing images? They do not have audio, they do not have face recognition, they do not have ...

Acting Chief Inspector, States of Jersey Police:

No. There is no additional enhancements. It is solely audio. Just for clarification, it is the detention room where the prisoners come in. The only other place where there is audio is the Intoxiliser room.

The Minister for Home Affairs:

I was just going to say that: the Intoxiliser room.

Deputy M. Tadier:

Do you have a police helicopter which could be fitted with cameras?

Acting Chief Inspector, States of Jersey Police:

No. No, and it is a huge problem. We have very limited ... it is very rare that we need ... buzzwords ... we call it an aerial platform, whether it is a helicopter or a plane. We could get access to one. I cannot imagine that we would get one. It is very rare, and I can ...

Deputy M. Tadier: But you would bring one in if you needed it from another force.

Acting Chief Inspector, States of Jersey Police:

Yes. I can only recall personally twice, requesting an aerial platform, but that is not specific to ...

The Minister for Home Affairs:

Too jolly expensive from my point of view, unless it really was absolutely necessary. It is very expensive.

Professor W. Webster:

Okay. Could I also just double-check something with you? When we were talking about the origins of installing a camera and the rationale, you very much focused on hotspots, intelligence-

led policing, very much arguments about crime and disorder. When we explored that a little further, you talked about the usefulness in terms of monitoring the town in terms of kind of general surveillance, the potential then to reduce costs within the criminal justice system. So the objectives are a lot broader than just this crime, and I wondered to what degree that you were keeping any sort of record of effectiveness of the systems. I mean, you clearly created some sort of evidence base under which you acted initially, but on an a kind of on-going basis to see how effective cameras are over time and whether or not they are justified over time, I just wondered what sorts of evidence or what sort of ... otherwise we run the risk of lots of anecdotal evidence and ...

Acting Chief Inspector, States of Jersey Police

That is right, and that is a huge danger, and that is ... I keep referring ... I do not know why I picked up on 2006, but it seems that after 2006, we are that convinced, and we think that everybody is on-board, that we stop robustly outlining the benefits of the C.C.T.V.: I think in the culture we have got this mind-set that: "Well, it is there. Everyone can see it. Everybody knows how useful it is." I do not think we have ever wrongly envisaged that we are going to have this process. If I refer to ... this was a performance report that would have been circulated to the public. "There are currently 25" ... this is 2006. Apologies; I have not got the month, but I will check the month it came out. "There are currently 25" ... well, it says 25. That is an anomaly. I was told why it said 25, because they erroneously included the Snow Hill one and there was another reason. It should say 23. "C.C.T.V. cameras situated at various locations throughout the town area which are being monitored from police headquarters. So far in 2006, these cameras have actively monitored 2,035 incidents requiring police action, leading to the arrest of 437 offenders. Future funding for this has not yet been identified." We have had an issue since inception around the funding, and the reason we have had an issue around C.C.T.V. with funding is that we have done what the police traditionally do. We have traditionally boldly taken the lead and therefore all the responsibility unfortunately place a lot of financial responsibility on ourselves when, back in 1996, 1997, we had been a little more astute in saying: "This is a wonderful initiative." Where are we going to get direct funding and on-going funding, because funding is a problem. It is not the setting up of the cameras. The equipment is expensive, but my understanding is it is the optical lines. So the next bit goes ... and I will find it, but it is very rare that we would have information to hand in respect of 2,035 incidents requiring police action, leading to 437 arrests, which is very positive, and if I had the data for the last 10 years, this debate would be a lot shorter.

Deputy G.P. Southern:

You just mentioned that we have a problem with funding. Could you expand on that?

Acting Chief Inspector, States of Jersey Police Well, in effect, we are paying for it. We are paying the full costs for the inception of the camera system and for its continued use.

Deputy M. Tadier: Who should pay for it then?

Acting Chief Inspector, States of Jersey Police:

Yes. My argument would be that ... I mean, we are not the U.K., we are Jersey, but you would find that in most U.K. towns and cities that the local authority are responsible for the C.C.T.V., are responsible for all costs and responsible for the resourcing of C.C.T.V.. So I would say the local authority.

The Minister for Home Affairs:

I would have to say I do not agree. I do not agree because Home Affairs is both the national authority and the local authority, and so with respect ...

Acting Chief Inspector, States of Jersey Police I stand corrected.

The Minister for Home Affairs:

I do not think there is anybody else who is going to pay for it.

Deputy M. Tadier:

Can I ask the inspector who would be the local authority?

Acting Chief Inspector, States of Jersey Police

The Minister has hit the nail on the head. Nobody else is going to pay for it.

Deputy M. Tadier:

You could have the parishes, of course. They are local authorities, are they not?

Acting Chief Inspector, States of Jersey Police Nobody else is going to pay for it.

Deputy G.P. Southern:

If I can, in terms of paying for things, you are looking at reviewing what you do.

Acting Chief Inspector, States of Jersey Police That is right.

Deputy G.P. Southern: There is probably going to be a new initiative, a new spend.

Acting Chief Inspector, States of Jersey Police: Yes.

Deputy G.P. Southern: You say we have a problem funding that?

Acting Chief Inspector, States of Jersey Police

Like everything, it is a cost benefit analysis.

The Connétable of St. Martin:

Of all those figures you have given us, some of those figures that you have given, they might have been resolved without C.C.T.V. They are not the sole result of the arrest. It has not been the C.C.T.V., has it? They have assisted. By having the C.C.T.V., it may have assisted in those arrests, but ...

The Minister for Home Affairs:

I would have to say I would agree with you, those figures do sound rather on the high side, but ...

Dr. P. Fussey:

Although, to be fair, the concern I have about this problem, how do you measure whether the camera is the main source of the arrests or with evidence or is it corroborative pieces of evidence that is ...

Deputy G.P. Southern:

Can I just ... and you might have been in a better position to justify a new spend and a new development had you kept the evidence for the last decade.

Acting Chief Inspector, States of Jersey Police:

Yes. Yes, you are 100 per cent correct. Yes. Yes, but again, I am back to 2006; we think we have cracked it. We have done the job. Everybody recognises the benefits. It is a win-win for everybody. So for that reason we probably have not recorded. Somebody would intimate that whenever we get a call, whenever we attend an incident, we open what is called an iLog. It is the first thing we do. Somebody calls in, outlines a problem; we open an iLog. This is an automated record of that call and what the police response is going to be. I understand there is a check box on there, C.C.T.V.. One would like to think that on all occasions that we have utilised C.C.T.V., within that iLog, that we have ticked the box.

Deputy G.P. Southern:

There may be some work to do before you send the Minister into the States naked to ask for some money for the new system.

The Minister for Home Affairs:

The Minister does not feel in the least naked because ... and I think this may have influenced things, frankly, because since the Minister arrived in 2008, the Minister had had a great deal of experience of the workings of C.C.T.V. practically, how they impinged on the courts, the criminal justice system and so on. So the Minister did not need any conversion, as it were. I came as an enthusiast; I still am an enthusiast. I will remain an enthusiast because I saw the practicalities of how it worked out.

The Connétable of St. Martin:

We agree with that list. The same with the breathalyser. I mean, the States Police, I believe, they keep records of every ... well, it is obviously downloaded on the breathalyser, on the intoximeter, obviously that works, when C.S. (2-chlorobenzalmalonitrile) spray has been deployed, I am assuming, depending how the debate goes on tasers and firearms also. There will be accurate records of how many times deployed? How many times used? Whereas there is nothing about actual ... which is a good tool in the armoury when you are standing in the States.

The Minister for Home Affairs:

But I can see difficulties. We have got these figures here but how do you measure it because there are various different scenarios? You have got a scenario where perhaps the first time you have become aware that something is about to kick off or is kicking off is from C.C.T.V., if we count that one as a success. But then on the other hand you are going to have a situation sometimes where things have kicked off and then, subsequently, you go and see if anything is recorded on it. That is not a success in terms of prevention or whatever but it became used for evidential purposes.

Deputy M. Tadier:

Is it the problem not that you need to collect the raw data first and it is for other people to try and analyse it if possible?

The Minister for Home Affairs: Yes, but it costs money to collect data.

The Connétable of St. Martin: But you have got a data officer at the police station.

The Minister for Home Affairs:

The practical fact is the police force has been pressurised in recent years. Home Affairs has definitely agreed to 10 per cent cuts because I held out for an extra £1 million rightly, as time has shown. But the fact is that the gathering of statistics and information costs money.

Deputy M. Tadier:

Is that not dependent on the efficiency of the systems to collect the information?

The Minister for Home Affairs: You have still got to collect them.

Deputy M. Tadier: How are you going to cope under the Freedom of Information when that ...

Deputy G.P. Southern:

Are you suggesting we have policing policies that are not based on evidence because it is too time consuming or expensive to collect the evidence?

The Minister for Home Affairs:

No, no, what I am suggesting is that we collate and collect information for practical useful purposes. The policy until 2006 ...

Deputy G.P. Southern:

If I may, one of which might be the prioritising of particular aspects of policing, one over another, into which C.C.T.V. and the use of might go.

The Minister for Home Affairs:

Yes, but you have got to look at the relevance of the policy. Up until 2006 quite a lot of information was kept. I do not know why the decision was made in 2006 to cease keeping that information. I suspect, like Mr. Williamson, it was because C.C.T.V. was thought to have been well proven by that stage as a very useful tool for a whole variety of different reasons. It has not been started since then but the fact is if we are going to have to restart doing that there is going to be a cost because it is not just a question of ticking boxes. If you are going to have meaningful information someone is going to have to analyse each case and say: "Was it C.C.T.V. that cracked this crime? Was it C.C.T.V. that prevented the incident? Was it C.C.T.V. that produced the ...?"

Deputy M. Tadier:

Which could save money in the long term. Do you accept that the better your sources of information and statistics and the better your analysis of it can lead you to redeploy resources in a more effective way?

The Minister for Home Affairs:

Yes, but there are limitations for that. You end up in a situation where it is just a question of vast bureaucracy of information gathering. You have got to make a decision in each individual case what is worthwhile. Police use statistics and information in a whole number of different things like

patterns of accidents, patterns of crime in different areas, which helps to inform the issue as to where we think we need to have cameras. But there comes a point where you are just collecting stuff for the sake of collecting it.

Deputy M. Tadier: What is the difference?

The Minister for Home Affairs:

If you are not careful, granted it is States departments, once you started collecting it because somebody thought it was useful at some point in the past, you carry on for ever doing that until someone says: "Hang on, why on earth are we collecting this?"

Deputy M. Tadier:

What are the areas that are difficult, Minister, in relation to the surveillance? What are the particular bits of information that are too difficult to log?

Acting Chief Inspector, States of Jersey Police:

Let us be clear, we are constantly collecting data and there is a danger of policing becoming a bureaucratic nightmare. We need officers out on the street, not dealing with data but the data is vital in effectively and efficiently deploying them. We have a regular, we call it, the performance review meeting. Every morning we have a meeting and look at the current crime figures, for instance, every morning I will look at the offending overnight and I will look at our level of offending and I will look at the statistics. For instance, I can say things like there have been 15 fewer arrests on this side of January until last Monday this year than there were last year. I do not know the reason for it but it is a very positive figure. We know where crime is happening. To supplement that meeting every day, between both the crime side and operations, we have a performance review meeting monthly where all the key managers within the force, all the key players, look at our performance statistics and identify. That is supplemented by a tasking and co-ordinating group. What they do, tasking and co-ordinating, every second week is look at where the current crime activity is and identify the hot spots. In terms of hot spots at the moment things are very good. The position in terms of crime happening has never been so good. In terms of hot spots at the moment we are looking at the area around Millennium Park, that is predominantly due to anti-social behaviour but be rest assured it is on a very low level, such is the nature of the low level of crime that Millennium Park is a hot spot because some things were happening there but not hugely important things. But we need to rightly target our officers where they are most needed. There was a development of another hot spot 2 or 3 days ago and, to my embarrassment, I cannot recall where that was. There was a good rationale for that hot spot, crime was increasing. In terms of identifying where things are happening and recorded data we are continually, we never stop, recording data. The question is, are we recording the right data? There may have been

some slippage in terms of C.C.T.V. but, again, I am back to 2006 and that is the reason why we have seen it as a done deal.

The Connétable of St. Martin:

Okay, can I move on? Have you got another one?

Professor W. Webster:

I wanted you to just clarify something in relation to the future systems that you are currently reviewing. I have read the evidence that has been supplied already and the current system is an analytical system. The systems that you are thinking of moving to are difficult systems and there are a number of cost savings involved in there. But those sorts of systems are much more open to be used for other analytical purposes. I know you have said very explicitly that not right now, those sorts of devices but if you move to a digital system, is it the case that these systems in the future may become more of a realistic proposition than they are at the moment? We may get those sorts of surveillance systems in the future, even though you are saying to us at this moment there are no plans to do so.

Acting Chief Inspector, States of Jersey Police:

No, there are no immediate plans to do so, in terms of moving over to a digital system. Where we might be thinking and, again, I am not a detective, is there a benefit of streaming some data to vehicles? The rationale for that, if there is a fight going on in the Weighbridge and we have deployed units, it is advantageous for the co-driver to see who is doing the fighting because when we get there it might have finished and it will negate having to speak to witnesses to identify the suspects. That would be a positive benefit in terms of that. But in terms of facial recognition and other systems, yes, in the future it might be a consideration. I cannot predict the future. But at this time that is not part of our scanning. We are not looking at facial recognition, iris recognition. A line in the sand where if you demarcate an area with a camera, the area that the camera covers this area, if you step over that line automatically the camera will perhaps pan and follow units. That is not a system that we are currently looking at but nobody can predict the future and I do not know what they are going to do when I leave the force.

The Connétable of St. Martin:

We have got quite a broad remit on this and we could expand it far too big. Looking at it now for the actual data itself, the data is recorded. We have just talked about the cameras and what we can see out on the street. We know there is somebody up in the control room or in a room somewhere scanning or looking at us walking down the street. All the data that you have got, how is it secured?

Acting Chief Inspector, States of Jersey Police:

Forgive me. How is the data secured? First and foremost, it is monitored live, predominantly on a Friday and Saturday evening, so that there is live monitoring. The officers and support staff who are doing the monitoring are predominantly from the force control room. There is, I believe, a 7-day control room training course, 2 days of that course is devoted to C.C.T.V. in terms of the data protection principles, in terms of the ability to use the equipment, in terms of the collation, the copying and the storage of ...

The Connétable of St. Martin: Is it police officers or civilians?

Acting Chief Inspector, States of Jersey Police: Police and support staff, that is one.

The Connétable of St. Martin: It is both.

Acting Chief Inspector, States of Jersey Police:

The support staff engaged in that are civilian support officers. They are in uniform but they are not sworn officers, they are our support staff.

The Connétable of St. Martin: This is in the control room at the police station.

Acting Chief Inspector, States of Jersey Police: It is within the force control room, yes.

The Connétable of St. Martin:

Who goes into the control room, operators for the control-room radios? And in the T.V. (television)?

Acting Chief Inspector, States of Jersey Police:

Yes, so in terms of access to the force control room. Policy would dictate a lot of places. Policy is perhaps not formally compliant with because there are other instances. Policy would dictate that force control room officers are the only ones that should have access unless there is another reason. Other reasons might be, for instance, the force control room and the shift inspector will periodically go up there as part of his monitoring. There might be a requirement to have an inquiry in the control room or in terms of training and deployment officer from the shift, if you are control-room trained and you have not been in there for a long time they may put you back in there. In practicality, the force control room is, on the main, just force control room officers, including the C.C.T.V. We do have assistance from our honorary colleagues occasionally on a Friday and Saturday night who do some good work assisting with monitoring of the C.C.T.V. system. Predominantly that is just a monitoring role ...

The Connétable of St. Martin:

Cameras are in a bank, in a room.

Acting Chief Inspector, States of Jersey Police:

Yes, yes.

The Connétable of St. Martin:

But there are cameras in the control room, which is in a separate room.

Acting Chief Inspector, States of Jersey Police:

Yes. I understand that you intend to visit over the next week or 2. Basically the force control room, you walk through 2 doors. There is a small annex, which serves as an emergency control room and then into the main control room. That is predominantly the officers that work the radios, respond to the phones and the switchboard is in there. In there in front of them there is a bank of monitors that allows them to monitor and operate the camera system. The rationale for that is that if there is nobody behind them in the C.C.T.V. room operating it they can do it. If there is an emergency they can utilise the cameras. If somebody calls in and says there has been a crash in Beresford Street, they can move the camera up, check the extent and seriousness of the road traffic collision and appoint resources.

The Connétable of St. Martin:

Do you get a visit from the W.I. (Women's Institute) or the scouts? Do they go into the room?

Acting Chief Inspector, States of Jersey Police:

Occasionally you will get visits. You will get visits from independent groups. There is a visit planned for the street pastors. The street pastors, for those of you who do not know, operate out of several churches within the Island. They predominantly patrol and a patrol is the wrong word, they predominantly turn out on a Friday and Saturday night and they do some fantastic work in dealing with issues that perhaps if there was police intervention might escalate to arrest. They divert a lot of low-level stuff. They will deal with intoxicated people, saves us intervening and potentially ...

The Connétable of St. Martin:

They will be able to view this, bar surveying ...

Acting Chief Inspector, States of Jersey Police:

The benefit of them coming up to view the system is in like the excellent work they do, they are out until 3.00 a.m. It provides them some reassurance knowing the camera angles, knowing that if they stand in a particular location they are in prominent view by those monitoring C.C.T.V.s.

The Connétable of St. Martin:

All of the data is recorded from the cameras but how is it stored?

Acting Chief Inspector, States of Jersey Police:

Yes. It is stored on a hard drive, so everything that is recorded is stored on hard drives. It used to be a tape system, which was a nightmare but it is now on to hard drive. It is backed up for a minimum of 90 days.

The Connétable of St. Martin: Then how is it deleted?

Acting Chief Inspector, States of Jersey Police:

My understanding is that it is all automatically deleted. I say 90 days, dependent on the system and the capacity of the system that can occasionally extend. I am told that the maximum that it would ever be there would be 120 days but we work on generally 90 days.

The Connétable of St. Martin:

A grave and criminal assault last night in a nightclub, officers investigating and wants the recording of any footage that you might have, who records that?

Acting Chief Inspector, States of Jersey Police:

Right. There will be a request. Depending on the seriousness of the offence some things are so obvious clearly that it is immediately apparent to everybody that the capture and storage of C.C.T.V. is just going to be a benefit for the investigating officers and ultimately for the judicial system, both defence and prosecution. You need to make a formal request. I have reams of policy and procedure. The data protection, which is primary, the Data Protection Handbook. We are good at producing policy. The police guidance on digital images is national and moving towards that and, of course, M.o.P.I. (Management of Police Information), which is becoming more prevalent. There is policy on the uses of C.C.T.V. There is a code of practice. It all ...

The Connétable of St. Martin: The C.C.T.V. policy, how old is that one?

Acting Chief Inspector, States of Jersey Police:

It is woefully out of date. For all that policy, predominantly the one check and balance that has the most effect is this one form. If you require a review or requiring of any C.C.T.V. you are obliged to

fill that form. If you walk into force control room, just to clarify, if it is a quick-time incident, if there is an incident taking place on the street, a large fight, the force control room and the C.C.T.V. monitors will review it real time. If it is happening and you are deploying resources and you need to refresh who needs arresting or who needs talking to, your camera will review it quick time. But that is done quick time so when the officers arrive they can point out: "You probably want to talk to the one in the red jumper. The one in the blue top has just punched the one in the white top." You may consider your powers of arrest in terms of that and it would be foolish not to use the system to do that. But once it has gone over being a real-time incident, you get nothing unless you fill that in. For all our policy, which I would like to think that our officers are acutely aware of, so is data protection and M.o.P.I. and the force policies, this is the form, you get nothing without this form.

The Connétable of St. Martin:

Who would write the force policy? Is it the Chief Officer? Is it the IT Department?

Acting Chief Inspector, States of Jersey Police:

The writing of most force policy, if, for instance, I utilise the latest policy. At the bottom is the latest policy. This is the project planning for body-worn video, what you may call body-worn cameras. This is our latest policy. It is hot off the press. I think it came out. It will be days going through this.

Deputy M. Tadier:

Are you able to send that to us or certainly get a copy of it, it would be useful?

Acting Chief Inspector, States of Jersey Police: Yes, yes, yes, yes, of course.

Deputy M. Tadier:

Can we just ask a couple of questions perhaps, because we know time is going on, about the body-worn cameras?

Acting Chief Inspector, States of Jersey Police:

I know the Minister has to leave as well.

The Minister for Home Affairs:

I can tell you briefly and this is more important than that.

Deputy M. Tadier:

Do not tell us that because we might keep you all day.

The Minister for Home Affairs:

It is a briefing. I am just going to get the same briefing as you are going to get later on.

Deputy M. Tadier: Let the Inspector do it.

Acting Chief Inspector, States of Jersey Police: Perhaps before I move on.

Deputy M. Tadier: Yes.

Acting Chief Inspector, States of Jersey Police:

I really want to stress the importance of that and the policy is there for everybody to know. You get nothing without that. In terms of copies, as the investigating officer, you can request a working copy. If you need to review the incident, inquiries or interviews to make.

The Connétable of St. Martin:

They take that copy away, P.C. (Police Constable) Smith on the street picks up his copy because he is dealing with a grave assault, he signs it out, into his charge, he takes it home. He could?

Acting Chief Inspector, States of Jersey Police: No, no, no, no, no.

The Connétable of St. Martin:

He should not but he could. He could take the disk home of his hard copy, the copy that is made for him for evidential purposes.

Acting Chief Inspector, States of Jersey Police:

I could not imagine the rationale for anybody doing that. I could not imagine the rationale for anybody wanting to leave the States of Jersey police that quickly. It is ... **[Laughter]**

The Connétable of St. Martin:

You certainly have taken that further. What is the disciplinary record at the moment on data protection in relation to C.C.T.V.? Have there been cases where officers have been disciplined or dismissed?

Acting Chief Inspector, States of Jersey Police: To my memory ...

The Connétable of St. Martin: It is very difficult what you just ...

Acting Chief Inspector, States of Jersey Police: No, no, I just want to be clear that, to my memory, I can only recall one key instance in terms of an issue that led to disciplinary proceedings in terms of use of the cameras.

The Connétable of St. Martin:

That disciplinary proceeding taken by the Chief Officer or data protection officer.

Acting Chief Inspector, States of Jersey Police:

That would be the Chief Officer.

Deputy M. Tadier:

Can you tell us about the nature of that roughly?

Acting Chief Inspector, States of Jersey Police:

My understanding, and it is my understanding and it was many years ago, is it was deemed that there was inappropriate use on the camera. In terms of disciplinary proceedings, my understanding, and I will check the facts because it was that long ago, was that officer elected to leave the States of Jersey Police while in the early stages of that matter being addressed. I have no other recollection of that.

Deputy M. Tadier:

No, it is useful to know that processes are in place to deal with it.

Acting Chief Inspector, States of Jersey Police:

In terms of the processes, there are 2 other copies. If the case is going to prosecution or likely to prosecution there is a red copy. The red copy, this disk has not been used, this is just, at this point, never used. That is how a red copy is made up, it is bagged and sealed and exhibited. There are very, very, very strict guidelines in terms of police exhibits and in terms of disclosure. A green copy is also made. The green copy is utilised in court, so that is the copy and there is a requirement for a white working copy because if you are doing it you may need to show that C.C.T.V. to the suspect.

Deputy G.P. Southern:

Just a quickie, there you said that your current policy is way out of date. Were those your words? I do not want to put words in your mouth.

Acting Chief Inspector, States of Jersey Police:

No, no, you were correct. That is what I did say. There should be a constant process of reviewing and updating all policy. The problem with police forces is that we generate such huge volumes of

policy. It takes a lot of time and research to initially write the policy. There is a periodic process of reviewing the policies. They would usually be a yellow header. All the policies should be on our systems and accessible to all our staff and there is a periodic process of reviewing it. The problem is one of resources. Reviewing policy, policy can very often remain the same. You have such a good basis for that initial policy that there is very little requirement to change it, for instance, one key change was changing all our policies to reflect, certainly in terms of tape-recorded interviews. The law will say tape-recorded interviews because that was the media at the time. We have now moved on to digital and it is a case of trawling through all our policies to change tape to digital and, apart from that, the policy is sound.

Deputy G.P. Southern:

Just one final one and you also pointed to some things and said national standards and you said: "We are getting to that." Would you like to just ...

Acting Chief Inspector, States of Jersey Police:

All police forces are driven towards best practice, it would be foolish. You have 43 forces throughout England and Wales and they are all now driven ... I mentioned earlier the police rebadge. It used to be Centrex, which was the main training, the centre of excellence. It moved on to N.P.I.A. and it is now simply the Police College, moving over to far simpler terms. It is the Police College that seek out this practice and recently, within the last year or so, the Police College are reviewing all national guidance, the murder investigation manual, guidance in terms of the management of police information. They are reviewing it all and they are producing a far simpler to access and a far leaner guidance and that will become national best practice. It would be foolish for the States of Jersey Police not to recognise that best practice and in terms of drafting out policies now, signpost to what is national best practice, if there are any slight anomalies because of our legislation with varieties and do that.

Deputy G.P. Southern: Okay. Fine, thanks.

Dr. P. Fussey:

Sorry, just one very quick question, given this proliferation of policy and bureaucracy I guess, how are frontline officers, C.C.T.V.-monitoring officers, informed of their data protection obligations?

Acting Chief Inspector, States of Jersey Police:

Certainly during their training I send these signs up in the room. I have photocopied it, it says: "Not to be removed from the C.C.T.V. room." It is up on the wall, which is ineffective but so is the town centre C.C.T.V. policy. But it is stuck up, this will be up for the rest of the time: "Use of C.C.T.V, States of Jersey Police data protection registration permits the recording or retention of

visual images for the purposes of monitoring for potential criminal activity, investigating criminal activity, providing evidence of such activity in legal proceedings. The 3 key rationales for doing the job that we are asking you to do.” As I say, these signs are up as a clear indicator. But I have to say from personal experience and I have tried it on 3 or 4 occasions now, I have been through to the control room, certainly I did it again this morning and said: “Last night something happened, I want some C.C.T.V. I am Acting Chief Inspector” and they say to me: “Boss, where is the form?” which is indicative that the swipe-order policy that the message is getting through.

Dr. P. Fussey:

It would be fair to say too, if I have understood correctly, then that generally there are signs everywhere to inform them of the core obligations and, supplementing that, that policies are available. Are they just left sort of on a desk or something like that, so the officer would get issued with one? How does that work?

Acting Chief Inspector, States of Jersey Police:

When policies disseminated through the entire force, the force weekly disseminate what we call force orders and any new policy is attached to force orders. Dependent on the policy, for instance, when data protection came in and, forgive me, I think it came in in 2003 locally, although it was much earlier in the U.K. You will find that our legislation follows by perhaps 10 years on some occasions behind your legislation. But such is the importance of data protection that there will be a force teach, so they would get a day, 2 days, solely dedicated and we will produce a special training package. In some instances, depending on the nature of the force policy, there will be training, for instance, there has been training over the last week or so on body-worn video.

The Connétable of St. Martin:

That is twice you have gone into it. What is going to happen with body-worn video? I think it is a good point to bring it in now. A small number of cameras, trial period.

Acting Chief Inspector, States of Jersey Police:

Yes, that is exactly where we are going. You will have to forgive me body-worn video, B.W.V.(body-worn video) as we call it or body-worn cameras, as most people know, is relatively new. There is training. Research indicates that in 2010 40 force areas were using these, the body-worn camera. The same rationale as C.C.T.V., increased public reassurance, reduction in the criminal justice costs, reduction ... that is an important issue that I did not fight for C.C.T.V. Let us not forget we are talking about the public. The value that C.C.T.V. has in regulating police behaviour, in terms of how police respond to incidents on the street. Particularly when they are under the camera. It has had an extremely positive effect in changing and moving on police engagement during public order incidents. Let us not forget that we, the police, out there doing a

job, are under so much more scrutiny as well. Sorry, we are talking about these. They are not recording all the time. The officer, when he wants to record an incident, pushes a button and it records. He is obliged to tell the persons that they are dealing with that: "I am wearing a body-worn camera, there is audio and visual recording at this stage." They are mindful that if they are dealing with an incident they concentrate on that incident to reduce collateral intrusion. "Collateral intrusion" is a word we use very often in policing, we should be focused on what we are dealing with and not focusing it on ancillary matters. It is a 6 month trial. There are currently 6, I say 6, 6 others. This is the seventh, the trial one. There are 6 cameras that will go out. Thirty officers have been trained. These will be kept in the patrol sergeant's office in special docking bays. So you sign ... sorry, you do not sign it out, you log it out. You automatically log it out and this is logged out to you, and records the fact that it is logged out to you, and of course you log it back in when you have finished. The people that have access to the recordings are the people that are wearing it, the investigating officers. If they have dealt with an incident and they need the evidence they are able to review that. The other people that have access to it are the reactive investigation unit. They are predominantly the officers that conduct further investigations when we have a suspect and we have made an arrest. They are the ones predominantly that will be doing the interviews, and hence will need the information. When you get back to the nick ... I apologise. When you get back to the station at the end of your shift you make an assessment on whether you need to frag or tag the information. It is all downloaded, and you tag the information that you think is evidential. You only use it, it is an extra pair of eyes, and it is the ability to provide an impartial account of what took place, or provide some corroboration.

The Connétable of St. Martin: How long will the trial be?

Acting Chief Inspector, States of Jersey Police:

The trial is for 6 months. During the 6 months we will be training additional people. With this camera, I only saw one, so to my knowledge there is only one. But you can obviously stick this on a vehicle mount and provide some additional vehicle recording. Either, if you have got a problematic detainee in the back who is fighting ...

Deputy M. Tadier: Can I just ask something?

Acting Chief Inspector, States of Jersey Police: Yes.

Deputy M. Tadier: What is the legality of filming the police when they are out and about?

The Connétable of St. Martin: You are there with that one, and there is somebody looking at you, as Monty says, pointing a camera?

Acting Chief Inspector, States of Jersey Police:

A huge issue and perhaps our academics can offer further advice. But, to my knowledge, it proved to be a nightmare for the police. When I say “we” I talk about national police now, because it is not a huge problem, it does happen occasionally. In terms of stopping people videoing us, there is nothing we can do. The long and short of it, there is nothing we can do. Rest assured it can be problematic, but predominantly, if people are stood back filming us, as is their right, we cannot be filming them and then seek to stop them filming us. What caused the huge national furore is that nationally, unfortunately, people started reverting to that prevention of terrorism law, in terms of filming police. Which, I think you will back me up, it was a complete nonsense. It should never have gone down that road, and trying to find a power when there perhaps was not a power there just caused additional problems. But in terms of people walking up with mobile phones, and it is increasingly happening, it is frightfully irritating, because you are doing your job. But it is a fact of life now, and an indication that wherever you go somebody is filming you, be it the police, the public or anybody else.

Deputy G.P. Southern:

Yes, I just want to return back to where we started. Right at the very beginning you mentioned in the police headquarters the cells were very antiquated and there was not a cell with video ...

Acting Chief Inspector, States of Jersey Police: That is right.

Deputy G.P. Southern:

... for monitoring. The opposite of the case is at the prison, and the latest prison inspector has expressed some concern that there is concern that some prisoners with a heightened state of vulnerability to cause self-harm in the expectation they were being constantly monitored. For the Minister to be ... I am just saying, are you aware of that, and are you addressing it, those concerns?

The Minister for Home Affairs:

Yes. The same thing happens in the Customs refurbished cells. They have got pictures coming in, and I assume that is for exactly the same purpose, of concern about people who may have taken drugs already, potential overdosing effects and so on and so forth. I think, provided your motivation is correct, and your rationale is correct, that is, it is for protection of the individuals or for information gathering ...

Deputy G.P. Southern: I think the concern is that it has the opposite effect for vulnerable prisoners. They may be in the state of mind, may be affected by the prospect of being permanently on video, as they see it. It is not a black and white case.

The Minister for Home Affairs:

Yes. Sorry, I did not read that part. I have read the whole report, but I had not picked that up as an issue. But, it is a separate issue. I thought the issue that was being raised was the strip-searching issue there, but we are going on to different ground. I do not know if I did pick up anything to do with monitoring people for their safeguarding.

Deputy M. Tadier:

Can I ask you, sorry, if you have finished with that line, Geoff. Can I ask why, with tasers, that is an operational matter for the police which you saw fit to bring to the States even though it could have just been implemented by the police.

The Minister for Home Affairs:

No, I did not take the view it was an operational matter; I took the view that it ...

Deputy M. Tadier:

You told us that you did not have to bring it to the States, it was a matter the police could have just ...

The Minister for Home Affairs:

That is correct. No, they could have done it with my agreement.

Deputy M. Tadier:

That is right. Without bringing it to the States.

The Minister for Home Affairs: Yes.

Deputy M. Tadier:

So why did you not? What is the difference between these cameras? Why did you think that that is not a sufficient level of ...

The Minister for Home Affairs: That is a completely different level ... there has been great public concern in relation to tasers ...

Deputy M. Tadier: That is only because it is coming to the States it has been scrutinised.

The Minister for Home Affairs: No, no. I mean, it is all ... it is a value judgment for me to make. But in that particular case I discerned that both in Jersey, and also nationally there was great public concern. In relation to a matter like this, I mean, it seems to me we are dealing with a

completely different level of matters. We already have a situation, as the officers say, in certain contexts, at police headquarters, the custody suite, the intoxiliser room, where matters are with the knowledge of people being ... there is camera and sound. We already have, as it were, other matters such as, well, the 23 cameras which may soon increase in number. I see it as quite a different sort of thing. I mean, there is nothing to stop officers going out and videoing what is happening generally, if that was thought to be necessary in relation to ...

The Connétable of St. Martin: You could have crime collecting teams, could you not?

The Minister for Home Affairs: ... a major public ... sorry?

The Connétable of St. Martin:

In the U.K. forces alone you have got a crime collecting team, if you like, incident collecting with the video, huge thing, films, so everybody knows exactly. That one is not quite the same level. If you know that you are at riot or football disturbance in Minden Place, and there is one officer dressed with something written on the back of his yellow jacket "C.C.T.V." and he is walking around with a camera. That is slightly different, you are evidence gathering.

The Minister for Home Affairs:

At the end of the day, the purpose of this ... the primary purpose as I understand it is slightly different as well. It is not for wide gathering of information, it is in relation to dealing with ...

Acting Chief Inspector, States of Jersey Police:

It is predominantly for an incident of public disorder. Sir, I think you referred to optical evidence gathering teams, that is part of the strategy when you send out a team, predominantly with a camera and the cameras, they have changed. But that is certainly a clear evidence strategy. Go out and gather information on a particular thing, for instance, a riot or incidents like public disorder at a football game. The purpose of this camera, in a crux, is to provide far better evidence and impartial evidence to the judicial system. It is in everybody's interest. It works for the person you are dealing with, because if they have any concerns, complaints about police activity or the way they are being dealt with, the evidence is there. By the same token it provides very quick evidence. If I perhaps could very quickly refer to a domestic violence incident. Predominantly you turn up at a domestic violence incident and huge trauma, huge level of accusations against one partner or the other, and a need for urgent action to stop further offences or indeed harm occurring. Inevitably somebody may be arrested and detained for the protection of the other partner, and to secure evidence, 9.00 a.m. the next morning you go to speak to the witness, the injured party, and it never happened. That is a very, very frequent occurrence, and in terms of repeat victimisation and repeat offending this is a prime example where you would have the

opportunity to show the court exactly what was happening that night, the recrimination of the injuries, what was said in the complaint made. Because invariably in the morning there is no complaint.

The Connétable of St. Martin:

Can I ... you do one. I have a couple, because time is getting on.

Deputy G.P. Southern:

Okay. I have 2, yes. Quickly. We were told by one of the providers of C.C.T.V. installations on the island, that the police keep a record, private or commercial, where cameras are. Is that the case?

Acting Chief Inspector, States of Jersey Police:

Yes. My initial comment, it would be foolish not to. One of the initial actions we do with any more serious crime, and one of the national guidance, would be a passive data system trawl. That means checking the whole area, the routes in and out, for C.C.T.V. because you need that evidence and you need it fast. So yes, we would certainly keep some record. For instance if something happened in Beresford Street, and there was an indication that the suspect had headed towards David Place, it would be advantageous to check the pubs and the bookies to see if they had external cameras.

Deputy G.P. Southern:

But is there a record in the police headquarters somewhere that says individuals have cameras there, there and there, and these commercial premises have got ... so we know where they are?

Acting Chief Inspector, States of Jersey Police:

They would be some record. Whether it is a comprehensive record of all the C.C.T.V. that is available in the Island I should not imagine, no, I should not imagine.

Deputy G.P. Southern:

But you do ask in stores to register with you when they have installed something somewhere?

Acting Chief Inspector, States of Jersey Police: Yes, we do.

Deputy G.P. Southern: Right. Because data protection does not do that?

Acting Chief Inspector, States of Jersey Police: No.

Deputy G.P. Southern:

The police have a record.

The Minister for Home Affairs:

Can I just explain an issue here. Investigating police officers have a duty not just to try to put together the prosecution case, but also to ensure that what is gathered as far as possible is fair to the defence as well as to the prosecution. Now, I dealt with, in the days when I was a magistrate, at least one, from memory, case in which there was an application to strike-out the whole case, to stop the whole case, because the police had failed to obtain C.C.T.V. evidence which was held on private systems. So this is not just an oppressive issue, there can be a real live issue. Officers are going to have to consider, in a situation where, shall we say, a fight has taken place near private C.C.T.V. in any area where there is not public C.C.T.V., whether he should try to obtain that C.C.T.V. Indeed, if he does not he may then find himself and the prosecution case being criticised by the defence lawyers ...

The Connétable of St. Martin:

I think what surprised us was that, and because there is not many contractors, or they can go to large stores, or the U.K., buy it online, your own cameras and set them up yourself. But the main contractors that fit the equipment have been asked in the past to supply the police with the names and addresses of the premises ... forget King Street, I mean it could have been around the Island with the names and addresses of people who are fitting cameras. But they had no obligation and there was no interest with the data protection officer, they did not have to inform the data protection, but they had to inform the police. We wanted to if, at the police headquarters, there is a list of all C.C.T.V. cameras that are operating in the Island.

Acting Chief Inspector, States of Jersey Police: Are we including private?

The Connétable of St. Martin: Private, yes.

Acting Chief Inspector, States of Jersey Police: Private houses?

The Connétable of St. Martin: Yes. That is what we were told, yes.

Acting Chief Inspector, States of Jersey Police: Like you, I am surprised.

The Connétable of St. Martin: You are surprised?

Acting Chief Inspector, States of Jersey Police:

Yes. I am surprised. I will check it out, but I will be very surprised that somebody is saying: "Well, we would like all the private premises as well" I mean, it is ...

The Connétable of St. Martin:

No, they are supplying ... we were told, yes, a list would be supplied.

Dr. P. Fussey:

I think, for the clarity of the issue, I mean, there is obviously a difference in any operation, like if somebody mugs somebody and you go around looking at the bookies to see if they have C.C.T.V. But whether, as a matter of course, and it is not necessarily every little private C.C.T.V., maybe it is not every white van man who does it, but the major installers. Whether there is a ...

Acting Chief Inspector, States of Jersey Police: I am still surprised.

Dr. P. Fussey:

... coherent policy in order to try and get a census of major C.C.T.V. installations.

Acting Chief Inspector, States of Jersey Police:

One thing you need to be aware of, in terms of C.C.T.V. and the public/private dynamic, it is not unusual for us to receive a copy of C.C.T.V. images from some of the large retail outlets, in terms of prevention of shoplifting. They will activity bring that in with a statement saying that the person on the image has been shoplifting and leave it for us to deal with.

The Connétable of St. Martin:

What we have also found, so far from the interviews, and I do not know if you have any comment, the Minister might have as well. It is not ... laxical(?) is probably the wrong word, but ease in which the States police are able to go and ask private premises for downloads of their C.C.T.V. coverage and it is just given willingly, whether it is nightclub, whether it is a property, a house or whatever. They are quite happy just to hand over to the police, to an investigating officer assumingly dealing with an incident. I do not know if you have any comment on that.

Deputy M. Tadier: Taxi drivers.

The Connétable of St. Martin:

Taxi drivers is another one, yes. Well, the few taxis that have cameras, they are quite happy to handover to the police ...

Acting Chief Inspector, States of Jersey Police:

I would like to think that that would accompanied by some data protection for them.

The Connétable of St. Martin: From yourself to them?

Acting Chief Inspector, States of Jersey Police: Yes.

The Connétable of St. Martin: I do not think so.

Acting Chief Inspector, States of Jersey Police:

Yes.

The Connétable of St. Martin:

I do not think that is happening. I think it is just the way Jersey is run, a very informal: "Tell me if you have got anything that might have picked it up?" It might be a nightclub, there was an assault last night, and it is just handed over. A youngster at the door of a nightclub producing false I.D. (identification) and the nightclub believing they could just handover. Take it on a little bit further, and going from the assault in the nightclub, and the States police obtain the C.C.T.V. and on that C.C.T.V. is a 17 or 16 year-old purchasing drink underage and then it is then, that disc is used in a prosecution against the nightclub owner who has produced it to the police. Now, we see this with D.N.A. (deoxyribonucleic acid) in the U.K. where cases have been acquitted because it has been held illegally. I would not be prepared to give you my C.C.T.V. to assist you in your inquiry, when 2 days later a policeman knocks on my door and: "You were selling drink to an underage kid and we are going to use this against you."

Acting Chief Inspector, States of Jersey Police:

I would be surprised if I was to hear that. If that is actual case I am surprised. But it is about working trust and good faith and that the rationale for taking this C.C.T.V. is to deal with a grave criminal assault. Ancillary matters, we are there to uphold the law in all instances, but we have discretion and if we have taken C.C.T.V. or images for one person, to then utilise it for another and another reason, and even worse, to use it against the person that has given it is ...

The Connétable of St. Martin:

I mean a slap on the wrist. I do not know what the Minister thinks as a former magistrate, would you use it? Would you accept that?

Deputy G.P. Southern:

Well, if that was anecdotal and came in in private.

The Connétable of St. Martin: Yes. But it happens.

The Minister for Home Affairs:

Well, if you are asking me the question: "Would it be admissible?" that is quite a complicated question. I do not know. I mean, if a judge had to make a decision on admissibility and it was then said that it had been obtained by false pretences for a particular purpose and then was being misused for another purposes.

The Connétable of St. Martin:

I do not think it was taken as false pretence to use it against the ... But as a result of viewing it they suddenly realise there is other offences. I think it is ...

The Minister for Home Affairs: I do not know the answer. The law is very complex ...

The Connétable of St. Martin: This is what takes us ...

The Minister for Home Affairs:

... in relation to admissibility. There is always a discretion in the court.

The Connétable of St. Martin:

I was going to say, this one takes us to the whole idea of collateral intrusion, is it not? Because there are systems, which may be more expensive and it might be a lot more technically challenging where you can black-out the faces that are not necessarily automated at the point of filming, or you can do that subsequently. So when you handover data you identify what you need, and is that potentially one way ...

Acting Chief Inspector, States of Jersey Police:

We did that very well in 2006. In 2006 was the world cup, and there was some significant public disorder. With the use of most C.C.T.V. systems around the town and optical evidence gathering, that to my recollection is one of the few times I can recall deploying optical evidence teams. It was invaluable in assisting in the prosecution of 16 persons for some quite significant public disorder. If you recall it made the national paper's headlines across Britain in terms of a riot in Jersey. But it was very effective in sending out a clear public message, and showing the value of C.C.T.V. Not only at the time, but to deal with incidents and send out a clear message afterwards.

The Minister for Home Affairs:

I did a number of the trials in relation to that, and certainly the evidence was very important. Both myself and those who did the trials with me, which included the youth panel, did not think the

incidents were as serious as the police thought they were. But the fact that we had the C.C.T.V. evidence in that particular case enabled us to make those judgments. That was interesting, we did not think they were as serious as the police thought they were. But there we are.

Deputy G.P. Southern:

A last question of the Minister, if I may? Tasers: controversial, brought to the States. Body-cameras: non-controversial, not brought to the States. Increased number of public area cameras with increased capacity, potential for things like visual recognition, how controversial? Brought to the States or not?

The Minister for Home Affairs:

If it were going to go into a much more intrusive level then clearly the Minister is going to have to take views on that. But that is not what is being proposed at this point in time, what is being proposed, as I understand it, and as indeed as Mr. Williamson has said, is simply a widening of the system so that we will be able to film increased numbers of hotspots, and we will also have some, I was going to say "black areas" that is not the right term, but areas which the existing siting of cameras do not reach because of the particular siting and so on. If we were going into a much greater area it then becomes a valid judgment for the Minister as to, well, (1), he is going to approve those, and (2), whether he is going to take a view that these are matters where it is sufficient for him to make the decision. But that kind of decision applies for all over the place, in relation to policy, and different Ministers take different views. I mean, I think it is fair to say that many of my colleagues may be less willing to bring matters for debate to the States than I am in other areas.

Deputy G.P. Southern: I am not offering any criticism, I am just ...

The Minister for Home Affairs:

It is a valid judgment. We have a huge debate, in fact, which we have not yet had in the States, in my period, I have flagged it up as an issue from time to time, as to what is the appropriate level of making decisions? What is the Council of Ministers? What is the States Assembly? Do we now have a government in Jersey? I.e. the Council of Ministers. These are debates we have never had within the States.

The Connétable of St. Martin: Please, yes. I know time is pressing now and we ...

Professor W. Webster:

Yes. I just have a couple of points for clarification. I think they are both quite important. So, first of all, in relation to the review and copying of images, and you said the form had to be completed

for both the review and the copying. So it is always reviewing and copying it. So if a police officer went into the control room, wanted to review something but not copy it, he would still have to complete the form?

Acting Chief Inspector, States of Jersey Police:

Yes. You can get what we term a "working copy", a white copy singularly. Then decide that you need the further evidence, for disclosure, and the court copy. But you always need the form, you get nothing without the form.

Professor W. Webster:

Okay. So in terms of access to data, a lot rests on this form. Will that form also be used in relation to reviewing and copying the images that emanate from the body-worn videos? Because you gave us a description of who would have access to that footage, I think you said investigating teams and the officer wearing it, but will they also have to complete paperwork, or this form, in order to access that imagery?

Acting Chief Inspector, States of Jersey Police:

A recent demonstration will clarify all that. But my understanding at this time is the machine does it all. You download it, you flag it, you mark it, and you review it from the one machine. The machine is ... so everything in there is recorded. The reviewing is recorded. Forgive me, there was something else that impressed me that you could ...

Professor W. Webster:

So what you mean is there is an electronic audit trail of how the images have been used?

Acting Chief Inspector, States of Jersey Police:

Yes. Sorry, that perfectly outlines what I was trying to say. There is an electronic audit trail.

Professor W. Webster:

Yes, okay. In relation to the code of practice, we scuttled over that quite quickly, but you said that, I think you said that all policy within the police force is periodically reviewed and you have some sort of management system, I think, where you said that they were yellow headed. So presumably when they become out of date they become flagged or something?

Acting Chief Inspector, States of Jersey Police:

No, you will have the initial date, for instance, probably on the video, it will have been noted last week, I should imagine there will be some period ... or no, I should not ...

Professor W. Webster:

I meant the code of practice in relation to C.C.T.V. Sorry, I have gone back to the outdated code of practice. So what I was trying to get at was, I think you were saying that you had a management system which flagged codes or policy as they became outdated to indicate that you were supposed to be reviewing them or doing something. So if that is the case and the C.C.T.V. code is now 13 years-old, it must have been flagged at points in the past and maybe because of resource constraints you prioritised other things.

Acting Chief Inspector, States of Jersey Police:

I can only give you my view, and my view is somebody will have reviewed it and thought it is good or it remains current and the initial policy, you know, the issues remain correct, they have not changed significantly. So probably moved on to the next policy, to see where ... and there will be some policies that may require redraft, some that need getting rid of. If I could try and provide some reassurance, in terms of policy. There will be a huge driver, certainly for the States of Jersey Police, because as has been the information ... you call them Acts, we call them laws, the Freedom of Information Law and a drive towards freedom of information is currently ongoing. I think, and please do not quote me, I will check, I think by 2014 we are looking towards being fully compliant. This, because of the Freedom of Information, it will be a huge driver to take what are predominately our internal policies for our officers and publish them more widely on our internet system. So in effect with very few restrictions, all our policies should be fully up to date and that will be the driver for ensuring they are fully up to date and there remain a continuous review period, assessable to the public. In short let us publish everything we can to, not prevent but to reduce the number of Freedom of Information requests. If it is already out there in the public domain it saves the time and considerable effort and expense of having somebody to review the Freedom of Information requests.

Professor W. Webster:

So going back to the C.C.T.V. code of practice specifically, I think that your agreement was that it was an old code but it has been internally reviewed and it was perceived to be ...

Acting Chief Inspector, States of Jersey Police:

Fit for purpose.

Professor W. Webster:

... fit for purpose, yes. I have had a quick look through the code of practice, and there is a lot of things in there that you would expect to see. But one of the things that did jump out at me was a requirement for an annual review of C.C.T.V. So, in my mind, there is ... I am not sure that this is

happening, given that you said that you were collecting crime stats and things. So in that respect maybe the police is not as compliant with its own code as it might be. I do not know ...

Acting Chief Inspector, States of Jersey Police:

No, you are right. I cannot argue with that.

Professor W. Webster: Okay.

The Minister for Home Affairs:

Can I say that one of the problems that all organisations have in Jersey, particular those that seek to buy into, I will call it “national standards”, U.K. standards, is that we just do not have the sort of managerial organisational manpower to keep up to date all the time.

Deputy M. Tadier:

Why do we buy into those standards, Minister?

The Minister for Home Affairs: Sorry?

Deputy M. Tadier: Why do we buy into the standards if we cannot keep up with them?

The Minister for Home Affairs:

Well, what I am trying to say is more complex than that. What I am trying to say is that we do seek to keep up to date, in terms of what are current standards from time to time. But the rewriting of the formal documentation in relation to that would inevitably lag behind. We have this problem right across the board in the States of Jersey. In terms of ...

Deputy M. Tadier: Sorry, why will it inevitably lag behind?

The Minister for Home Affairs:

Because our organisations are having to, as it were, fulfil a national responsibility, in terms of documentation and so on, and not just a local one. What I am trying to flag up is that this is not just a problem for the police. I think the police is a very forward thinking organisation which does react to changing modern standards very quickly. But it is a problem, shall we say, for the criminal justice system. We are still working on the 1864 Criminal Procedure Law.

The Connétable of St. Martin: So how to you reassure the public?

The Minister for Home Affairs: We are still trying to update that. But right across the board, you could look at ...

Deputy M. Tadier:

So at least it is consistent, is that your point?

The Minister for Home Affairs: Sorry?

Deputy M. Tadier: At least it is consistent with the lagging behind in other areas.

The Minister for Home Affairs:

Well, I think the police force is better, because it is able to start to change procedures. It may then not have caught up with the formal writing of policy documents in relation to that, that is the difficulty.

The Connétable of St. Martin:

How do you reassure the public or how do we reassure the public in a scrutiny report that C.C.T.V. is working fine in Jersey, the public C.C.T.V.? "You have got nothing to worry about, everything is fine."

Acting Chief Inspector, States of Jersey Police: "It is doing a good job."

The Connétable of St. Martin: "It is doing a good job. It is getting results."

Deputy M. Tadier: But it is the wrong scrutiny panel for that, is it not?

The Connétable of St. Martin: That is our policy, that is what we are tasked with now.

Acting Chief Inspector, States of Jersey Police:

You can have all the policy in the world, all the policy, and frequently do. My view is that we are inundated with policy. I have looked at, this week, yesterday, a suggestion of 3 new policies and a quite lengthy memorandum of understanding with our partners. We are continuing to generate policy. Policy is very important and it is important that our staff understand it. But I refer to again, that is the practical application that ensures at officer level, and for me, despite all the policy, the most important form that ensures that we are compliant with the data protection principles, and that we are using C.C.T.V. in an open accountable manner, that is open to scrutiny. If the form is not there you do not get the copy.

The Connétable of St. Martin:

The only thing we see is the only person who is going to complain from the last few days - and what I have read - the data protection officer does not police as such. They do not come around and check, they do not come around and check if they get a complaint. You have systems of your own which are self-policing, and it is a member of the public then at the end who says: "Well, I wonder are they doing it right? Who do I go to? If I go to the States police will they take my complaint? Do I go to a data protection officer?" That is normally, she only investigates or her department do not investigate anything if there is a complaint. A lot of people would not know to go to Morier House.

The Minister for Home Affairs:

I think, because we have things like the Independent Police Complaints Authority, I know there are those who criticise it, but the fact is we have it. I think the facts of prosecutions which have been brought against police officers for data protection breaches, which I have answered questions in the Assembly on quite a number of times recently, the facts of disciplinary proceedings which are brought against officers, indicates that we do take the correct operation of systems and not misusing or abusing access to information by officers very seriously. That is one aspect of it. But then there is another aspect, obviously I am a bit of an old magistrate now, but we do need to talk to people who are working in the criminal justice system, lawyers, judges and so on, what they think about how effective this is. You are going to find, I think, universal approval of the system. In fact, it is almost inconceivable as to how we could now operate effectively as a police force without this kind of thing. It is also inconceivable as to how the justice system would be able to operate as well without ...

The Connétable of St. Martin:

I think it is the boundary, is it not? I mean we all agree, I think that it works.

Deputy M. Tadier:

Yes. I do not think anyone is questioning that. I guess our question, from a political perspective is, is there anything politically or financially which we as States Members could do to facilitate the implementation of the policy? Put it in another way, would you benefit from more resources to help you do your job to the optimum amount, with regards to C.C.T.V.?

Acting Chief Inspector, States of Jersey Police:

I think perhaps that is sometimes the option. The answer is: of course, we could always utilise more resources and perhaps that is an issue as well, with the data protection office, in terms of, not the inability, I could articulate that far better, but their inability to proactively go out and maintain checks and balances. I would argue that is not their fault, and like everybody else, they

are doing the best with the resources they can. There is always room for improvement, in terms of reviewing the policy, it would be wonderful to have a department that sat down, and it would need to be a department, to continuously review the policy and make sure we are up to date. If you are a big force, if you are the MET, 30,000, you can do that. But unfortunately the States of Jersey Police cannot. Our priority is to have uniformed officers out of the street where the public can see them.

The Connétable of St. Martin:

It used to be called research and development?

Acting Chief Inspector, States of Jersey Police:

Yes, it did.

The Connétable of St. Martin:

That did the policies.

Acting Chief Inspector, States of Jersey Police:

Yes, it did.

Deputy M. Tadier:

Yes, I think we are fine and I think you have also been very patient.

The Connétable of St. Martin:

Yes, I am sorry. Thank you very much. We did not expect it to go on as long as this, we have got another appointment later. I will just give you the chance, if there is anything else you wish to say to us? Have you got a statement there?

The Minister for Home Affairs:

There was one thing I have written down which was in my briefing notes, which did not come up and I was quite interested to find it was not within the data protection thing, but probably should be, and that is of course the system is also very useful in terms of locating missing persons and vulnerable persons. You would be aware that we have had times in the past where we quite regularly had youngsters going missing from children's homes. They happen still probably more than we would like to have, but far less than we used to have. Of course it is an incredibly useful system that you can say: "Oh there they are. They are with their mates down in such and such square." In Liberation Square or whatever. So it is used for that, and I think we need to check whether our data protection registration needed to be amended to cover that, because clearly that

is a perfectly legitimate use of such a system to locate missing persons or vulnerable missing persons.

The Connétable of St. Martin:

I think the public realise the benefits of it. I think the concern, and I have got the concern as an ex-policeman, is how far does it go? The equipment gets better and better, we have heard this week there is much better ... cheaper but better equipment with better reproduction. We know we have heard there is more and more cameras going up. We have had the police patching into other people's cameras or obtaining the footage from other cameras, and it is at what point does it stop? "I have walked this morning to the dry cleaners and back, how many cameras have recorded me." Who is watching that information, that data?

The Minister for Home Affairs:

It is ultimately a political matter, which is why I was at pains to say that although at times police may have taken the view these things were within their operational remit, I take the view that they are ultimately political judgments.

The Connétable of St. Martin:

Okay. Well, I think we have covered everything. I will draw the meeting to a close. Thank you very much for your attendance.

The Minister for Home Affairs:

Thank you very much indeed.

The Connétable of St. Martin:

Thank you to the members of public for coming, thank you. We will ask the members of public to leave first, as per usual. Thank you very much.

[11:41]