

3.5 Deputy G.C.L. Baudains of the Minister for Home Affairs regarding the policing methods used in relation to ‘Jersey lifts’:

With regard to the States of Jersey Police exercise whereby officers are using marked cars to catch young people giving lifts to friends, would the Minister advise how many man-hours have been spent to date and the cost of any resources used? Would he also state whether the exercise is expected to be an effective way of proving that any payment is for conveyance and not for any other purpose?

Senator B.I. Le Marquand (The Minister for Home Affairs):

The issue here is in relation to young people potentially carrying passengers for hire or reward, thus committing an offence under Article 6 of the Motor Traffic (Jersey) Law 1935. This issue was originally highlighted to the States of Jersey Police by concerned members of the public based around the issue of insurance cover for those who are offering lifts and the risk to those who are accepting lifts, particularly young women. States of Jersey Police carried out some intelligence work and wrote to several people who are offering lifts on Facebook warning them to stop as they do not want to criminalise people who may have been unaware that they were committing offences. States of Jersey Police also engaged the media through local radio and the *J.E.P (Jersey Evening Post)* warning of the dangers. This was followed up on 2 evenings when 2 uniformed officers, not undercover officers as reported in the press, stopped vehicles and spoke to the occupants with the intention of reinforcing the message. As was said at the time, the States of Jersey Police reserve the right to instigate more proactive tactics if offences continued. The number of man-hours and the cost has been minimal. The initial approach appears to have had some success and the States of Jersey Police continue to monitor the situation.

3.5.1 Deputy G.C.L. Baudains:

It seems to me that the exercise is doomed to failure because how does anyone prove that any payment made was for the conveyance and not for some other purpose? How does that square with people who are giving their neighbour a lift to work, where surely at the end of the week someone is going to say: “Look, here is a fiver for your petrol” or something? What is the difference?

[10:30]

I am quite sure that virtually all motorists are aware that taking money for hire or reward is an insurance issue; it just seems to me that it is an unprovable case.

Senator B.I. Le Marquand:

The first part of the question relates to the difficulties that are always faced in terms of evidence to prove a particular prosecution and that will always apply to any matter. In relation to the second issue, it is the States of Jersey which passed Article 6 and other related matters and whether or not an offence is being committed, it does depend upon whether the vehicle is being used to carry passengers for hire or reward, that is the test set out in the law. If the Deputy thinks that is an inadequate test then, of course, there could be an approach to seek to amend that in some way. But I can only say what the law currently says.