

**WRITTEN QUESTION TO THE MINISTER FOR HOME AFFAIRS
BY DEPUTY J.M. MAÇON OF ST. SAVIOUR
QUESTION SUBMITTED ON MONDAY 25TH OCTOBER 2021
ANSWER TO BE TABLED ON MONDAY 1ST NOVEMBER 2021**

Question

Will the Minister advise what work, if any, is being undertaken to enhance the protection (including within legislation) of individuals of alleged crimes who have not been charged, in particular the protection of their identity, so that they should not be named (nor have their occupation identified publicly) by the police, the civil service, the media or others?

Answer

The States of Jersey Police do not identify individuals under investigation until they have been charged, nor do they confirm the identity of individuals who have been arrested prior to charging if an enquiry about their identity is made.

SOJP follow the College of Policing Codes of Practice which states that when someone is arrested, police can proactively release the person's gender, age, where they live (i.e., the town or city), as well as whether they are in custody or have been bailed, and the subsequent bail date, or if they were released without bail or with no further action being taken. In circumstances where the release of such information, particularly details relating to age or location, is likely to confirm the identity of a person arrested careful consideration is given to providing less specific details to ensure the person is not identified.

This position is endorsed by the National Police Chiefs Council in their media guidance. It recognises that where the police name those who are arrested, there is a risk of unfair damage to the reputations of those persons, particularly if they are never charged. However, it cannot and does not seek to prevent the media relying on information from sources outside the police in order to confirm identities.

It was an ambition of my predecessor to develop some protection for people being investigated by the authorities but not yet charged for any crime. Preliminary work was started looking at how other jurisdictions deal with the issue which is intricately linked to the judicial process. This work was suspended during the Covid pandemic and is not advanced enough to lead to legislative changes during this term of office, but I hope to bring the preliminary findings to the Assembly as part of an in-committee debate soon, to help decide which direction the project should take in the next term.