

**INTERCEPTION OF COMMUNICATIONS (JERSEY) LAW 1993: REPORT OF THE COMMISSIONER FOR  
2000**

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**Presented to the States on 13th March 2001**

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**STATES OF JERSEY**

**STATES GREFFE**

150

2001

R.C.12

Price code: A

## **Report**

1. This is my third report as the Commissioner appointed under Article 9(1) of the Interception of Communications (Jersey) Law 1993. The report concerns the year 2000.
2. As I indicated in my report for the year 1998, my duties are -
  - (a) to review the way in which the Attorney General has carried out the functions conferred on him by Articles 3 to 6 and the adequacy of any arrangements made for the purposes of Articles 7; and
  - (b) to give to the Tribunal all such assistance as it may require for the purpose of enabling it to carry out its functions under the Law.

I have not been asked to give any assistance to the Tribunal during 2000.

3. This report is made to the Bailiff pursuant to the provisions of Article 9(6) with respect to the carrying out of my duties. During his term of office my predecessor considered that it was appropriate to permit the Bailiff where it appeared to him that the publication of any matters in an Annual report would be prejudicial to national security or to the prevention or detection of serious crime, to exclude such matters from the copy of the report laid before the States under Article 9(8). I have followed this practice in the last two years. I do so again this year and, accordingly, in this report, I have submitted a Confidential Appendix.
4. A careful consideration of the operation of this Law since its inception in 1993 has convinced me that intelligence obtained by interception makes a significant contribution to the prevention and detection of serious crime where the information cannot reasonably be acquired by other means.
5. I have investigated the operation of the Law during the course of last year and am satisfied that its operation continues to make a significant contribution in the area to which I have referred.
6. I have investigated the circumstances of every application for a warrant made to the Attorney General during the course of 2000 and I have followed the progress of the warrants after they have been issued. Both the Attorney General and the Solicitor General and others in their Department have given me every assistance in the work that I have carried out. I am satisfied that I have had access to all relevant documentation.
7. I have visited Police Headquarters and I have met all the officers most nearly concerned with interceptions, including the Deputy Chief Officer, States of Jersey Police and others on his staff. I was also given assistance by a senior officer of Customs and Excise.
8. I am grateful for the help which everyone has given me in carrying out my duties. I have discussed the operation of the Law in the past year with the Attorney General and with the Deputy Chief Officer. I am satisfied that the strictures laid down by the Law have been adopted by those responsible for its implementation.
9. I have also been impressed in my dealings with all those concerned of their awareness of the sensitive, often secret, and invariably intrusive nature of their work, which they have carried out with conscientiousness, care and strict obedience to the Law. I am also satisfied that everyone concerned with interception in Jersey is rightly conscious that this aspect of their work constitutes a grave infringement of the rights of the individual and that interception should be used only when all other investigative methods have been tried or failed or have been considered and for sound reasons rejected. I am also satisfied that the procedures in place to ensure the security of all intercepted material are operated properly and that any information which is of no significance to the investigation in progress is destroyed. I was assured and have no reason to doubt that knowledge of any intercepted material is imparted on a need to know basis. Finally I am satisfied that all concerned understand the requirement to restrict any period of interception to the minimum.

**SIR JOHN NUTTING Bt., Q.C.**