

APPROVED

**WRITTEN QUESTION TO THE MINISTER FOR HOME AFFAIRS
BY THE DEPUTY OF ST. OUEN
ANSWER TO BE TABLED ON TUESDAY 18TH APRIL 2017**

Question

Is it her understanding that evidence produced by roadside cameras is admissible in Parish Hall enquiries and prosecutions in Jersey without further corroborative evidence? If not, does the Minister consider such evidence should be admissible and what steps, if any, is she taking to that end?

Answer

Matters under the Road Traffic (Jersey) Law 1956, including for speeding offences, are the primary legislative responsibility of the Minister for Infrastructure. The sole legislative responsibility of the Minister for Home Affairs under this Law is to approve devices for measuring breath alcohol levels.

With the above said, it is presently the case that Jersey has no statutory provisions which specifically provide for evidence from fixed roadside cameras to be admissible in evidence in criminal proceedings. By way of comparison, in England and Wales, the Road Traffic Offenders Act 1988 specifically provides for such evidence to be used in criminal proceedings provided the device is prescribed and approved by the relevant Secretary of State. Evidence from properly approved speed and traffic light cameras is admissible in evidence in the UK in its own right and does not require corroboration.

It would therefore likely be necessary to seek to amend the Road Traffic (Jersey) Law 1956 if it were thought appropriate to use such devices in Jersey. This responsibility would fall to the Minister for Infrastructure, after appropriate consultation, including with the Department for Community and Constitutional Affairs, the States of Jersey Police and the Parishes.

The use of fixed speed cameras was considered at a programme of road safety workshops held in 2015 involving the Ministers for Home Affairs and Infrastructure, Connétables, States and Honorary Police. With regard to traffic legislation, the workshop identified the introduction of penalty points with graduated licences and lower drink drive levels as the highest priorities. This is reflected in the Jersey Road Safety Action Plan 2017-2019 (<http://www.statesassembly.gov.je/AssemblyReports/2016/R.132-2016.pdf>). The Minister for Infrastructure is therefore progressing these matters. The workshop did not support the introduction of fixed speed cameras and no steps are currently being taken to pursue their implementation.

It should be noted that a fixed speed camera system similar to that of the UK would involve significant infrastructure costs in addition to the required law amendments. Although fixed speed cameras are proven to lower road injury rates in areas where there has been a history of speed related injury accidents, there are few locations in Jersey where the rate of speed related injuries would reach the level typically required to justify the introduction of speed cameras in the UK.