

**WRITTEN QUESTION TO THE MINISTER FOR HOME AFFAIRS BY DEPUTY R.G. LE  
HÉRISSIER OF ST. SAVIOUR**

**ANSWER TO BE TABLED ON TUESDAY 13th MAY 2008**

**Question**

To what use was the photographic and video material obtained by the police at two recent gatherings in the Royal Square, namely the demonstration against GST and the 'Time for Change' rally, put?

**Answer**

There was no gathering of photographic or video material by the States of Jersey Police at the GST rally.

The Time 4 Change rally was an event which passed off peacefully and needed no police intervention. However, as is always the case when policing such events the Police have a capability for optical evidence gathering and officers on duty did record some images for evidential and/or intelligence purposes. The filming was all done overtly in a public place; consequently laws relating to covert investigations were not applicable.

The purpose of the filming and the use to which it was put was to monitor compliance with the conditions imposed by the Parish in relation to visual displays and to provide a record for the purposes of the historic abuse enquiry.

As stated in answer to a similar question from the Deputy at the last sitting, the Police have an obligation to maintain public safety and keep the Queen's peace in all such instances, as well as to prevent and detect crime. They are required where applicable to comply with all relevant statutes namely the Regulation of Investigatory Powers (Jersey) Law 2005, Police Procedures and Criminal Evidence (Jersey) Law 2003, and the Data Protection (Jersey) Law 2005 with regard to the collection of evidence and intelligence and then the storage, retention and dissemination of material. Thereafter the Attorney-General's guidelines on disclosure in prosecution cases are applied. Over-riding these statutes and guidelines are the Human Rights (Jersey) Law 2000 and the European Convention on Human Rights as they apply to the right of freedom of expression, the right to a fair trial, and the right to life.