

## **2.11 The Connétable of St. Helier of the Minister for Home Affairs regarding the results of speed monitoring carried out by St. Helier Honorary Police officers on Victoria Avenue:**

Is the Minister concerned about the results of speed monitoring carried out by St. Helier Honorary Police officers on Victoria Avenue and would he explain what steps will be taken to address this problem?

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

This both a good and challenging question and I thank the Connétable for it. I also thank him for bringing to my attention the details of the 111 people driving at speeds of 59 miles an hour or over on Victoria Avenue during a 6-day period in January. I am, of course, concerned in relation to this, particularly I am concerned that a few of the speeds were very high indeed. This will, of course, have included emergency vehicles but that does not really explain the numbers. However, the figures themselves do indicate how difficult it is to enforce the law because although 111 sounds a lot in a 6-day period it is about one every hour and a quarter. So if you had a police officer out for 2½ hours they probably would only catch 2 people. The Police Chief is rather proud of the fact that the number of serious accidents last year went down from 63 to 40, although the start of this year has not been good. We have already been putting more emphasis on this in 2011 and the 2012 Policing Plan has put much more emphasis on road safety. The police will continue to put whatever resources they can into this but I thank the Connétable for the question.

### **2.11.1 Connétable D.W. Mezbourian of St. Lawrence:**

As we all know, the problem of speeding is ongoing and increasing and certainly not only on Victoria Avenue. As Deputy I was frequently contacted by parishioners; as Connétable even more. To combat the problem why has the Minister not approved the introduction of speed cameras?

Senator B.I. Le Marquand:

That would not be my decision alone because in a sense it is a peculiar situation where road safety issues are in a sense joint between myself and the Minister for T.T.S. Speed cameras are, first of all, controversial. There are those who think that they are cash cows, *et cetera*. They are also expensive. It is not generally understood. People assume that a vast profit is made from them but, in fact, they cost money to run and the system costs money to run. We have got in reserve, as it were, the Lastec equipment which was equipment bought some time ago by the States of Jersey Police which enables an officer to set up a system where it photographs cars so you can see the number plate and so on. Not necessarily who the exact driver is. Unfortunately the police were unable to continue operating that because it generated so much paperwork, but I do understand that there are currently some discussions with the Honorary Police in relation to that. The problem is that if you start generating far more cases do you have the resources - the people and the paperwork - to deal with the underlying administration? Exactly the same issue would apply in relation to a speed camera.

### **2.11.2 The Connétable of St. John:**

Given the Minister's comments about emergency vehicles over a 6-day period I would not have thought the numbers of 111 were too high. That said, would the Minister agree with me that all speed limits as was reported by the Environment Panel last year, should be evidence-based. Before reducing speed limits or increasing speed limits a full review should be carried out, not as happened

recently on a number of roads in the Island the Minister for T.T.S. has signed an Order whereby a number of road limits have been reduced but no evidence has been produced other than this is the whim of a number of Constables. It should all be evidence-based.

Senator B.I. Le Marquand:

The judgment as to what the appropriate speed limit on a particular road is is a very difficult judgment. The responsibility for that is not mine of course and so I am really being asked a question which is not within my area of responsibility. But I think it is a very difficult decision. I have considerable sympathies with whoever is the Minister balancing the conflicting demands, as it were, of the public on the one hand and road safety on the other. It is very difficult. It is a judgment in every individual case.

### **2.11.3 Deputy R.G. Le Hérisier:**

Would the Minister not accept that he was guilty of a statistical fallacy when he suggested that it is not really a major problem because when you look at the average ... but surely the issue is to look at the trends and to look at where there is bunching of speeding and at what times it occurs in order to provide the evidence base that the Constable of St. John was talking about.

Senator B.I. Le Marquand:

The point I was trying to make was not that it is not serious and not that I am not concerned about it, but the practical difficulties of enforcement when people are going on average once every hour and a quarter in relation to this. But such information is incredibly helpful and this is one of the advantages of the smiley faces or frowning faces, depending on what you are doing in terms of speed, that they do provide this sort of information which then means the particular areas can be targeted appropriately.

### **2.11.4 Connétable J.M. Refault of St. Peter:**

I am very disturbed to hear the Minister for Home Affairs stating that these speeding cases are not being done because of the amount of paperwork it is consuming. May I ask the Minister for Home Affairs to work alongside the Minister for T.T.S. and the Comité des Connétables to bring forward the necessary legislation to allow some form of photographic evidence and reduce the amount of paperwork to a pro forma which can be sent via the internet nowadays rather than wet signature as they still require.

Senator B.I. Le Marquand:

I wish it was as simple as that. Part of the problem, I have to say in relation to the past use of Lastec was that it was a bit indiscriminate, in the sense that they were processing matters which were relatively low speeds. I can remember on one occasion a particular gentleman who was caught, I think from memory, doing 37 miles an hour going down into the underpass in one direction and then was prosecuted for going 37 miles an hour in the opposite direction about half an hour later. If one is going to use the Lastec - and I am very happy to talk to the Police Chief and others about the use of it - then really we have to be more sensible in our use of it and to ensure that it is being used in the more serious cases. Part of the difficulty is that guidelines put out for prosecutors by Attorney Generals and so on in the past have been requiring them to take to the Parish Hall inquiry relatively low speeds over the speed limit and that then forced the situation where they were being jammed-up frankly. I think we actually need to get together T.T.S., myself,

probably the Attorney General's Department and the police and see if we can do better, but thank you for the question.

### **2.11.5 Deputy J.A. Hilton of St. Helier:**

I was talking to one of the honorary police officers who collected some of this data and I was truly horrified at some of the speeds that were recorded that he showed me, and we are talking of ... one speed in particular that caught my attention was 105 miles an hour at 2.23 p.m. on the afternoon of 20th January. Obviously people will be aware that there are a lot of residents who live along Victoria Avenue, park on the avenue, and young and elderly people trying to cross that road. There is a big issue with people speeding along Victoria Avenue. I think from my conversation with the honorary police officers they were very, very keen to use the States of Jersey equipment as far as the Lastec was concerned but they also said to me that they were more than prepared to process the data themselves because they realise it takes up an awful lot of officer time. Can the Minister just confirm that he will go back to the Chief of Police just to continue to encourage closer working with the States of Jersey Police and St. Helier Honorary Police on this matter and for possibly the Lastec equipment to be made available to the Honorary Police as soon as possible?

Senator B.I. Le Marquand:

Yes, I will and I should have mentioned the Honorary Police, of course, among the parties who would be involved in such a discussion. In my instructing notes it indicates that the Head of the Criminal Justice Department is seeking to progress the establishment of a camera partnership with the honorary police and the aim of partnership is to find funding for a post in order to cover the administration involved in processing the offenders in this way. I am not sure where we are going to find the funding from in the present climate but that is indicative; the police are already treating this very seriously and I will put my own weight behind that.

### **2.11.6 The Connétable of St. Lawrence:**

I would just like to go back to the issue of speed cameras. Clearly the system that we have in place at the moment is not working and I am sure that all Connétables would agree with me when I say that the Honorary Police are having to spend a lot of time undertaking road speed checks. I would like the Minister to clarify, because he did not earlier, who does have the final say on the introduction of speed cameras, and if it is him, will he commit to undertake a review of their viability?

[11:15]

Senator B.I. Le Marquand:

I do not know the answer to that question as to who has the final say. It may require legislation, of that I am not clear. But it seems to me that a matter of such importance would require some kind of ratification or decision by the States because it is controversial. There are those who are passionately against the use of speed cameras, there are those who are passionately in favour and I think that a final decision would have to be made but it clearly needs to be looked at again as part of a process of overview. Again, I thank the Connétable for her question.

### **2.11.7 The Connétable of St. Lawrence:**

Has the Minister committed to undertake a review?

Senator B.I. Le Marquand:

I think I have committed myself to try to set up a working party jointly with the Minister for T.T.S. who will hopefully agree to that with the States Police, with the Honorary Police and with somebody else. There was another group. Comité des Connétables: yes, always extremely welcome on these occasions. Let us see if we can make an improvement.

### **2.11.8 The Connétable of St. Helier:**

Deputy Hilton has ably asked the question about using Lastec that I was going to ask so could I just ask the Minister if he agrees with me that the vast majority of road users in Jersey drive in a considerate manner and we do not want to criminalise people who may stray over 30 miles an hour in the underpass. However, does he agree with me that to have someone recorded at driving at 94 miles an hour at 3.00 p.m. in the afternoon or at 90 at 5.30 p.m. in the evening is a matter of extreme concern? Will he further agree with me that by raising this matter I did not intend any criticism of the States of Jersey Police because I value their partnership and will he pass on my thanks to the Chief Inspector of Police?

Senator B.I. Le Marquand:

Yes, I thank the Connétable for this question, I saw it as very positive and I think the outcome of the questioning session has been very positive indeed. The other party, of course, is the Attorney General's Department because of the policy. That was the problem with Lastec, it was generating so many - many of which were very low - and they felt obliged to process them. I think we have to be a bit more sensible.