

**WRITTEN QUESTION TO THE MINISTER FOR HOME AFFAIRS  
BY DEPUTY M.R. HIGGINS OF ST. HELIER  
ANSWER TO BE TABLED ON TUESDAY 30th APRIL 2013**

**Question**

Will the Minister advise members for each year since 2004 to the present date:

- (a) how many times, if any, the Home Affairs Department, Home Affairs Minister and/or the States of Jersey Police have notified the Data Protection Commissioner that police officers or their civilian staff have unlawfully broken the Data Protection (Jersey) Law 2005?
- (b) how many officers or civilian staff, if any, have been prosecuted for these breaches, (explaining further under what law they were prosecuted), how many were found guilty and the penalty imposed in each case?
- (c) how many officers or civilian staff, if any, have been disciplined for these breaches and what was the penalty imposed in each case?

**Answer**

- (a) The States of Jersey Police have consulted the Data Protection Commissioner (DPC) periodically in connection with allegations of breaches of the Data Protection Law. There is no requirement to formally notify the DPC of investigations into alleged breaches of the Law.
- (b) Two officers have been criminally prosecuted for Data Protection Law breaches. Both pleaded guilty at the Magistrate's Court. Both officers were sentenced to fines of £300 or 6 days' imprisonment in default.
- (c) The two officers prosecuted for data protection breaches (above) were also subject to discipline procedures. Both were dismissed from the Service. One was re-instated on appeal, the other is awaiting appeal. Additionally, two other officers and a civil servant have been disciplined. Both officers were reprimanded and the civilian dismissed for gross misconduct. (These were separate cases with differing levels of breach).