

2016.05.24

3.10 Deputy M.R. Higgins of St. Helier of the Minister for Home Affairs regarding the assessment of the effect of the use of body-worn cameras on the prevention of instances of false arrest:

What assessment, if any, has the Minister made of the effect of the use of body worn cameras on the prevention of instances of false arrest?

The Deputy of St. Peter (The Minister for Home Affairs):

Body worn video cameras are now embedded as a strong operational policing tool, both nationally and locally, with the States of Jersey Police being one of the pioneers of this area of technology. Body worn video cameras will not themselves prevent false arrests, as the Deputy calls them, but should there be subsequent complaint of an unlawful arrest the fact that the officer, or one or more of their colleagues, was wearing body worn video technology it should help in the investigative process. I am confident that all arrests are made in good faith and are carried out on the basis of information which the officer has before them at the time, be that in a spontaneous and dynamic situation or in a more protracted and slow time investigation. I believe that overall body worn video is having a positive impact on the performance of police officers when engaging with the public. The technology often provides a useful additional strand of evidence when investigating crimes, incidents, and indeed complaints against the police.

3.10.1 Deputy M.R. Higgins:

Supplementary. The Minister just mentioned about the importance of the use of body worn video cameras in policing and saying that it would reduce crime; that is providing the cameras are being operated. All Members of this House have been circulated a letter from an individual who mentions how he was arrested in a particular set of circumstances and asked the police for the video camera evidence. The officer concerned had not put it on. When he asked for evidence from the other officers who had body worn cameras, none of them had any tape or information about it which could have cleared up the matter. The man went through a number of court trials and prosecution provided no evidence of the offence. Is this not slightly crazy that we are going through and spending the money that we are on these cameras which would be a great boom to everyone, and yet police officers can turn them off, it appears, at any whim and certainly from an evidential point of view, does she not agree that these cameras should be on and record every event where the police officers are interacting with the public?

The Deputy of St. Peter:

There are many parts of that question. Firstly, I can say that I am aware that some States Members have received communication from an individual which appears to be the case that the Deputy is referring to and, of course, I cannot give any further information on a specific case. However, it is to be noted for the benefit of States Members that I am aware that ... well, firstly it is not practical for the police to maintain the filming of their body worn video cameras at all times because that would lead to an excessive amount of data being collected and it would be very difficult then to pinpoint the exact moments that were useful in any particular investigation. There are policy guidelines which are available on the internet on the States of Jersey Police website for members of the public to further understand the policies relating to body worn video cameras and I suggest to Members that they look at them because they are indeed very clear. Finally, the point is that if an officer does not use their body worn video camera at a particular time they do have to note and record why they did not turn the body worn camera on in that particular instance and justify their reasons for not doing so.

3.10.2 Deputy M. Tadier:

Indeed, in looking at the police website when it talks about body worn cameras, it does state, among other things: "That it provides independent evidence to support the prosecution of offenders. It deters anti-social behaviour and ultimately improves community safety." So one has to ask the question therefore, if it is true that ... I do not think anyone expects these cameras to be on 24/7 but it is strange that if at the critical point when an arrest is made or a caution given, words of advice, that if that camera is not on it does not seem to be able to provide the assurances that are given on the States Police website itself. Does the Minister accept that if that is the case that is not satisfactory and would she circulate the guidance to Members as to what instructions are given as to when you should and should not put these cameras on?

The Deputy of St. Peter:

I will happily circulate that information to Members.

3.10.3 Deputy M.R. Higgins:

Perhaps the Minister will also circulate the information that she fully mentioned that police officers who do not utilise a camera when they go out on patrol have to put the reason in their notebook. Perhaps the Minister will circulate the information as to how many officers do not go out with cameras from the records that the police have and secondly, surely it should be a requirement that any officer who does not use a camera, as Deputy Tadier said, at an operational moment, considering arresting someone, giving words of advice, should not only record it in his notebook why he did not but also those figures should be calculated to find out which officers are trying to avoid using the cameras.

The Deputy of St. Peter:

I am struggling to find the relevant information in the pack that I have before me but I am aware that we have fewer body worn video cameras available than we have officers who are being deployed so naturally some decisions have to be made and perhaps some officers do go out on patrol without one because there simply are not enough to go around.

The Deputy Bailiff:

No, sorry, that was your final supplementary.

Deputy M.R. Higgins:

No, just a clarification because the Minister did not answer the question.

The Deputy Bailiff:

No. It was your final supplementary. We do not allow a final supplementary on top of a final supplementary.

Deputy M.R. Higgins:

Sorry, I will come back in about 15 minutes.

The Deputy Bailiff:

There is questions without notice available to this Minister, as I am sure you will know.