

**STATEMENT TO BE MADE BY THE CHAIRMAN OF THE EDUCATION AND
HOME AFFAIRS SCRUTINY PANEL
ON WEDNESDAY 22nd JANUARY 2014**

Members would have received SR1/2014 examining the use of Camera Surveillance in Jersey.

As one of my final acts as Chairman of the Education and Home Affairs Scrutiny Panel, I would like to begin by thanking the Panel's expert Advisors Professor Peter Fussey of the University of Essex and Professor William Webster of the University of Stirling. Their experience in this field was of great use to the Panel, especially in the formation of our final report. I would like to thank all those who took the time write to the Panel and those participated in our survey. I would also like to thank the States Departments and private organisations who allowed the Panel to observe their use of CCTV and taking their time to explain how they use these systems. I would also like to thank the Panel's Scrutiny Officer Mr Mike Haden whose support was, as ever, invaluable.

This report originated from a public submission to the Scrutiny office requesting this topic to be examined.

What has become clear whilst conducting this review is that digital technology is moving on at a very rapid pace and that the regulatory safeguards will also need to be able to match these changes.

Whilst there are many strands contained within the report I would like to concentrate on a few. One finding was that the Data Protection office is receiving a greater number of calls from Islanders with concerns regarding the use of private domestic CCTV systems. The Data Protection Office is unable to help as domestic systems are exempt. In examining the evidence this area is becoming a greater area for concern for the English regulator who is due to issue new guidance and recommendations early this year. In the meantime a part solution recommended is for the Planning and Environment department to examine the Scottish model as demonstrated on page 73 of our report, re-examining CCTV cameras on domestic buildings as being exempt, allowing a mechanism for neighbours to object.

One more finding was the intention of the States of Jersey Police to bring in an Automatic Number Plate Recognition (ANPR) system. This would provide the police with the capacity to monitor every traffic movement in and out of St. Helier. This potentially represents a major enhancement of the surveillance powers of the police over Islanders. Also if linked to other systems, the Panel finds that new regulations will be needed to govern this to make sure that the purpose and transparency of use of this data is clear and in line with best practice and European law.

Another finding is that the analogue States of Jersey Police CCTV system around the town is to be upgraded to a digital system and, whilst this level of surveillance generally had public support, the possible enhancement that digital technology provides had yet to be considered. In time we believe, given the other abilities that software can offer, such as facial recognition, this will require greater public debate and recommend that this should only be extended after States approval on the principle and not to be sucked under the radar by way of approving a budget, for example.

Finally, the 2005 Code of Practice from the Data Protection Office needs to be updated and definite deadlines to the retention of data need to be adopted and enforced. We found that the suggested retention periods were not being adhered to. Given the significantly lower levels of crime and disorder in Jersey, it is hard to justify why the police and other operators require much longer periods of data retention (sometimes triple) than, say, London's Metropolitan Police.

We commend our report to the Assembly and encourage States Members and the public to read our report.