

STATES OF JERSEY

Education and Home Affairs Scrutiny Panel Policing of Parks and Beaches Sub-Panel

THURSDAY, 25th NOVEMBER 2010

Panel:

Deputy J.M. Maçon of St. Saviour (Chairman)
Connétable A.S. Crowcroft of St. Helier

Witness:

Centenier D. Scaife (Chairman, Comité des Chefs de Police)

Also Present:

Mrs. E. Liddiard (Scrutiny Officer)

[10:02]

Deputy J.M. Maçon of St. Saviour (Chairman):

Yes. Have you been to a Scrutiny hearing before?

Chairman, Comité des Chefs de Police:

I have indeed, yes.

Deputy J.M. Maçon:

You have. So you know the procedures and protocols.

Chairman, Comité des Chefs de Police:

I do, that is correct. Yes.

Deputy J.M. Maçon:

Brilliant. Good. Rebecca, are you ready? Okay. Just for the microphones, I will just ask you to introduce yourself. As you know, these are transcribed, so it is just to let the people, when they type it up, know who is talking. So if I begin. Hello and welcome to this hearing of the sub-panel of the Education and Home Affairs Scrutiny Panel. We are just looking into the policing of parks and gardens. I will introduce myself, I am the Chairman of the panel, Deputy Jeremy Maçon.

Connétable A.S. Crowcroft of St. Helier:

Constable Simon Crowcroft, Constable of St. Helier.

Chairman, Comité des Chefs de Police:

Yes. We are familiar with each other. I am Centenier Danny Scaife, the Chef de Police for the Parish of St. Helier and also the Chairman of the Comité des Chefs de Police.

Deputy J.M. Maçon:

Then we have our Scrutiny Officer, Liz Liddiard and Rebecca doing the recording. If I can kick off, if you do not mind, what do the committee do with regard to the promotion of public awareness of the regulations concerning littering and drinking in public spaces?

Chairman, Comité des Chefs de Police:

I think one of the problems we have, and this particularly affects St. Helier in a very big way, is I think we need more sign posts to remind people about littering and things like that, I think it would help. You see it in towns in the U.K. (United Kingdom) and I think perhaps St. Helier may be a little bit lacking there, we could probably do something in that area. It is a problem, littering. The Constable and I frequently have had discussions about this. It is catching people, that is one of the big issues, people throw things on the ground but you do not see it, you see the litter afterwards. You see chewing gum outside of nightclubs on the ground, stuck there, it looks horrible and it is terrible. But trying to see somebody do that is probably one in a thousand, you are just not going to see it happen but you see the after-effects of it and I think we should be promoting shops and nightclubs and restaurants to have a policy of when their patrons are just outside of these premises, encouraging them to have bins and not to do this. It may not work but I think you need to look at that, I do, particularly in the town area. What it is like at Quennevais or places like that, and Les Quennevais precinct, I do not know, but I would imagine they probably have similar problems with similar issues.

The Connétable of St. Helier:

Can we pursue the first issue you mentioned of more signage? You will be aware that there are some bodies in the Island who think that there is already too much signage, so there is that balance between offending those people, and I am just curious to know whether someone who drops litter or allows their dog to foul the pavement would behave any differently if there was a sign saying: "Dropping litter is a fine" or: "Do not allow your dog to foul the pavement" have they honestly forgotten that or are they just going to do that anyway?

Chairman, Comité des Chefs de Police:

I think you are quite right, I think they will probably do it anyway but what it would do, where it gives us a good bit in our armoury is, if there is a sign there and they are caught, you have been told and they can be prosecuted to the full extent of the law. They cannot give an excuse: "Well, I did not know", they have been warned and that is it. I accept you cannot have signs everywhere but at the end of the precinct things like that, side roads like Don Street things like that, and maybe areas where we particularly have issues with dog fouling. I know in the past we have identified certain locations but I agree you cannot have signs everywhere because it would look unsightly and unseemly. But it does give the authorities added weight when it comes to a prosecution and they say they did not know, because they were clearly told if it is well and truly signposted.

The Connétable of St. Helier:

But from a policing point of view, does it make a difference, then, if the offence takes place within sight of a sign because I would have thought it would not be defence, if we do have some mechanism for fining, which I think we do already?

Chairman, Comité des Chefs de Police:

We do.

The Connétable of St. Helier:

If someone is caught dropping litter by a police officer, whether Honorary or States, their defence cannot be: “Well, there was no sign telling me not to do it.”

Chairman, Comité des Chefs de Police:

People do come up with all sorts of peculiar defences but not so much with littering, dog fouling is a good one and I think with dog fouling people are becoming a little more responsible, I have seen it around St. Helier, people are going out with their bags and they are acting responsibly and I would hope it is not the problem it was 10 years ago. But I think that is the sort of area where you might sometimes need signage and you cannot have signage everywhere, it is common sense. The average member of the public should know they should not be doing that.

Deputy J.M. Maçon:

Can I just ask then, if you have noticed a trend in more responsible picking up after dogs, for example over a 10-year period, can I just ask you what things, from your perspective, have you noticed which might have changed to do that, or has it just simply happened?

Chairman, Comité des Chefs de Police:

I do not know. What I have noticed, when I have seen people and observed them, because - how can I put that - you might observe them when their dog is walking and you see their dog doing it, they will come out with a carrier bag and they will pick it up and you think: “That is good, they are being responsible” and you see that quite a lot. I do not recollect seeing it so much 10 years ago. We have still got a problem and the parish authorities in St. Helier - and no doubt the street cleaners - will tell you there is definitely a problem.

The Connétable of St. Helier:

It is a bit like carrying a bag when you are walking your dog is like a badge of responsible dog ownership in the same way that wearing a seatbelt is in a car, is it not? I think when I see someone walking a dog, who is not carrying a bag with them, my first thought is: “They are not going to clear up if their dog ...” and I start looking on them to see if they have a bag in one of their pockets. I do not know if I am the only person who does that.

Chairman, Comité des Chefs de Police:

No. I do that as well, a similar reaction, you are thinking: “Are they going to pick it up or what are they going to do?” you do think that, yes.

The Connétable of St. Helier:

Is it also, just to hone in on this signage issue again, that most of the dog fouling that is occurring is in the hours of darkness, people are taking out their dogs early and late and therefore they could argue that they could not see the signs anyway.

Chairman, Comité des Chefs de Police:

I think it probably is, yes. They could, yes. I think darkness, people are not going to see them, they are less likely to be seen doing it. Daytime, they are not going to do it in places like this because they will be seen and observed. Night time when people take their dogs out after work when they have come home, yes.

The Connétable of St. Helier:

Possibly on that issue of dog fouling, the answer would be for the Constables perhaps to issue dog licences to use for publicity to publicise the offence; when people have their licences renewed, we could send a notice to them just reminding them of what the fines are.

Chairman, Comité des Chefs de Police:

If dogs do foul places, yes. I just do not know how much of a problem it is now, it was a very bad problem years ago but I am not too sure to what extent it is now. It is still a problem, that is for sure.

Deputy J.M. Maçon:

Okay. Thank you. Then just going back to the promotional work that is done with regards to the laws about drinking in public places. Does the Honorary Police have a role in doing that promotional work?

Chairman, Comité des Chefs de Police:

They should do, they do not probably at the moment. It is an area that is a complex subject. We have drinking in public places by youths, which can be stopped, technically, because if they are under age they should not be drinking and they have got a law that has come in now that is designed to combat that and is used. With adults, it is a far different problem, you cannot stop adults doing it at the moment. You have then got a problem of parks, you have got adults drinking in parks and congregating in certain areas, which can be a problem. You have got 2 or 3 different really identifiable areas: you have got drinking on the street at night time, people drinking with beer cans, but I do not think that is a major problem. We have got people congregating in parks in groups, and normally adults doing that, particularly I refer to Parade Gardens. They may not be causing any harm but they can cause distress to young mothers and families that are in that park so I think you have got 2 different areas here. Then you have a problem, like in other parishes, drinking on the beaches; that is another area, people having parties on the beaches, particularly in the western parishes, not so much the northern ones and not so much St. Helier, but they will have parties on the southern beaches and then will leave a mess and there will be youngsters drinking. So you have got a number of different areas here which you have to combat in different ways and I think promotion of it, you need the law to back you up and that is the problem. I think if you want to stop drinking in the parks it has to be no open containers or things like that, you cannot do that and you have got to have various warnings. When you do that, you can enforce it.

Deputy J.M. Maçon:

Then just going on to that with regard to the laws surrounding drinking in public places, where do you feel they perhaps fall short, where would you like to see them improved, or the committee, I should say?

Chairman, Comité des Chefs de Police:

I do not think it is necessarily a massive problem. I think what you have got is you have got youngsters who may be drinking in areas, like Liberation Square maybe or somewhere like that, they are doing it; youngsters always do that, it is age-old. The police can combat that because they have got the law in place. Adults, it is normally people who may ... we know where the adults congregate, we know the adults that have got a perceived problem, and we know the location. When people come out of nightclubs, you have got maybe 3,000 or 4,000 people on the streets. They have normally been drinking in the club already or the pub so they have consumed their alcohol, they have come out so they are not drinking on the streets. I do not see it as a massive problem, I think many of the alfresco drinking which has been adopted in the last few years, that has changed the culture a little bit and it has had a beneficial effect and people can indulge in that culture quite sensibly and have their drinking outside a premises and do it properly. There is a serious drink problem over here but it is people who are drunk already and they have come out on to the streets, not necessarily consuming alcohol on the streets, unless they are under 18, and that is just a problem that we have to deal with.

The Connétable of St. Helier:

Is the legislation that we have already sufficient, do you think, to combat antisocial behaviour that arises from drinking, even if people are not drinking on the street, the antisocial behaviour may include noise, disturbing the peace ...?

Chairman, Comité des Chefs de Police:

Yes. I think the legislation probably is there. The Disorderly Conduct Law that came in in 2008 certainly changed things because you do not have to prove drunkenness so if somebody is swearing and they are using bad language, it is very much easier to prosecute somebody and to warn them. The police do use that law and it is very effective. I think the problem is - this is not, again, detrimental to licensed premises - but there must be an education aspect there about people going to licensed premises, becoming inebriated and then going out on the street causing problems afterwards. The problem may be at source rather than when they come out on the street. You know there is going to be a problem because ... I think the taxi marshal thing, there is a very good idea down there and absolutely successful and it really has worked very well down at Weighbridge. It has caused people to feel they are a lot safer and there are lots of people down there who have been drinking, tensions rise a little bit, but it works very well and that is a good example. I think the law is probably not deficient but it might be at the other end when people are consuming alcohol in licensed premises, that is what may need to be looked at. I do not thinking drinking areas, such as has been suggested in the past - zones - would work, I think it would be unrealistic and I do not think it could be policed properly.

Deputy J.M. Maçon:

Because people move about.

Chairman, Comité des Chefs de Police:

People move about, that is it, and it would be confusing to the public, it would be unrealistic.

The Connétable of St. Helier:

The law that is used in a lot of U.K. councils is words to the effect of: “If your consumption of alcohol causes a problem, the police will ask to move you on or the police will confiscate” so it is along the lines of: “If it is a problem, you will have to desist.” We do not currently have that, or does the policing of parks regulations allow us to do that?

Chairman, Comité des Chefs de Police:

I think the policing of parks has got all sorts of regulations, it does not quite allow that but it should and I think it should be allowed on the street as well, the police can move somebody on if they are in a drunken state. They can up to a degree now, refusing to obey, so if a police officer sees there might be a problem with somebody that is drunk, they can ask them to leave the area and if they do not, then they can be arrested. The law may need to be tightened up along the lines of the Disorderly Conduct Law, I think it would help.

Deputy J.M. Maçon:

Thank you. Just returning to littering now, I think you have acknowledged that littering is a problem on the Island.

Chairman, Comité des Chefs de Police:

Yes, definitely.

Deputy J.M. Maçon:

Are there any problems with the enforcement of the littering laws? I think you have touched on that already but, in particular, the processing of fines?

Chairman, Comité des Chefs de Police:

There would not be because if a person is caught doing it they could be processed, the law allows for that, they can even be processed at parish hall, or they can be processed in the Magistrates Court, which may be draconian.

[10:15]

The problem is that there are 2 types of littering offences here: you have got people that throw litter down, they are walking along the street and they throw something down on the ground, like a bag, which is blatant and deliberate and is not acceptable and there is no excuse for that. Then you have got people who have black bin liners and they do not put them in green wheelie bins, they leave them next to the wheelie bin and things like that, which is another problem. That is more difficult to police because what happens is, and when we have done this in the past, is that people come along to a wheelie bin and they will pull out other people’s black bags to put theirs in, we have found this. Then when you get the person down the parish hall they will say: “Well, I put my bag in there, yes, that is my envelope and that is my rubbish, but I put that in the bin.” That is very difficult to prove and we have a real problem with that. But somebody who is blatantly dropping litter on the ground, if they are caught and they are reported for it, then the law can take its course in that case. But not many people are caught because it is a very quick act when it happens, when somebody does it, seemingly. I am sure if a police officer saw somebody doing it in the precinct they would be reported for it.

The Connétable of St. Helier:

But will the police act when they are in the precincts or when they are on patrol anywhere on the Island and they see someone dropping litter, will the States of Jersey police or will the Honorary Police do anything or do they turn a blind eye to it?

Chairman, Comité des Chefs de Police:

No I do not think they ... I cannot say what the States Police would do, I would hope they would do something. The Honorary Police should not be turning a blind eye. I think a good example would be in December with the Christmas shopping, I think we will see then this December just how many people, if we see somebody littering, then action will be taken robustly.

The Connétable of St. Helier:

Can you remember when a person was last taken to parish hall for littering?

Chairman, Comité des Chefs de Police:

It has been some considerable time.

The Connétable of St. Helier:

More than a year?

Chairman, Comité des Chefs de Police:

Yes, definitely, very much so. But only because for the simple reason it is difficult, it is such a quick act and that is why. I think what we will do is, particularly this December, it will be worth trying it on the Sunday shopping and late-night shopping, and see how many people we do come across doing it and take robust action.

Deputy J.M. Maçon:

We have had a public submission or several public submissions and they talk about littering in the early hours of the morning, presumably when people are coming out of the nightclubs from after getting their chips and burgers, or whatever. The question I would like to ask is do you find that with other behaviours that are going on at that time, that the focus is not necessarily on things like littering but it is more on making sure that antisocial behaviour is not occurring and, therefore, that is not being dealt with?

Chairman, Comité des Chefs de Police:

I cannot say for certain, I do agree that is probably the case, because you have got a large number of people outside a premises, they have been drinking, they are volatile, they are dropping stuff on the ground and it would not be a priority. You have got to be very careful if you go into that situation when somebody has dropped some litter and you start making arrests and that and somebody has been drinking, you could have a real problem on your hands. There are a lot of aggressive people have been drinking. I am not saying the police would deliberately ignore that and I think probably they would have a better take on that than I would have, but speaking to our guys who do patrols, I do not want to say it is not a priority, the problem is you are focusing on drunken behaviour, aggressive behaviour, you are managing a large crowd and rubbish will get put on the ground, that is inevitable, it is something that is going to be a little bit down on the list. Of course, it can create problems if they are trying to arrest somebody for that or trying to report them for it and they have got a

crowd of people who have been drinking. If they are moving pretty quick, they may turn on the police. But the States Police may have a better angle on that, because also they have got CCTV so they will see what goes on outside clubs and how many people drop bottles and things like that on the ground.

Deputy J.M. Maçon:

Thank you. Yes, moving on now, just going back to the processing of people through Honorary or Magistrates Court, does the committee find that process overly bureaucratic?

Chairman, Comité des Chefs de Police:

No, I do not think it is, I think it is not that cumbersome if a person is reported for a drunk and disorderly offence, disorderly conduct, breach of the peace, they can be at parish hall within a week. It may take a bit longer, it can be done pretty quickly, and then either dealt with, if they are first offenders, at parish hall or if they need to go to court, they are charged for court. I would not say it is overly bureaucratic. The paperwork you have is a police report and you will have a statement from the police officer and any previous convictions, and that is what you will have; I do not think it is particularly bureaucratic, no.

Deputy J.M. Maçon:

Okay. This is my next question because, in our public submissions on-the-spot fines has been recommended to us. Has the committee considered on-the-spot fines to deal with littering?

Chairman, Comité des Chefs de Police:

Well, I think on-the-spot fines there is an issue with that. I think, again, you have got to catch people. In theory it is very good idea and it is bureaucratic then, is it not, for the police; what happens if that person has not got money on them and things like that and I think it throws up all sorts of other issues when you do that. We are not a very big community over here. I suppose, in theory, it would work but in practice whether it would ...

The Connétable of St. Helier:

You would have to be a certain age to be subject to an on-the-spot fine, I assume?

Chairman, Comité des Chefs de Police:

I presume you would have to be over 18.

The Connétable of St. Helier:

A lot of our submissions, fairly or unfairly, say that a great deal of litter is dropped by children, it could be children going to and from school.

Chairman, Comité des Chefs de Police:

Yes. Children can be fined but you would hope that if a 13 year-old is doing that, how far do you go with it? Do you prosecute them all the way or is it an education thing as well saying: "Do not do that, this is your town, why are you doing that?" there is also an education process there. The strange thing is, probably with youngsters who are caught littering, we have probably got more options: if they come to parish hall, we can put them on a deferred decision and potentially, they could do

work with probation about this. They may even have to go out 2 or 3 hours on a Saturday and pick litter up. I am not saying we would do that but potentially you probably could, because you are into the re-education field there.

The Connétable of St. Helier:

Does that apply to all age groups that at the parish hall inquiry you could ask them to take part in beach cleaning, for example?

Chairman, Comité des Chefs de Police:

In theory, you could, but with adults we would never do that because the supervising would be impossible. With youngsters, they will do what is called voluntary supervision, a good example may be if they have broken somebody's garage up or some youngster broke a window in a house, he may go and do some work at that house. It is not something we often use in St. Helier but some of the other parishes have used it. So I suppose there is potential there but I think with youngsters it is really re-education, with school-age children. With people over 16, I do not see why they could not be fined. I think a 13, 14 year-old, they need to be read the riot act.

Deputy J.M. Maçon:

So then in your overall opinion, do you think the committee would support on-the-spot fines?

Chairman, Comité des Chefs de Police:

No. I think the problem is with on-the-spot fines, and this leads on to other issues, not connected with drinking, is that once you open the door to on-the-spot fines, you then open the door to having it for a whole range of other offences. While in principle it is a good idea, it would erode the parish hall system. So if you have it for littering, which makes sense, you would have to have it for speeding, mobile phones, traffic light offences, a whole range of offences and the objection from the committee I think would be that it would erode the parish hall system, which is very important to the parishes. But there is logic.

The Connétable of St. Helier:

But surely one could argue that there are certain offences that there is no excuse for, therefore, the discretion that is available at the parish hall inquiry is not really required. I mean, you could argue that there is no excuse for driving and talking on a mobile phone, there is no excuse for deliberately throwing down litter.

Chairman, Comité des Chefs de Police:

Yes. That is quite right. That is totally right, there is no excuse for some things but the problem is that once you start to do that, you start to erode the edges, it becomes a cheap option to do it that way, maybe. You have littering as one, then you move on to dog fouling, then move to mobile phones and speeding and it goes right the way down the line and then you will be having fixed penalty notices issued for all sorts of things. So while I think in the UK it clearly does work, I think over here if you want to keep the parish hall system and a discretionary element dealing with things, that is not to say that people should be let off, they should not be, I think the committee would probably be against it.

Deputy J.M. Maçon:

Going on from that, part of the parish system, to an extent, is the inconvenience of having to give up your time to go to a parish hall inquiry and do you think that that, in itself, reinforces why people should not be engaging in those types of behaviours?

Chairman, Comité des Chefs de Police:

It does, very much so. People come down, they have got to explain themselves, they are not just planning on writing a cheque out, they have got to talk about it, particularly youngsters, they have got to explain why they have done it. They have to wait 2 hours and then they have got to explain why they have done it and address their behaviour and, particularly for youngsters, it works very well. Fixed penalty notices or on-the-spot fines, I know there is a place for them, but I think it is a step that, if you go down that road, you are changing the fabric of the parish hall system. Although I am not against it in one sense, I think the damage it could have against the parish hall would be totally wrong.

Deputy J.M. Maçon:

Okay. Thank you. Does the committee see the consumption of alcohol in public places as a problem?

Chairman, Comité des Chefs de Police:

Yes. I think regarding youngsters doing it, it is a problem, I think it is. It is a problem even in St. Helier that I think probably is fairly well-monitored because we have a large policing presence and we have cameras, C.C.T.V. (closed circuit television). But I think in some of the outer parishes, the western ones particularly in the summer, we do have some problems. I am thinking probably St. Brelade, maybe, possibly St. Peter, St. Ouen. I know St. Brelade had problems at Churchill Park and that is a problem, it is, yes. The law is there to stop it but human nature dictates youngsters will congregate in most areas and start drinking and it is a matter of policing it and trying to break it up. It is not going to go away. There may be better ways of handling it; whether a law change could be required, I do not know. If youngsters are drinking, the alcohol can be confiscated, but it does not stop youngsters congregating there and having consumed the alcohol in the first place. I think that is a problem there.

The Connétable of St. Helier:

Would you agree that the major impact of this is the antisocial behaviour that may go on while they are on the beach and the litter that they leave behind them, particularly broken glass has been referred to quite a lot, rather than the act of what they are doing, if they are sitting quietly playing the guitar and having a chat, they are not really causing a problem.

Chairman, Comité des Chefs de Police:

It is the after effects. I found out in one parish, they told me what they do, and this is quite good: when they know there is going to be a party taking place on the beach, they go down and they identify 2 or 3 responsible members of that party and they take their names and they make them responsible for clearing the beach up and they do it and they will come down the next day to make sure there are no glass bottles, no pallet boards have been burnt and all that rubbish has been cleaned away. It does have some success, apparently, it does work when they do that and clearly it is

normally responsible people who are going to do that. They have tried it and it does work.

Deputy J.M. Maçon:

On a side bar, has that been communicated not only to the Honorary Police but also the States Police, that method?

Chairman, Comité des Chefs de Police:

I do not know, it is an interesting point because I only found out the other day when I was discussing this issue with the chefs and one parish mentioned to me they do this and they have had some limited success in that area. It is probably something now that other parishes, now they know about this, may look at if you know you have got a party of reasonably well behaved people that you identify 2 or 3 people and warn them that we expect the beach to be cleaned up and not left with debris and nails and pallet boards and all sorts of dangerous things. It is never guaranteed everybody is going to clean it up but I think probably there has been some success.

Deputy J.M. Maçon:

Thank you. How is the Honorary Police manpower used to enforce the legislation?

Chairman, Comité des Chefs de Police:

In St. Helier, the only time it would be enforced is where our people are out on patrol and they come across youngsters drinking. The States police do an awful lot of it and they would stop people and youngsters on the waterfront and down there and deal with it appropriately and if our people are out they will deal with it as well. The other parishes probably come across it to a larger extent because of their remoter access to the States Police, they will be out there dealing with it and they will be on closer call and I think St. Brelade again is a case in point. Grouville, probably, St. Martin, St. Clement, they will deal with it very robustly. I do not know stats-wise how many youngsters they stop in possession of alcohol, I could find out from the parishes if needs be if they keep a log on that, and they probably do not, but they do come across related problems with youths and they do deal with them.

The Connétable of St. Helier:

Is there a sort of hotline if a member of the public sees some kind of littering or drink-related anti-social behaviour taking place on a park or a beach, can they phone the Honorary Police and have some reliable ...

Chairman, Comité des Chefs de Police:

I do not think they can, I think the problem with that is if it is at night time it may be okay but in the day time, the reality is that people are at work so they cannot do it, and by the time you get there it will be half an hour, so the offence is going to be committed and the offender is going to be long gone. Where I think it could help, and I think we mentioned this before, is that in St. Helier we have parish wardens. I think if they had powers in the streets to report people for littering offences, because they do have a hotline, there would be huge benefit in that, there really would be, definitely, no question about it. Because they have shift work, they work till 10.00 p.m. so they would catch people littering, they would see that, and the public could phone up as well because we have a hotline to them and a public phone on parking issues. Honorary Policing-wise, you have to be realistic, I think by the time you got

somebody out to deal with that, if you could do, it would probably be half an hour and they would be long gone.

The Connétable of St. Helier:

Is it the case that your colleagues in the States Police, and we can ask this directly when we meet the Minister, that if you were to telephone the States Police, not on the 999 but on the regular number, and be put through to the incident desk and you were to report an act of littering, that they would probably say they have got more important work to do?

Chairman, Comité des Chefs de Police:

I am not sure I could comment on that because it would be unfair but, clearly, they do have a lot more important work to do and that is the reality, is it not? I think the reality is they are dealing with serious crime and all the associated issues but if you had wardens who are there on the spot dealing with things like that and that is part of their role, they are there, they are patrolling all the time. I think they probably would have a better comment on that than me and the Chief Officer may have his own views on that.

[10:30]

Deputy J.M. Maçon:

Yes. This has missed me, this concept of wardens, before, could you just outline and explain that to me in a little bit more detail, please?

Chairman, Comité des Chefs de Police:

Well, in St. Helier we employ parish wardens who deal with the residence parking zones and this has been a really good success story. What they do is they police the parking zones, they enforce any legislation there, and this is separate from traffic wardens, they do not operate in the parking zones. And when traffic wardens finish at 6.00 p.m., the parish wardens then also police the other areas, the other streets as well and they do a lot of proactive policing with parking, both in the zones and outside the zones after 6.00 p.m. It is quite clear there is a role for them in other areas, like littering, which they probably are quite capable of doing. They also go in the parks as well and they operate down there. They are a very busy team but there is large scope for them to do this, probably. They are not police officers and they do not hold policing powers, as such, but I think their powers need to be extended, definitely.

The Connétable of St. Helier:

One way you could do that, to give them policing powers for example, would be if they were to become Honorary Police officers.

Chairman, Comité des Chefs de Police:

Ideally, I think that would be brilliant. There may be ethical issues on that which the Attorney General may have a view on but I personally think that would be a good thing, to have them with Honorary Policing powers, there is no question about it, it would have a huge impact on the parks and on St. Helier, definitely.

The Connétable of St. Helier:

We would need to check with the Crown Officers that they would be happy to have someone who was acting in a professional capacity but that their work was underpinned by policing powers.

Chairman, Comité des Chefs de Police:

It would definitely work, there is no question about it. Yes. It would help in the parks when they are dealing with issues in there, and they could deal with them without necessarily calling the States Police or Honorary Police down there.

Deputy J.M. Maçon:

Thank you. There is a perception from our public submissions that while the legislation is available, it is not a priority to enforce it, how do you react to that perception?

Chairman, Comité des Chefs de Police:

In which regard, which legislation is it?

Deputy J.M. Maçon:

Specifically the ones covering beaches and parks.

Chairman, Comité des Chefs de Police:

I think the problem is, I have got to be honest with you, in St. Helier, I was checking this morning, we do not often get called down to issues on the beaches in St. Helier partly because the beach is near to the harbour and maybe the harbour master deals with that. We do not have many parties on the beaches, and things like that, it is very rare, in Harve des Pas there may be one or 2 and the bathing pool, but I think it depends what you mean. We do not police the beaches, per se, that is a fact, we do not do that. How they police them in other parishes, whether they do regular patrols on the beaches, I do not know. They certainly do have issues on beaches, like parties, in other parishes, that is a regular occurrence in the summer and they do have to deal with it. In the parks in St. Helier, it depends what the issue is and what is going on so you have park keepers, like in Howard Davis Park which is not a park, even, we have people that patrol our parks here, they go down to St. Andrews Park, or Parade Gardens, and they do do it, they cannot be going 24/7 and that is the problem. It is very difficult.

The Connétable of St. Helier:

Do park keepers have the same powers as the parish wardens?

Chairman, Comité des Chefs de Police:

Well, our parish wardens are park keepers, are they not, they do both. In the park legislation they do have powers in there, yes, to deal with things in the parks. A good example, Howard Davis is a very well-run park because it is enclosed, you can close it at 10.30 p.m., you cannot close St. Andrews or Parade Gardens or the Lower Park or West Park, you cannot do that. But they do police it; they will have a look at it. To what extent there are any problems down there, other than congregating of people and maybe adults drinking in groups, I am not too sure. There was a problem in Parade Gardens about 2 or 3 years ago in the summer, there was quite serious problems but there was not last summer.

The Connétable of St. Helier:

But I suppose you mentioned lockable parks, clearly, you cannot lock the beaches.

Chairman, Comité des Chefs de Police:

No, you cannot.

The Connétable of St. Helier:

A lot of the concerns we have had are about broken glass on beaches left over from parties, needles left by drug users, so these areas, it is down to enforcement, is it not?

Chairman, Comité des Chefs de Police:

It is down to enforcement. I think the other thing is, realistically, again, you might have wardens or tourism inspectors that could go along the beach and check this. But to police them would be impossible, we have got to be realistic here, to have Honorary Police or even the States Police down there, it would not be a priority because in the winter people go on the beach but it is not ... and the other thing is with the needles, the chances of finding somebody dropping needles on the beach is going to be remote. But certainly in St. Helier, in the parks, the needles are removed by our parish wardens, they will remove them and dispose of them.

Deputy J.M. Maçon:

You have touched on this briefly, but I will put the question to you anyway: how many people have been prosecuted by the Honorary Police for littering in the past 2 years?

Chairman, Comité des Chefs de Police:

I cannot recollect. Island-wide, I do not know but in St. Helier I do not think there have been any and that is not because of not wanting to, it is because of seeing people do it, quite literally.

The Connétable of St. Helier:

Presumably also, manpower levels, not just in St. Helier but in many honorary forces are low and St. Helier is probably at half strength.

Chairman, Comité des Chefs de Police:

We are at half strength, certainly, manpower is a big issue here and it is when people do it, you see. If they do it when they are shopping here in St. Helier on a Saturday, then you may see it but if they do it at night time, coming out of a club, it is catching them, that is the big problem.

Deputy J.M. Maçon:

Thank you. Simon, is there anything ...

The Connétable of St. Helier:

Yes, a few other things. Frequently we are told that the provision of litter bins is an excuse for people dropping litter although there is a counter argument that litter is your responsibility as a person, unwrapping the sweet or eating the bag of crisps or having the take-away. Do you think there needs to be more bins?

Chairman, Comité des Chefs de Police:

There do. I do not know if this could be done, you probably know more about this than me with the parish depot, but it is quite clear that in some particular areas in St. Helier, and you will get people dumping all sorts of rubbish by the green bins, they will be dumping beds and they will be dumping all sorts of associated rubbish. To me, there is a problem. In that area, if people need to dump this rubbish, why not have more bins, or like a holding area to put this rubbish in so it could be cleaned up twice a week. If people are dumping mattresses, bedsteads and stoves or whatever, or dumping small household items, there is an issue there that needs to be addressed. It means that in that residential district people do that. We find it a little bit in Nelson Street as well that, by the bins there, people do dump extra stuff, they will come along and they will pile up bags, if needs be. How many more bins you would need, I do not know, but I think you can identify areas and districts where it is probably more prevalent. We do get calls, strangely enough, about people dumping things and I have had to call out the parish foreman sometimes to pick up rubbish on housing estates, mainly Kelvin Court where people have been dumping so much rubbish that the bins have been ripped open, black bags have been ripped open and we have had to do that a few times. They do it, they will come down pretty quickly and remove it.

The Connétable of St. Helier:

That is moving on to fly-tipping, really, is it not?

Chairman, Comité des Chefs de Police:

Yes, you are quite right, that is probably moving into the fly-tipping area, it probably is.

The Connétable of St. Helier:

It is probably fair to say that in the U.K., you have gate fees for rubbish, and we are very lucky in Jersey, we do not pay for our rubbish disposal and you can take all these items to the Bellozanne for nothing. Is it because people do not have transport or is it just that they are too lazy to take their bulky items to ...

Chairman, Comité des Chefs de Police:

It could be a combination. If they are living in areas where they may not have a car, or what would be deemed to be bedsit lounges, they have got flats and things like that, they probably cannot, so they probably dump them nearby. I know we had a talk about it a couple of years ago, having like a little dumping area somewhere in the centre of St. Helier where people could dump this sort of stuff and have it moved once a week and get rid of it. It is probably a combination of both but, like you said, you have not got to pay over here, you can just dump it and that is it. Fly-tipping is a slightly different issue, I accept, it is not so straight forward.

The Connétable of St. Helier:

Just to pick up on takeaways, because a great deal of the litter that mars St. Helier, in particular early in the morning, are the polystyrene take-away and the other containers from takeaways which have been consumed by people who have come out of pubs and clubs as they walk home. Some people have said to us that proprietors of the take-away establishments should be in some way held responsible for cleaning up but clearly, if you are running a take-away, if the food you provide is being consumed as part of a one-mile journey somewhere ...

Chairman, Comité des Chefs de Police:

I know and that is the problem. I think, yes, ideally outside of the take-away premises, on the street, I think they should clean up, if they are responsible, the pavement area and perhaps the road. Beyond that, they have walked away, there is no way round that, it is just education that people at 2.30 a.m. or 3.00 a.m. when they have had a bit to drink and they have got their food, it is a difficult problem. If it is outside the premises, I think the premises should clean it up, there is no question about it, they should sweep it, clean the road up, but when they are down the road with it, what would you do? There are bins there and they do not put them in the bins, it is very difficult. You clearly cannot stop takeaways because they are an essential part of the night-time economy, and there is perhaps an argument for having more of them. But how you police it when people have walked away from those premises and they are walking along the road and dropping it, it is difficult.

Deputy J.M. Maçon:

Especially in an intoxicated state, as well.

Chairman, Comité des Chefs de Police:

Yes.

The Connétable of St. Helier:

You could argue that having more takeaways is going to make the problem worse. Perhaps if you did not have takeaways open so late you would not have that degree of litter. I know there is a countervailing worry about people being more intoxicated because there is nothing to eat but is that our responsibility as government to make sure people eat before they drink?

Chairman, Comité des Chefs de Police:

I think that is quite right. I think it is. I think is there not some talk about maybe licensed premises having food areas until 2.30 a.m. and they could ...

The Connétable of St. Helier:

The advantage there, of course, is that that would not create litter if people would eat on the premises.

Chairman, Comité des Chefs de Police:

That is it. It would be unfair to the food take-away outlets, clearly, but there would be less litter, I am sure there would be because they would be consuming the food on the premises before they left. But I think there is a definite demand for people who have had alcohol, people want food, that is just a fact of life. I think there is always going to be that demand and you cannot really take that away, whether you have it on the premises or in a fast food outlet, it has got to be somewhere. But the outlets, it is not their fault, but it does create a knock-on problem.

Deputy J.M. Maçon:

Is there anything ...

The Connétable of St. Helier:

No. Thank you.

Deputy J.M. Maçon:

Good. Yes. We have come to the end of the questions that I have. Is there anything that you feel maybe we have got the wrong end of the stick of or if there is anything that you feel you have not got across which you would like the chance now to communicate to us, or anything else that you would like to tell us?

Chairman, Comité des Chefs de Police:

No, I think just to reiterate that I do think, particularly in St. Helier, and this could apply to any parish, that the wardens that are employed should have powers beyond what they have got now. I think some of this stuff we are talking about here to do with litter and dog fouling, maybe drinking as well, could be dealt with by wardens as well, I think there is merit in doing this because their people do work on the street, they are on the street, they are on patrol, they on hand and they are not based in an office, they are walking around seeing things. I think ...

The Connétable of St. Helier:

Could I just raise one problem that occurs to me there is that the Honorary Police are not paid so if the parish warden is a paid official of the Parish of St. Helier, so to address the problem by giving that person Honorary Police powers, is that going to be in some way a threat to the Honorary Police in the sense that you are going to have 2 kinds of Honorary Police officer, one that is paid, effectively for doing the same thing, for enforcing legislation as part of their job, and an honorary officer who is not being paid for doing that.

Chairman, Comité des Chefs de Police:

Personally, I do not have an issue with it, I think it is the way forward, I think you have to be practical about these things. Whether our colleagues, and they may have an issue about that, I have never asked them that. It is practicalities, is it not? We know we have got a problem with policing, if they have got the powers, why not use it. The Honorary Police cannot be 24/7 when they have got day jobs. They are doing things and that is the problem.

The Connétable of St. Helier:

That is right. I suppose another related question is that, say St. Helier's 5 parish wardens, which is I think the complement that is being aimed at, all have Honorary Police powers and are out there in the streets doing a job which some would argue the police should be doing, the paid police should be doing, is that possibly a transfer of the burden of this service from the tax payer to the rate payer?

Chairman, Comité des Chefs de Police:

Yes. I think you have got to be careful, I think when you say have Honorary Policing powers, this is where you have to be very careful, it has to be managed. You cannot expect them to be what you said, policemen, but they will be dealing with certain parish-related issues like littering, like dog fouling and parking. They may even attend road traffic accidents to assist in directing traffic. There may be a problem on the beach, youngsters in the day time doing something. I think the powers would have to have limitations in what they would be doing because one is the issue of the rate payer and the tax payer, but you do not want to tread into the territory of the States Police, because there are training issues. They would not be professional

police officers like the States Police, but they would need to have some policing powers, albeit limited ones.

Deputy J.M. Maçon:

Thank you. Interesting. Is there anything else you would like to ...?

Chairman, Comité des Chefs de Police:

No. I think that probably covers it. If you wanted any stats from my colleagues, if you just let me know. I do not know if they do keep stats on beach issues and things like that but I can find out if you wish.

Deputy J.M. Maçon:

Thank you very much for that offer, we may take you up on it. In which case, as we have no further questions, I would like to call an end to the session.

Chairman, Comité des Chefs de Police:

Okay. Thank you.

Deputy J.M. Maçon:

Thank you very much.

[10:44]