



**Annual Report
2016**

Jersey Consumer Council is a research and policy-based advocate for good consumer-facing market conduct; we investigate and publicise anomalies in consumer affairs and provides Islanders with accurate and timely information to help them make informed decisions.

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Notable 2016 Successes

- Celebrated 21 years of the **Jersey Consumer Council**
- Published 5 newsletters
- Launched **TelCoWatch** the one-stop shop website for local telecommunications services.
- We have, with the help of expert volunteers, hosted a series of lunchtime talks on a broad range of topics – for example Wills, Money, Probate, and Property
- We sent out new E-Marketer **digital newsletters**
- The Council responded to Senator Farnham’s call for a new **Condor user group** to be established to allow ‘users the opportunity to give feedback to Condor at a senior level’
- We launched the new fully responsive Jersey Consumer Council website; supported by the **Jersey Employment Trust** and **the Community Jobs Fund**
- The Consumer **Council** presented the work of the **Council** and discussed how to be a savvy consumer with over 675 Jersey secondary school students
- The **Council** took up a challenge to look into the transparency of the high street retailer’s pricing mechanisms– the results were insightful
- We spoke to the **media** on a broad range of consumer issues
- We communicated via **social media** to over 3,400 followers

Chairman's Report

As I begin my final year as Chair of the Consumer Council I recognise that the work of the Council, whilst pursuing many cyclical 'arguments', is embarking on many new debates pivotal to the Jersey consumer landscape.

Our work and continuous communications at all levels and in all mediums has helped position the Consumer Council to where it can now tackle greater challenges and be perceived as a very credible force for consumer advocacy.

In 2016 we represented the consumers voice in a variety of key consultations issued by the States of Jersey, Channel Islands Competition Regulatory Authority, the Jersey Legal Information Board, Health and Social Services and the Jersey Financial Services Commission (JFSC).

We responded to the JFSC's MiFID II – Consultation on whether to introduce an EU equivalent regime in Jersey, which could serve to raise standards of investor protection and market transparency in Jersey. MiFID II strengthens consumer protection, increases market transparency and raises the governance requirements for financial service providers and market operators.

Nowhere is consumer advocacy more of a fundamental ingredient in light of the risks of potential consumer detriment when accessing financial services.

The process of consultation allows consumer representation to balance the voice of industry when considering if this is an appropriate move for the Island; it is now more important than ever that the individual saver/investor has a voice looking after their interests to ensure fair play by the providers of financial services. The Consumer Council believes that access to financial services is an essential requirement for full participation in society. The Council has subsequently been involved in sub project working groups to consider in more depth the implications of MiFID II our voice has been invaluable in each area of the work. We hope that

the Council will continue to represent the consumers voice and to balance to voice of industry in this complex financial world.

Other consultations have helped to raise the consumers voice in telecommunications, legal redress and accessibility to legal service.

We have continued to work hard with many island secondary schools to deliver parts of their PSHE curriculum. We have met with students from Le Rocquier, Victoria College, JCG, Hautlieu and Grainville in a variety of age groups from years 7 up to years 10. We view this work as pivotal in helping young islanders to weather the challenges of budgeting, banking, consumer laws, fraud, basic contracts and pricing.

Our works has ranged from Chairing the Condor Consumer Group to facilitating complimentary lunchtime seminars, working alongside medical experts in the provision of sustainable primary health care and fostering greater transparency in energy prices.

Our reach is likely to be limited as a result of impending budget cuts stemming from the Medium Term Financial Plan; we are reshaping our communications strategy, reducing the involvement of expert resources and ensuring that we select and prioritise on going work on the basis of where we can deliver meaningful benefits to consumers and make the biggest impact.

The Consumer Council's work is much richer for the support of Citizen's Advice Jersey, Trading Standards and the team of Economic Development, Tourism, Sport and Culture.

Finally, my greatest thanks are reserved for the Council's Executive Officer, Anne King. Without Anne's enthusiasm and expertise, the Council would not be able to achieve many of its objectives in such an effective way

Advocate Rose Colley

What We Do

The Jersey Consumer Council (JCC) works on behalf of consumers on the Island.

We are a research and policy-based advocate for good consumer-facing market conduct. We investigate and publicise anomalies in consumer affairs and provide Islanders with accurate and timely information to help them make informed decisions.

The Legal Status of the Jersey Consumer Council

The JCC was originally established by Act of the States on 25th April 1995. In February 2011, the States adopted P.182/2010, which set out a new mandate for the JCC. It included for the first time a provision that the Chairman would not need to be a States member. Part of the proposition also required the Minister for Economic Development to take the necessary steps to establish the JCC as an appropriate legal entity. Subsequently in July 2011, the States adopted P.89/2011, which recommended that the JCC be established as an Incorporated Association under Article 4 of the Loi (1862) sur les teneures en fidéicommiss et l'incorporation d'associations. The benefits of achieving this included greater independence, as well as the ability to enter into employment, research and consultancy contracts in its own right.

Following legal work on drafting a formal constitution, the Royal Court granted an Act of Incorporation on 11th November 2011 and directed that a copy of the Constitution be lodged with the Judicial Greffe.

On 31st January 2012 the States approved the appointment of Advocate Rose Colley as the second chairman of the Council since its inception, and most significantly the first non-States member to undertake the role.

The Council

The constitution of the Council sets out the rules regarding the appointment of the Chairman and members.

Article 12.3 states:

“The Chairman shall hold office for a term of three years and may be appointed to hold office for a further term of three years but shall not hold office as Chairman for more than six consecutive years.”

Chairman - Advocate Rose Colley



Following a recruitment process overseen by the Jersey Appointments Commission in late 2011, the States approved the appointment of Advocate Rose Colley for a term of 3 years effective from 31st January 2012. Advocate Colley was then re-appointed by the States for a further term of 3 years commencing on 1st February 2015. 2017 will therefore be Advocate Colley’s last full year in term.

Rose Colley is an Advocate of the Royal Court and is currently a Partner at Viberts law firm and head of Family Law.

Advocate Colley became a Solicitor in 1980 and spent a number of years as a lecturer for the Inner London Education Authority before entering into private practice in 1986. She completed her MBA at the Nottingham Law School in 1996.

Advocate Colley moved to Jersey in 1997 becoming an Advocate in 2000 and joined Viberts the same year as practice director. She is a former acting Bâtonnier, is the current secretary of the Jersey Law Society and an examiner for the Board of Examiners for the Jersey law exams.

Executive Officer – Mrs. Anne King

Anne joined the Consumer Council in 2011 bringing a wealth of customer service experience with her. She was a senior area manager in a start up contract catering company in the UK, Commercial Director for a red London bus company and a change consultant for Transport for London and the Harbours and Airports Committee. She has also run her own business.

Anne obtained her ‘Preparing to Teach in the Lifelong Learning Sector’ (PTLLS) qualification which helps with the education role she fulfills on behalf of the Council.

Council Members

Advocate Jean-Marie Renouf

Mrs. Daphne East

Mr. Derek Ferguson

Mrs. Donna Le Marrec

Miss Francesca Rotheram

Mr. James Rondel

Mr. Peter Tompkins

Mr. Tim De Gruchy

The Jersey **Consumer Council** held 4 meetings in 2016.

Executive Summary and Main 2016 Issues

Our role is to be the consumers' champion; we investigate and publicise anomalies in consumer affairs and provide Islanders with accurate and timely information to help them make informed decisions

The Consumer Council has been representing and campaigning for islanders needs for 21 years. Our 21st year was busier than ever with greater expectations of the Council from consumers, politicians, industry and the States of Jersey alike.

Effective and timely communications was at the heart of our activities for 2016.

Jersey's Consumer Protection Landscape – Working in Partnership

The Jersey Trading Standards Service (TSS), Jersey Consumer Council (JCC), Jersey Competition Regulatory Authority (JCRA) and Citizens Advice Jersey are key partners within the consumer protection landscape in Jersey and in late 2016 formed a Consumer Protection Network (CPN).

Background to the formation of the Consumer Protection Network

The States of Jersey commissioned a review of the JCRA and the regulatory and competition framework at work in Jersey. The report titled 'a review of the Jersey regulatory and competition framework' was published 16 November 2015.

The review was designed to identify whether, in order to improve the outcome for the Jersey economy in general, and Jersey consumers in particular, changes could be made to the way the JCRA functions, the framework under which it operates, and/or the way stakeholders interact with the JCRA.

Of the 23 recommendations, number 12 stated
‘the JCRA should coordinate more closely with the Jersey Consumer Council and Trading Standards — potentially by putting together formal agreements and / or merging the entities into one organisation.’

The formation of a Consumer Protection Network was discussed at a meeting with representatives from the three parties in January 2016. Following a subsequent meeting in July, the JCC asked TSS to draft a formal network agreement.

The CPP will be working within the scope of the Consumer Protection Landscape which is made up of 5 integral elements that underpin, where appropriate, all of our activities;

1. Consumer information, advice and education
2. Codes of practice, best practice and self-regulation
3. Consumer advocacy
4. Enforcement of consumer protection legislation
5. Access to consumer redress mechanism

The CPP recognises the different roles and remits within the partners and how these can play to the strengths of the partnership for the overall benefit of consumers.

‘the sum of the parts can be greater than the whole’

1. Consumer Information, Advice and Education

The Council achieved this in 2016 via:

- 5 Newsletters, distributed to 40,000 businesses and homes
- Launching a new website – which has been kept topical and updated at all times
- Social Media – Facebook and Twitter
- E-marketing – providing timely information and updates, channeling consumers to the website
- Responding to media requests – TV, Radio and written publications
- Running a program of education initiatives with other partners
- Provide a range of complimentary lunch time talks

Communication & Helping Consumers to Make Informed Decisions

The **Council** continues to work hard on reaching and engaging Jersey consumers; we published 5 newsletters in 2016. The newsletters cover a broad range of topics and help to raise awareness of local topical issues.





Our social media presence became more structured throughout 2016 and we now have in excess of 3,400 followers allowing us to spread messages and invite debate.

The **Council** plays an active role in the Jersey Fraud Prevention Forum which was created to keep islanders safe as fraud/SCAMs are for ever on the increase and are more insidious and nasty every time.



What is the Jersey Fraud Prevention Forum?

The Jersey Fraud Prevention Forum will seek to develop a coordinated and strategic approach to the protection of the Island's general public from investment frauds and scams between the agencies concerned.

Who is part of the Forum?

The agencies that form the Jersey Fraud Prevention Forum are as follows:



State of Jersey Police and Joint Financial Crimes Unit
[View Website](#)



Jersey Financial Services Commission
[View Website](#)



Jersey Consumer Council
[View Website](#)



Jersey Post
[View Website](#)



States of Jersey Trading Standards
[View Website](#)

Media

The Chairman and Executive Officer regularly give interviews to BBC Radio Jersey & Spotlight TV, Channel Television, the Jersey Evening Post & Commercial Radio station 103 on a variety of consumer issues generated from within or from outside of the Island.

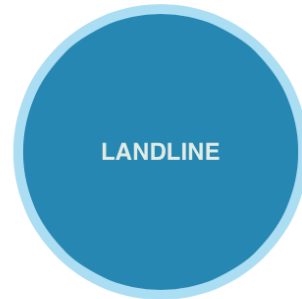
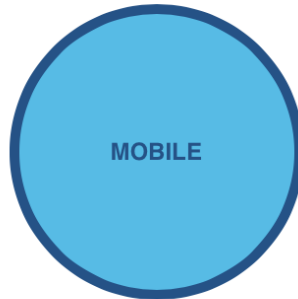
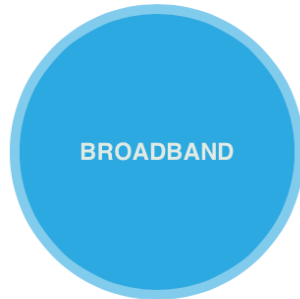
TelCoWatch



In early 2016 we were delighted to provide a second price comparison website for the island **TelCoWatch**; the site allows consumers to compare prices and packages from our local suppliers.

<http://jerseytelcowatch.com>

Start comparing Jersey TelCo prices by clicking on one of the buttons below

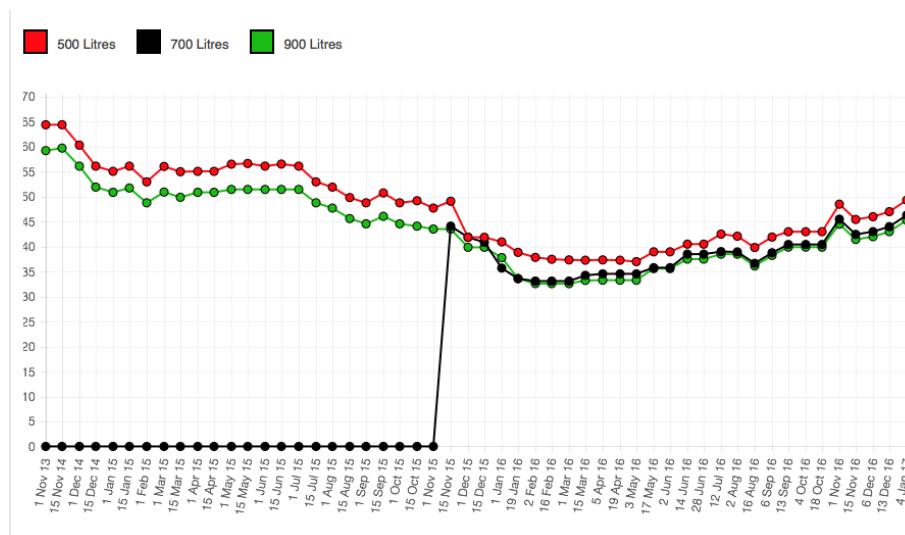


Fuel Watch Jersey

In 2016 the competition for our petrol, diesel and heating oil prices increased and Fuel Watch's role is important in keeping islanders informed of current prices.



**Keeping an eye
on the costs of
fuel in Jersey.**



The graphs have helped consumers to track the trends in prices. The site is very popular providing greater transparency in the market place for consumers.

<http://www.jerseyfuelwatch.com>

Program of Education Initiatives

We recognise the value in educating today's and tomorrow's consumers.

Companies spend billions of pounds a year on marketing and advertising goods and services and training staff to sell, yet we don't get any buyers' training!

Through an education initiative, the Council, in collaboration with other partners, provided practical advice and guidance for our teenagers on financial and consumer rights aspects of the Personal Social and Health Education (PSHE) curriculum for children of secondary school age.

The Council:

- Co-ordinated and provided targeted consumer education sessions to young consumers in full time education
- Collaborated with Education, Jersey Financial Services Commission, Community Savings and Trading Standards in delivering appropriate content
- Provided a range of subjects in schools to engage these young consumers, to include money management, consumer rights, financial lending and

scams

In 2016 we spoke to groups of Le Rocquier, Victoria College, Jersey College for Girls and Hautlieu students spanning a range of age groups. Since 2013, we have continued to foster positive working relationships with the schools.

All of the sessions given by the **Council** are interactive and generate interesting discussions.

Complimentary Lunchtime Talks

To help consumers make informed decisions and to foster greater transparency in a wide range of topics we continued to call upon local businesses, organisations and bodies to work with us to offer complimentary lunchtime talks, accessible to the community.

The Council:

- Engaged with partners who delivered sessions to the community
- Ensured a range of topics
- Ensured that the sessions are promoted and accessible to the community

Topics highlighted in 2016 included:

- Wills & Probate
- Bullying in the Workplace
- Long Term Care
- Wills & Bequest Issues
- Jersey Testator and Foreign Property
- Staying Safe on Line
- The Role of the Estate Agent
- Digital Legacy
- Surrogacy
- Mediation & Arbitration
- Collaborative Law

Lunchtime Talks

All talks 13:05 – 13:55

We are pleased to offer the following 'free' lunchtime talks. The talks are all at the same time 13:10 – 13:50. These sessions will be informative yet informal – you are welcome to bring your lunch.

How to register? Simply email seminars@jerseyconsumercouncil.org.je or register via Evenbrite or telephone the Consumer Council on 611161.













Date	Topic	Speaker	Venue
1 December	Financial Product Mis-selling: Avoidance and Remedies	Howard Sharp QC Ardent Chambers	Jersey Library St. Helier
14 December	Long Term Care	Alzheimer's Society Jersey	Jersey Library St. Helier
19 January	Curatorships	Sarah Hope & Adv. Clare Nicolle	Voisin Law Esplanade, St Helier
26 January	Wills & Bequest issues	Karla Summers-Shaw & Elisabeth Ferrara	Viberts Viberts House, Don St, St Helier
2 February	Long Term Care	Sarah Hope & Adv. Clare Nicolle	Voisin Law Esplanade, St Helier
6 February	Financial Investments	Jersey Financial Services Commission (JFSC)	Jersey Financial Services Commission 14-18 Castle Street St. Helier
20 February	Jersey Testator & Foreign Property	Adv. Christopher Schofield	Viberts Viberts House, Don St, St Helier
23 February	Wills and Probate	Sarah Hope & Adv. Clare Nicolle	Voisin Law Esplanade, St Helier
28 February	Bullying in the Work Place	Adv. Jean-Marie Renouf	Benest Corbett Renouf 12 Hill St, St. Helier
10 March	Everything Electrical	JEC	Jersey Library St. Helier
14 March	All about Jersey Gas	Jersey Gas Senior Team	Jersey Library St. Helier
23 March	Providing Consumer Protection	Alison De Bourcier, Director of Trading Standards	Jersey Library St. Helier
19 April	An audience with PC David O'Brien talking SCAMS	PC David O'Brien	Jersey Library St. Helier
16 May	Save Water; Save Money	Jersey Water	Jersey Library

New JCC Website

The **Council website** was redesigned and launched in the spring of 2016 at no cost to the Council. The Community Jobs Fund accepted our application for a temporary member of staff to assist the **Council** to redesign our website.

Price Watch Services lovingly brought to you by the **Jersey Consumer Council**



RECENT POSTS	REPORTS AND PUBLICATIONS
 <p>Christmas Planner Consumer Council November 29, 2016</p>	 <p>Holidays and Travelling Consumer Council May 5, 2016</p>
 <p>DEC 2016 EDTN 81 Consumer Council November 24, 2016</p>	 <p>Condor Ferry Experiences survey Consumer Council March 3, 2016</p>
 <p>Christmas Puddings & Pricewatch Consumer Council November 14, 2016</p>	 <p>Planning Retirement Consumer Council November 13, 2015</p>
 <p>Trading Standards & Consumer Council Top Ten for Christmas Consumer Council November 3, 2016</p>	 <p>Own Assets Abroad? Viberts Consumer Council November 13, 2015</p>
 <p>Tumble Dryer Update Consumer Council November 3, 2016</p>	 <p>Energy Matters Consumer Council November 10, 2015</p>

Primary Health

The **Council** continues to be involved with Primary Health issues and liaises with both the Primary Health Care Body and Health & Social Services. We are part of a Sustainable Primary Care Implementation Group working with Economic Consulting and Financial Advisory representatives from Deloitte to consider both the States funding and patient payment mechanisms for primary care services.




Holiday Issues

We also published a **holiday booklet** to help guide consumers through from booking holidays and the potential risks of fraud etc, to car hire, travel insurance, passenger rights and financial protection for your holiday,



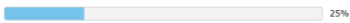
Price Perceptions Survey

In a bid to get a fair deal for Island consumers the **Council** took up a challenge to look into the transparency of our **high street retailers' pricing mechanisms**.



Jersey Price Perception Survey 2016

1. Introduction



25%

As part of our broader remit to represent consumer interests, the Jersey Consumer Council is currently undertaking a review of the retail sector in Jersey. To help us with this investigation, we would be very grateful if you could spare just a few minutes of your time to complete this questionnaire so that we can build a better picture of Jersey consumers' perceptions of retail prices in the Island. Please be assured that your responses will be completely confidential.

Completion Instructions

If a question has an asterisk next to it then this means that a response is required before you can move on to the next page. If there are questions without an asterisk that are either not relevant to you, or you would prefer not to answer, then you can leave these blank and move on to the next question. Your responses will only be saved when you click on the "submit" button on the final page.

Thank you very much for your help in this important survey

Next

We were challenged to look into our high street prices including UK retailers and franchises trading locally, who are sometimes perceived to be charging customers the

same prices for goods in Jersey as they do in the UK - suggesting that they are not always removing VAT.

We decided to ask local consumers to tell us what they think. The online survey ran until the end of June. Results were presented to the Retail Development Group. The group is working with the Council to consider highlighting Jersey vs UK prices on retail goods to help with clarity and transparency.

Main Points

- Lack of clarity with retail pricing
- Perception of retailer greed
- Consumers are price sensitive but purchasing experience is also important
- Consumers are very motivated to buy elsewhere, if they think they are not being valued or pricing perceived as unfair



Condor Consumer Group

Following Senator Farnham's call for a new Condor user group to be set up to allow 'users the opportunity to give feedback to Condor at a senior level' Senator Farnham asked the Consumer Council to oversee the set up of the new group and to chair the meetings.

The Consumer Council advertised and recruited members for the group:

“Are you the passenger we need to join the Condor Ferries Consumer Group?

The Consumer Council is overseeing the establishment of the new Condor Ferries Consumer Group and we are recruiting volunteers to join.

We are seeking input from a broad range of consumers who travel on all Condor routes to and from Jersey.

The group will meet on a monthly basis early morning for one hour. We are seeking applications from

- *Foot Passengers*
- *Car Passengers*
- *Motorcyclists*
- *Cyclists*
- *Less mobile*
- *Sports Groups*
- *Specialist groups; horse owners, motorcycle competitors, dog competitors and so on..*

To apply send a letter by email or by post to stating very clearly why you wish to be considered as part of the group, the type of passenger and if your work or commitments will allow you to regularly attend the meetings”

In late April we began the stringent selection process of our 39 applicants to ensure a balance of passenger types, north and south routes, frequency of travel. We also recruited based on skills set and characteristics. We recruited 14 passengers to join the group; one person then resigned from the group as they were unable to attend any of the meetings.

Condor Consumer Group Meetings

The meetings are held monthly and are 90 minutes in duration. Paul Luxon Condor's CEO always attends and depending upon the agenda he is accompanied by other senior members of his team.

Each meeting is carefully planned and organised to allow the group to make the most of the 90 minutes.

25th May

The first meeting set out the group's terms of reference and setting up of the Consumer Group Charter

15th June

We heard from each attendee about why they applied to join the Group, their perceptions relating to Condor, their main areas of dissatisfaction, particularly how this made you feel and the impact it had on those around them. Areas of satisfaction and their thoughts on how things could really change going forward

12th July

Attendees continued to articulate their main areas of satisfaction and dissatisfaction with Condor allowing us to clearly identify and prioritise our areas of further action.

9th August

The consultants undertaking Condor's Service Review met with the Group to ask for their views and for the group to contribute to the review.

21st September

The group wished to debate Condor's customer services as the main agenda item.

20th October

The agenda focussed on fares and timetabling issues and possible solutions.

The group also spoke to Paul Luxon about Condor ferries ownership, vessel selection and the future for the company.

13th December

The group met with both Condor and the Ports of Jersey to discuss a range of issues impacting on passengers using the ferry terminal.

In early 2017 the group has requested that they discuss the Condor Strategic Review and have a general update on the items they have discussed with Condor over the previous meetings.

Consultations

We responded to a variety of consultations throughout 2016; including the Jersey Financial Services Commission (JFSC) Consultation and subsequent project groups on whether to introduce a MiFID II – EU equivalent regime in Jersey, response the States of Jersey Budget, Legal Information Board and Tribunals.

2. Codes of Practice, Best Practice and Self-Regulation

The Consumer Council has consulted on and will proceed with launching a new and significantly updated ‘Code of Practice for Consumer Lending’. We have worked with Trading Standards and Citizens Advice to draft the new code and liaised with the Guernsey Financial Services Commission and the Jersey Bankers Association in order to raise standards of good lending practice. The Code was originally published in 2007 is an invaluable guide to both ‘unregulated’ lenders and consumers.

The Council will seek to:

- Launch a new Code for 2017
- Promote the Code as best practice
- Encourage and manage subscribers
- Carry out checks to ensure the code is being brought to the attention of customers in a timely fashion

The Code is voluntary, with the key aims of;

- enabling Jersey consumers to be fully aware of, and understand, the terms under which they are borrowing money,
- enabling Jersey lenders, brokers and financial advisers to obtain the right information to ensure that credit is not advanced where the ability to meet repayment might be in doubt, and
- promoting responsible lending

3. Consumer Advocacy

The Council has further developed our advocacy role. Consumer advocacy refers to actions taken by the Council to promote and protect the interests of the buying public. Historically, consumer advocates have assumed a somewhat adversarial role in exposing unfair business practices that threaten the welfare of the general public. Consumer advocates use tactics like publicity to raise awareness of issues affecting consumers to counteract the harm.

The Council has taken a more proactive approach in investigating and publicising anomalies in consumer affairs to provide Islanders with accurate and timely information to help them make informed decisions.

We work hard to engage with consumers across all sectors in the island; reaching out to church groups, cultural groups, age specific groups and the working population.

The Council have continued working with the Sustainable Primary Health Care team to ensure that when there are negotiations over price controls in a specific sectors, such as health, Council are in the room with both an independent mandate to stand up for consumers and the technical understanding required.

As a single, consolidated consumer champion, we can do work that spans the practical and the technical. At one end of the spectrum, the Council created and set up P.O. Box 500 with Jersey Post to assist the community and vulnerable with scam mail. At the other end, in cross-cutting work, the Council are exploring how to improve time-poor consumers decision making, by revising the Code of Practice for Consumer Lending, and conducted a 'Price Perceptions' survey which will lead to 2017 initiatives to improve price transparency on the high street.



Financial Report

The **Council's** expenses in 2016 were met by a grant of £95,000 from the Economic Development, Tourism, Sport and Culture Department.

Grant Thornton has audited the financial matters of the **Council** and the audited accounts have been submitted to EDTSC.