



**THE STATES assembled on Wednesday  
21st March 2018, at 09.30 a.m. under  
the Presidency of  
Dr. Mark Egan, Greffier of the States.**

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All members were present at roll call with the exception of –

Senator Philip Francis Cyril Ozouf – en défaut (défaut raised at 10.02 a.m.)  
Senator Alan John Henry Maclean – en défaut (défaut raised at 10.02 a.m.)  
Senator Sir Philip Martin Bailhache – en défaut (défaut raised at 10.02 a.m.)  
Senator Sarah Craig Ferguson – en défaut (défaut raised at 10.02 a.m.)  
Deputy Roderick Gordon Bryans of St. Helier – ill  
Deputy Louise Mary Catherine Doublet of St. Saviour – ill  
Deputy Russell Labey of St. Helier – en défaut (défaut raised at 10.02 a.m.)

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Prayers

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### **Documents presented**

States Greffe Business Plan 2018. R.31/2018.  
Presented: 21st March 2018.  
*Privileges and Procedures Committee.*

### **Withdrawal of lodged propositions**

THE STATES noted that, in accordance with Standing Order 34(1), the proposers of the following propositions lodged “au Greffe” had informed the Greffier of the States that they had been withdrawn –

Draft Sexual Offences (Jersey) Law 201- (P.18/2018): third amendment. P.18/2018.  
Lodged: 6th March 2018. Amd.(3)  
*Education and Home Affairs Scrutiny Panel.*

Committee of Inquiry: actions taken by the R.N.L.I. and the Jersey Government which P.36/2018.  
led to the removal of the All Weather Lifeboat (P.36/2018) – amendment. Amd.  
Lodged: 26th February 2018.  
*Senator S.C. Ferguson.*

### **Draft Sexual Offences (Jersey) Law 201- P.18/2018**

THE STATES commenced consideration of the Draft Sexual Offences (Jersey) Law 201- and adopted the principles.

Members present voted as follows –

**POUR: 37**

**CONTRE: 0**

**ABSTAIN: 0**

Senator P.F. Routier  
Senator A.J.H. Maclean  
Senator I.J. Gorst

Senator P.M. Bailhache  
 Senator A.K.F. Green  
 Connétable of St. Helier  
 Connétable of St. Peter  
 Connétable of St. Martin  
 Connétable of St. Saviour  
 Connétable of Grouville  
 Connétable of St. John  
 Connétable of Trinity  
 Deputy J.A. Martin (H)  
 Deputy of Grouville  
 Deputy J.A. Hilton (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy of Trinity  
 Deputy K.C. Lewis (S)  
 Deputy M. Tadier (B)  
 Deputy E.J. Noel (L)  
 Deputy of St. John  
 Deputy M.R. Higgins (H)  
 Deputy J.M. Maçon (S)  
 Deputy S.J. Pinel (C)  
 Deputy of St. Peter  
 Deputy R.J. Rondel (H)  
 Deputy S.Y. Mézec (H)  
 Deputy A.D. Lewis (H)  
 Deputy of St. Ouen  
 Deputy R. Labey (H)  
 Deputy S.M. Wickenden (H)  
 Deputy S.M. Bree (C)  
 Deputy M.J. Norton (B)  
 Deputy T.A. McDonald (S)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy P.D. McLinton (S)

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, commenced consideration of Articles 1 to 4 and, adopting an amendment of the Education and Home Affairs Scrutiny Panel (P.18/2018 Amd.), agreed that in Article 1(4)(b), for the words “urine or saliva” there should be substituted the words “urine, faeces or saliva”.

THE STATES, having resumed consideration of Article 1, as amended, and Articles 2 to 4, adopted Article 1, as amended, and Articles 2 to 4.

THE STATES adopted Articles 5 to 12.

THE STATES adopted Articles 13 to 17.

Members present voted as follows –

**POUR: 43**

**CONTRE: 0**

**ABSTAIN: 0**

Senator P.F. Routier  
 Senator A.J.H. Maclean  
 Senator I.J. Gorst  
 Senator L.J. Farnham  
 Senator P.M. Bailhache

Senator A.K.F. Green  
 Senator S.C. Ferguson  
 Connétable of St. Helier  
 Connétable of St. Clement  
 Connétable of St. Peter  
 Connétable of St. Lawrence  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Brelade  
 Connétable of St. Martin  
 Connétable of St. Saviour  
 Connétable of Grouville  
 Connétable of St. John  
 Connétable of Trinity  
 Deputy J.A. Martin (H)  
 Deputy of Grouville  
 Deputy J.A. Hilton (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy of Trinity  
 Deputy K.C. Lewis (S)  
 Deputy M. Tadier (B)  
 Deputy E.J. Noel (L)  
 Deputy of St. John  
 Deputy M.R. Higgins (H)  
 Deputy J.M. Maçon (S)  
 Deputy S.J. Pinel (C)  
 Deputy of St. Martin  
 Deputy of St. Peter  
 Deputy R.J. Rondel (H)  
 Deputy S.Y. Mézec (H)  
 Deputy A.D. Lewis (H)  
 Deputy R. Labey (H)  
 Deputy S.M. Wickenden (H)  
 Deputy S.M. Bree (C)  
 Deputy T.A. McDonald (S)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy P.D. McLinton (S)

THE STATES adopted Articles 18 to 20.

Members present voted as follows –

**POUR: 42**

**CONTRE: 0**

**ABSTAIN: 0**

Senator P.F. Routier  
 Senator P.F.C. Ozouf  
 Senator A.J.H. Maclean  
 Senator I.J. Gorst  
 Senator L.J. Farnham  
 Senator P.M. Bailhache  
 Senator A.K.F. Green  
 Senator S.C. Ferguson  
 Connétable of St. Helier  
 Connétable of St. Clement  
 Connétable of St. Peter

Connétable of St. Lawrence  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Brelade  
 Connétable of St. Martin  
 Connétable of St. Saviour  
 Connétable of Grouville  
 Connétable of St. John  
 Deputy J.A. Martin (H)  
 Deputy of Grouville  
 Deputy J.A. Hilton (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy K.C. Lewis (S)  
 Deputy E.J. Noel (L)  
 Deputy of St. John  
 Deputy M.R. Higgins (H)  
 Deputy J.M. Maçon (S)  
 Deputy S.J. Pinel (C)  
 Deputy of St. Martin  
 Deputy of St. Peter  
 Deputy R.J. Rondel (H)  
 Deputy S.Y. Mézec (H)  
 Deputy of St. Ouen  
 Deputy R. Labey (H)  
 Deputy S.M. Wickenden (H)  
 Deputy S.M. Bree (C)  
 Deputy M.J. Norton (B)  
 Deputy T.A. McDonald (S)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy P.D. McLinton (S)

THE STATES adopted Articles 21 to 40.

Members present voted as follows –

**POUR: 43**

**CONTRE: 0**

**ABSTAIN: 0**

Senator P.F. Routier  
 Senator P.F.C. Ozouf  
 Senator A.J.H. Maclean  
 Senator I.J. Gorst  
 Senator L.J. Farnham  
 Senator P.M. Bailhache  
 Senator A.K.F. Green  
 Senator S.C. Ferguson  
 Connétable of St. Helier  
 Connétable of St. Clement  
 Connétable of St. Peter  
 Connétable of St. Lawrence  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Brelade  
 Connétable of St. Martin  
 Connétable of St. Saviour  
 Connétable of Grouville

Connétable of St. John  
 Deputy J.A. Martin (H)  
 Deputy of Grouville  
 Deputy J.A. Hilton (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy K.C. Lewis (S)  
 Deputy M. Tadier (B)  
 Deputy E.J. Noel (L)  
 Deputy of St. John  
 Deputy M.R. Higgins (H)  
 Deputy J.M. Maçon (S)  
 Deputy S.J. Pinel (C)  
 Deputy of St. Martin  
 Deputy of St. Peter  
 Deputy R.J. Rondel (H)  
 Deputy S.Y. Mézec (H)  
 Deputy of St. Ouen  
 Deputy R. Labey (H)  
 Deputy S.M. Wickenden (H)  
 Deputy S.M. Bree (C)  
 Deputy M.J. Norton (B)  
 Deputy T.A. McDonald (S)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy P.D. McLinton (S)

THE STATES commenced consideration of Article 41 and rejected an amendment of the Education and Home Affairs Scrutiny Panel (P.18/2018 Amd.(2)) that for Article 41, there should be substituted the following Article –

**“41 Mixed indictments: mode of trial**

- (1) For the purpose of the Loi (1864) réglant la Procédure Criminelle, on an indictment falling within paragraph (2), the Royal Court is to decide, having regard to the nature and gravity of the offences and after hearing any submissions from the defence and the prosecution, the method by which the defendant is to be tried.
- (2) An indictment falls within this paragraph if it charges 2 or more offences, of which –
  - (a) at least one is an offence under customary law; and
  - (b) at least one other is an offence under any Part of this Law.”.

Members present voted as follows –

**POUR: 14**

Senator P.F. Routier  
 Connétable of St. Helier  
 Deputy of Grouville  
 Deputy of Trinity  
 Deputy K.C. Lewis (S)  
 Deputy M. Tadier (B)  
 Deputy of St. John  
 Deputy J.M. Maçon (S)  
 Deputy of St. Peter

**CONTRE: 29**

Senator P.F.C. Ozouf  
 Senator I.J. Gorst  
 Senator L.J. Farnham  
 Senator P.M. Bailhache  
 Senator A.K.F. Green  
 Connétable of St. Clement  
 Connétable of St. Peter  
 Connétable of St. Lawrence  
 Connétable of St. Mary

**ABSTAIN: 0**

Deputy S.Y. Mézec (H)	Connétable of St. Ouen
Deputy R. Labey (H)	Connétable of St. Brelade
Deputy S.M. Wickenden (H)	Connétable of St. Martin
Deputy M.J. Norton (B)	Connétable of St. Saviour
Deputy P.D. McLinton (S)	Connétable of Grouville
	Connétable of St. John
	Connétable of Trinity
	Deputy J.A. Martin (H)
	Deputy G.P. Southern (H)
	Deputy J.A. Hilton (H)
	Deputy J.A.N. Le Fondré (L)
	Deputy E.J. Noel (L)
	Deputy M.R. Higgins (H)
	Deputy S.J. Pinel (C)
	Deputy of St. Martin
	Deputy of St. Ouen
	Deputy S.M. Bree (C)
	Deputy T.A. McDonald (S)
	Deputy of St. Mary
	Deputy G.J. Truscott (B)

THE STATES, resuming consideration of Article 41, adopted Article 41.

Members present voted as follows –

**POUR: 35**

**CONTRE: 0**

**ABSTAIN: 0**

Senator P.F. Routier  
 Senator P.F.C. Ozouf  
 Senator I.J. Gorst  
 Senator L.J. Farnham  
 Senator A.K.F. Green  
 Connétable of St. Helier  
 Connétable of St. Peter  
 Connétable of St. Lawrence  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Brelade  
 Connétable of St. Martin  
 Connétable of St. Saviour  
 Connétable of Grouville  
 Connétable of St. John  
 Deputy of Grouville  
 Deputy J.A. Hilton (H)  
 Deputy K.C. Lewis (S)  
 Deputy M. Tadier (B)  
 Deputy E.J. Noel (L)  
 Deputy of St. John  
 Deputy J.M. Maçon (S)  
 Deputy S.J. Pinel (C)  
 Deputy of St. Martin  
 Deputy of St. Peter  
 Deputy S.Y. Mézec (H)  
 Deputy of St. Ouen  
 Deputy R. Labey (H)  
 Deputy S.M. Wickenden (H)

Deputy S.M. Bree (C)  
 Deputy M.J. Norton (B)  
 Deputy T.A. McDonald (S)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy P.D. McLinton (S)

THE STATES adopted Articles 42 to 49 and the Schedule.

Members present voted as follows –

**POUR: 37**

**CONTRE: 0**

**ABSTAIN: 0**

Senator P.F. Routier  
 Senator P.F.C. Ozouf  
 Senator I.J. Gorst  
 Senator L.J. Farnham  
 Senator P.M. Bailhache  
 Senator A.K.F. Green  
 Senator S.C. Ferguson  
 Connétable of St. Helier  
 Connétable of St. Peter  
 Connétable of St. Lawrence  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Brelade  
 Connétable of St. Martin  
 Connétable of St. Saviour  
 Connétable of Grouville  
 Connétable of St. John  
 Deputy G.P. Southern (H)  
 Deputy of Grouville  
 Deputy J.A. Hilton (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy K.C. Lewis (S)  
 Deputy M. Tadier (B)  
 Deputy E.J. Noel (L)  
 Deputy J.M. Maçon (S)  
 Deputy S.J. Pinel (C)  
 Deputy of St. Peter  
 Deputy S.Y. Mézec (H)  
 Deputy A.D. Lewis (H)  
 Deputy of St. Ouen  
 Deputy S.M. Wickenden (H)  
 Deputy S.M. Bree (C)  
 Deputy M.J. Norton (B)  
 Deputy T.A. McDonald (S)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy P.D. McLinton (S)

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Sexual Offences (Jersey) Law 201-.

Members present voted as follows –

**POUR: 43****CONTRE: 0****ABSTAIN: 0**

Senator P.F. Routier  
 Senator P.F.C. Ozouf  
 Senator I.J. Gorst  
 Senator L.J. Farnham  
 Senator P.M. Bailhache  
 Senator A.K.F. Green  
 Senator S.C. Ferguson  
 Connétable of St. Helier  
 Connétable of St. Clement  
 Connétable of St. Peter  
 Connétable of St. Lawrence  
 Connétable of St. Mary  
 Connétable of St. Ouen  
 Connétable of St. Brelade  
 Connétable of St. Martin  
 Connétable of St. Saviour  
 Connétable of Grouville  
 Connétable of St. John  
 Deputy G.P. Southern (H)  
 Deputy of Grouville  
 Deputy J.A. Hilton (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy of Trinity  
 Deputy K.C. Lewis (S)  
 Deputy M. Tadier (B)  
 Deputy E.J. Noel (L)  
 Deputy of St. John  
 Deputy M.R. Higgins (H)  
 Deputy J.M. Maçon (S)  
 Deputy S.J. Pinel (C)  
 Deputy of St. Martin  
 Deputy of St. Peter  
 Deputy S.Y. Mézec (H)  
 Deputy A.D. Lewis (H)  
 Deputy of St. Ouen  
 Deputy R. Labey (H)  
 Deputy S.M. Wickenden (H)  
 Deputy S.M. Bree (C)  
 Deputy M.J. Norton (B)  
 Deputy T.A. McDonald (S)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)  
 Deputy P.D. McLinton (S)

### **Arrangement of public business for the present meeting**

THE STATES rejected a proposition of Senator Sarah Craig Ferguson that consideration of her proposition entitled 'Committee of Inquiry: actions taken by the R.N.L.I. and the Jersey Government which led to the removal of the All Weather Lifeboat' (P.36/2018) be deferred to Friday 23rd March 2018.



Members present voted as follows –

**POUR: 14**

Senator I.J. Gorst  
 Senator P.M. Bailhache  
 Senator S.C. Ferguson  
 Connétable of St. Clement  
 Connétable of St. Ouen  
 Connétable of St. Saviour  
 Deputy J.A. Hilton (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy K.C. Lewis (S)  
 Deputy M.R. Higgins (H)  
 Deputy J.M. Maçon (S)  
 Deputy R. Labey (H)  
 Deputy S.M. Bree (C)  
 Deputy T.A. McDonald (S)

**CONTRE: 29**

Senator P.F. Routier  
 Senator P.F.C. Ozouf  
 Senator L.J. Farnham  
 Senator A.K.F. Green  
 Connétable of St. Helier  
 Connétable of St. Peter  
 Connétable of St. Lawrence  
 Connétable of St. Mary  
 Connétable of St. Brelade  
 Connétable of St. Martin  
 Connétable of Grouville  
 Connétable of St. John  
 Connétable of Trinity  
 Deputy J.A. Martin (H)  
 Deputy G.P. Southern (H)  
 Deputy of Grouville  
 Deputy M. Tadier (B)  
 Deputy E.J. Noel (L)  
 Deputy of St. John  
 Deputy S.J. Pinel (C)  
 Deputy of St. Martin  
 Deputy of St. Peter  
 Deputy S.Y. Mézec (H)  
 Deputy A.D. Lewis (H)  
 Deputy of St. Ouen  
 Deputy S.M. Wickenden (H)  
 Deputy M.J. Norton (B)  
 Deputy of St. Mary  
 Deputy G.J. Truscott (B)

**ABSTAIN: 0**

**Committee of Inquiry: actions taken by the R.N.L.I. and the Jersey Government which led to the removal of the All Weather Lifeboat P.36/2018**

THE STATES, commencing consideration of a proposition of Senator Sarah Craig Ferguson entitled ‘Committee of Inquiry: actions taken by the R.N.L.I. and the Jersey Government which led to the removal of the All Weather Lifeboat’ (P.36/2018), adopted an amendment of Senator Sir Philip Martin Bailhache (P.36/2018 Amd.(2)) that, in paragraph (a), for the words “leading to the formation of the J.L.A., in order to investigate the actions taken by the R.N.L.I. and the Jersey Government which led to the removal of the All Weather Lifeboat”, there should be substituted the words “surrounding the breakdown of the relationship between the former crew of the St. Helier Lifeboat Station and the R.N.L.I. and leading to the formation of the J.L.A.”.

THE STATES, having resumed consideration of the proposition of Senator Sarah Craig Ferguson, as amended, rejected the proposition –

- (a) to agree that a Committee of Inquiry should be established in accordance with Standing Order 146 to inquire into the circumstances surrounding the breakdown of the relationship between the former crew of the St. Helier Lifeboat Station and the R.N.L.I. and leading to the formation of the J.L.A.; and

- (b) to request the Chief Minister to take the necessary steps to select a suitable Chairman and members to undertake the Inquiry and to bring forward to the States for approval the necessary proposition relating to their appointment and the approval of detailed terms of reference for the Inquiry.

Members present voted as follows –

**POUR: 15**

Senator S.C. Ferguson  
 Connétable of St. Mary  
 Connétable of St. Saviour  
 Deputy J.A. Martin (H)  
 Deputy of Grouville  
 Deputy J.A. Hilton (H)  
 Deputy J.A.N. Le Fondré (L)  
 Deputy K.C. Lewis (S)  
 Deputy of St. John  
 Deputy M.R. Higgins (H)  
 Deputy J.M. Maçon (S)  
 Deputy R. Labey (H)  
 Deputy S.M. Bree (C)  
 Deputy T.A. McDonald (S)  
 Deputy of St. Mary

**CONTRE: 26**

Senator P.F. Routier  
 Senator P.F.C. Ozouf  
 Senator L.J. Farnham  
 Senator A.K.F. Green  
 Connétable of St. Helier  
 Connétable of St. Clement  
 Connétable of St. Peter  
 Connétable of St. Lawrence  
 Connétable of St. Brelade  
 Connétable of St. Martin  
 Connétable of Grouville  
 Connétable of St. John  
 Connétable of Trinity  
 Deputy G.P. Southern (H)  
 Deputy of Trinity  
 Deputy M. Tadier (B)  
 Deputy E.J. Noel (L)  
 Deputy S.J. Pinel (C)  
 Deputy of St. Martin  
 Deputy of St. Peter  
 Deputy S.Y. Mézec (H)  
 Deputy A.D. Lewis (H)  
 Deputy S.M. Wickenden (H)  
 Deputy M.J. Norton (B)  
 Deputy G.J. Truscott (B)  
 Deputy P.D. McLinton (S)

**ABSTAIN: 1**

Senator I.J. Gorst

**Changes in Presidency**

Dr. Mark Egan, Greffier of the States, retired from the Chair during consideration of the proposition of Senator Sarah Craig Ferguson entitled ‘Committee of Inquiry: actions taken by the R.N.L.I. and the Jersey Government which led to the removal of the All Weather Lifeboat’ (P.36/2018), and the meeting continued under the Presidency of the Deputy Bailiff.

**Visitor in the public gallery – welcome**

The Deputy Bailiff, on behalf of all members, welcomed a young girl who was present in the public gallery and who, following a recent visit to the States Chamber during a Year 5 school visit, had expressed a desire to become a States member.

**Adjournment**

THE STATES adjourned, having agreed to reconvene on Thursday 22nd March 2018 to continue consideration of the outstanding items of public business.

THE STATES rose at 8.36 p.m.

**W. MILLOW**

*Acting Greffier of the States*