

# STATES OF JERSEY



## **JÈRRIAIS: PROMOTION BY THE PUBLIC SECTOR (P.143/2018) – AMENDMENT (P.143/2018 Amd.) – COMMENTS**

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**Presented to the States on 8th February 2019  
by the Privileges and Procedures Committee**

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**STATES GREFFE**

## COMMENTS

The Privileges and Procedures Committee has presented these comments to highlight the procedural implications of adopting the amendment lodged by Deputy M. Tadier of St. Brelade ([P.143/2018 Amd.](#)) and of making Jèrriais one of the ‘official languages’ of the States Assembly.

The Deputy is not the first person to refer to the ‘official languages’ of the Assembly, and English and French are often described in that way. However, that ‘official’ status is not derived from any legislation. Neither the [States of Jersey Law 2005](#), nor the [Standing Orders of the States of Jersey](#), make any specific provision in relation to the languages which may be used in the Assembly. The status of English and French therefore derives from convention and precedent.

Historically, French was the language of the Assembly, a convention reflective of the fact that the language of the Royal Court and the administration of the Island was French. It was in February 1900 that the Assembly decided to change this convention and agreed to allow the optional use of English. The minutes recorded that decision as follows –

*“Les Etats ont décidé qu’à l’avenir tout Membre aura la faculté de s’adresser à la Chambre en Anglais.”*

[The States decided that, in future, every Member will have the option of addressing the Chamber in English.]

That decision from 1900 provides a procedural precedent in respect of the use of language in the Assembly, including the prospective use of Jèrriais. The Assembly of the day did not take a legislative approach to the question of language, but simply adopted an Act allowing the use of English.

The upshot of this is that changes to the States of Jersey Law 2005, or to the Standing Orders of the States of Jersey, would not be required in order to implement Deputy Tadier’s proposal. If the Deputy’s amendment were adopted (and the [proposition](#) of Deputy J.M. Maçon of St. Saviour subsequently adopted, as amended), that decision would be entered in the Acts of the States; and Members would then have the same possibility of speaking in Jèrriais as they currently do in English or French. Some Members may question whether there is any need to take such a decision, given that Jèrriais has been spoken occasionally in the recent past. The Committee’s predecessor looked into this matter in order to determine whether a convention of using Jèrriais already existed – and had simply been forgotten. Our predecessors concluded, however, that an explicit decision of the Assembly is required to afford Members the right to speak in Jèrriais.

There may also be a question of how this would work in practice. There may be concerns about lengthy speeches being given in Jèrriais, when the majority of Members do not speak or understand the language. The Committee’s expectation is that the Presiding Officer would ensure the orderliness of proceedings in the way that he or she already does (particularly in respect of speeches in French). In that regard, the Presiding Officer would no doubt remind any Member of the importance of their words being understood – not only by other Members, but also by the Public. Furthermore, the Presiding Officer would have the authority to request a translation from any Member speaking Jèrriais, if required, in order to ensure that any speech in that language was in order.