

STATES OF JERSEY



CANNABIS: DECRIMINALISATION OF PERSONAL POSSESSION AND RECREATIONAL USE (P.31/2024) – THIRD AMENDMENT

**Lodged au Greffe on 18th June 2024
by Deputy T.A. Coles of St. Helier South
Earliest date for debate: 25th June 2024**

STATES GREFFE

CANNABIS: DECRIMINALISATION OF PERSONAL POSSESSION AND
RECREATIONAL USE (P.31/2024) – THIRD AMENDMENT

1 PAGE 2, PARAGRAPH (a) –

Delete the words “for persons aged 18 and over”.

DEPUTY T.A. COLES OF ST. HELIER SOUTH

Note: After this amendment, the proposition would read as follows –

THE STATES are asked to decide whether they are of opinion –

- (a) that the personal possession and recreational use of cannabis should be decriminalised;
- (b) to request the Council of Ministers to bring forward the necessary legislation for consideration by the Assembly by November 2025, with the legislation to include (but not be limited to) –
 - total acceptable gram allowance;
 - restrictions on areas of consumption;
 - restrictions on driving under the influence of cannabis;
 - relevant roadside capacity tests; and
- (c) to request the Council of Ministers to ensure provision of funding for the necessary legislative framework is incorporated within the Government Plan 2025-2028.

REPORT

Following conversations with multiple parties, including the Children's Commissioner and the Solicitor General, it has been brought to my attention that, by including the term "persons over the age of 18", this proposition could create a "Status Offense", meaning that only people under the age of 18 would still be criminalised as a result.

This is unacceptable and would contravene the UNCRC (United Nations Convention of the Rights of the Child) articles 2, 4, 6 & 9; therefore, the removal of "persons over the age of 18" would remove a direct, and unintended, impact on children.

However, it is important to stress that it is not the design of this proposition to encourage anyone, of any age, in the use of cannabis, but to not criminalise those that do.

Financial and staffing implications

There would be no additional costs to those identified in the original proposition.

Children's Rights Impact Assessment

A Children's Rights Impact Assessment (CRIA) has been prepared in relation to this proposition and is available to read on the States Assembly website.