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THE STATES assembled on Tuesday,  
26th April 1994 at 9.30 a.m. under  
the Presidency of the Bailiff,  
Sir Peter Crill, C.B.E.

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All Members were present with the exception of -

Senator Terence John Le Main - out of the  
Island  
Senator Antony Beresford Chinn - out of the  
Island  
Arthur Philip Querée, Connétable of St.  
Ouen - out of the Island  
John Nicolle Le Fondré, Deputy of St.  
Lawrence - ill.  
Margaret Anne Le Geyt, Deputy of St.  
Saviour - ill.  
Alistair John Layzell, Deputy of St.  
Brelade - out of the Island.

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Prayers

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Subordinate legislation tabled

The following enactments were laid before the  
States, namely -

1. Police Force (General  
Provisions) (Amendment No. 5) (Jersey)  
Order 1994. R & O 8669.
2. Road Traffic (Saint Brelade)  
(Amendment No. 4) (Jersey) Order 1994.  
R & O 8670.
3. Italian Food Fair (Jersey) Order  
1994. R & O 8671.

4. Gorey Fête (Jersey) Order 1994.  
R & O 8672.
5. St. Clement Fête (Jersey) Order  
1994. R & O 8673.

#### Matters presented

The following matters were presented to the States -

1. States of Jersey Annual Report and Accounts for 1993  
Presented by the Finance and Economics Committee. THE STATES ordered that the said report and accounts be printed and distributed.
2. Immigration and Nationality Department: report for 1993  
Presented by the Defence Committee. THE STATES ordered that the said report be printed and distributed.
3. Prison Board: report for 1993 - R.C.12/94  
Presented by the Prison Board. THE STATES ordered that the said report be printed and distributed.
4. Telecommunications Board: report and accounts for 1993  
Presented by the Telecommunications Board. THE STATES ordered that the said report and accounts be printed and distributed.
5. Agricultural Statistics 1993  
Presented by the Agriculture and Fisheries Committee. THE STATES ordered that the said Statistics be printed and distributed.

#### Matters noted - land transactions

THE STATES noted an Act of the Finance and Economics Committee dated 18th April 1994, showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved -

- (a) as recommended by the Public

Services Committee, the acquisition from Mr. David Bisson of 1,291 square feet of land at La Tour Farm, St. Clement, required for road improvement purposes, for a consideration of £1,291, subject to the Committee being responsible for all the necessary accommodation works involved and for all legal costs involved in the transaction;

(b) as recommended by the Harbours and Airport Committee, the lease to Channel Island Handling Limited (Emeraude Ferries) of office accommodation (Letting No. A24A) measuring 664 square feet beneath the walks on the Albert Pier, St. Helier Harbour, for a period of nine years from 1st April 1994, at an annual rent of £4,338.04 (representing a rate of £6.53 a square foot), payable quarterly in advance and subject to annual review on 1st November.

#### Matters lodged

The following subjects were lodged ``au Greffe" -

1. Draft Gambling (Channel Islands Lottery) (Amendment No. 2) (Jersey) Regulations 199 - P.52/94.  
Presented by the Gambling Control Committee.
2. Draft Inquests and Post Mortem Examinations (Jersey) Law 199 - P.53/94.  
Presented by the Legislation Committee.
3. Planning and building control charges - P.54/94.  
Presented by the Island Development Committee.
4. Draft Policing of Roads (Amendment No. 5) (Jersey) Regulations 199 - P.55/94.  
Presented by the Defence Committee.

5. Côte du Nord Hotel, Trinity:  
petition - P.56/94.  
Presented by Deputy I.S.  
Nicholls of Grouville.
6. Abortion Law reform (P.30/94):  
second amendments - P.58/94.  
Presented by Deputy I.S.  
Nicholls of Grouville.
7. Abortion Law reform (P.30/94):  
third amendments - P.59/94.  
Presented by Deputy I.S.  
Nicholls of Grouville.

Arrangement of public business for the present meeting

THE STATES acceded to the request of the Connétable of St. John that consideration of the proposition regarding the Parish rates review (P.124/93 - lodged "au Greffe" on 24th August 1993) be deferred from the present meeting to a later date.

THE STATES noted that Senator Vernon Amy Tomes had not lodged his proposition regarding the conduct of proceedings with regard to the Committee of Inquiry into the circumstances leading to the release from contract of the former Chief Executive Officer of the Sport, Leisure and Recreation Department and acceded to his request that the proposition be debated at the present meeting.

Arrangement of public business for the next meeting on 10th May 1994

THE STATES confirmed that the following subjects lodged "au Greffe" should be considered at the next meeting on 10th May 1994 -

Abortion Law reform - P.30/94.  
Lodged: 15th March 1994.  
Public Health Committee.

Abortion Law reform (P.30/94):  
amendments - P.49/94.  
Lodged: 12 April 1994.  
Deputy G. Matthews of St. Brelade.

Abortion Law reform (P.30/94): second  
amendments - P.58/94.  
Lodged: 26th April 1994  
Deputy I.S. Nicholls of Grouville.

Abortion Law reform (P.30/94): third amendments - P.59/94.  
Lodged: 26th April 1994  
Deputy I.S. Nicholls of Grouville.

Jersey Kart and Motor Club: 1994 racing programme at Belle Vue, St. Brelade - P.48/94.  
Lodged: 12th April 1994.  
Sport, Leisure and Recreation Committee.

Draft Licensing (No. 8) (Jersey) Regulations 199 - P.33/94.  
Lodged: 15th March 1994.  
Tourism Committee.

Draft Policing of Roads (Amendment No. 5) (Jersey) Regulations 199 - P.55/94.  
Defence Committee.

Côte du Nord Hotel, Trinity:  
petition. P.56/94

Deputy Imogen Stephanie Nicholls of Grouville presented to the States a petition of Mr. Leonard Richard Weithley asking the States to request the Island Development Committee, as a matter of urgency, to revoke the development permit granted for the construction of an extension to the Côte du Nord Hotel, La Route de Rozel, Trinity.

THE STATES referred the said petition to the Island Development Committee and lodged the proposition "au Greffe".

Income tax collection - question (Tape No. 230)

Deputy James Thomas Johns of St. Helier asked Senator Pierre François Horsfall, President of the Finance and Economics Committee, the following question -

1. On 28th July 1992, former Deputy M.C. Buesnel lodged "au Greffe" a proposition (P.109/92) requesting the Finance and Economics Committee to prepare legislation to implement a new scheme of income tax collection. The proposition was referred to the Committee to prepare a report.

On 28th September 1993, in response to a question from Deputy Buesnel, the President advised him that the Committee's report would not be ready to be presented to the States before the end of January 1994.

Would the President now advise the States what is the current state of progress in the preparation of the report?

The President of the Finance and Economics Committee informed the Assembly that he would answer the question at the next meeting.

Abortion Law Reform (Tape No. 230)

Deputy Evelyn Mabel Pullin of St. Saviour asked the Connétable of St. Saviour, President of the Public Health Committee, the following questions -

1. In his foreword to the Public Health Committee's paper "Abortion in Jersey: Discussion paper" (R.C. 23/93), the President recognised that there were "serious moral and ethical issues inherent in the consideration of this sensitive subject" but added that "this brief discussion paper does not attempt to address them?"
  - (a) Would the President explain why the projet "Abortion Law Reform" (P.30/64) recently lodged "au Greffe" by the Public Health Committee does not contain a consideration of such matters?
  - (b) Would the President explain, in particular, why there is no reference to the unborn child at all in the projet, save in relation to the handicapped?
2. Projet 30/94 identifies that 64 submissions have been received following publication of the Discussion Paper -

- (a) Why does the Committee conclude that this number is too small for it to draw any conclusions (paragraph 14 of the Committee's report in P.30/94)?
  - (b) What basis did the Committee use to decide that the arguments presented were "of quality" (same paragraph)?
  - (c) Will the President publish a summary of the submissions and the recommendations or comments made by contributors so that States Members might be better informed for the eventual debate of the Projet?
  - (d) Will the President tell the House what steps have been taken to see in operation French Laws that are proposed as a model for Jersey?
3. Is it envisaged that abortifacient drugs such as RU486 will be made available in Jersey?"

The President of the Public Health Committee replied as follows -

- 1.(a) The question refers to the first sentence in the second paragraph of the Foreword to the Discussion Paper "Abortion in Jersey" (R.C.23/93) and ignores the second sentence. For the sake of clarity I will quote the paragraph in full -

It is recognised that there are serious ethical and moral issues inherent in the consideration of this sensitive subject but this brief discussion paper does not attempt to address them. However, attached as an appendix is a copy of the text of a talk given by Lady Helen Oppenheimer, the eminent theologian, which deals with those issues admirably and in some detail.

The reason for quoting Lady Oppenheimer was that the Jersey Council of Churches' Sub-Committee chose her to address them, as a most learned moral

theologian. My Committee read her work and decided that it could do no better than to quote her address in full as an appendix. States Members are strongly urged to re-read the text of her talk which is reproduced on pages 38 to 44 of the present report.

- (b) The word "foetus", rather than the expression "unborn child", was chosen at proposition 1(c) as that is the technical term used to describe the unborn child at that particular stage of its development. As Deputy Pullin states, the term "unborn child" is used in paragraph 29 of the report in relation to the handicapped.

The rights of the unborn child and the mother are inextricably linked and the moral and ethical issues which abortion raises were, in the opinion of my Committee, dealt with admirably by Lady Oppenheimer. My Committee concurred with her views.

- 2.(a) In 1991, there were over 65,000 resident adults in Jersey. 64 submissions were not considered to be a large enough sample on which to base a conclusion as to the general public's opinion even accepting that 13 of the submissions were from the organisations referred to in Appendix III on page 49. If one includes the 109 women who subsequently contacted me direct, the number of responses was still considered to be too small to form a statistical base.
- (b) The expression "quality" was used as the opposite of "quantity". My Committee simply wished to give credit to the many thoughtful and helpful comments which had been made by those who had taken the time and trouble to respond to its invitation to submit views.
- (c) A fuller summary of the submissions than that given in paragraphs 15 to 19 is appended to these answers.



(d) The Committee's Chief Executive Officer, Medical Officer of Health and Legislation Officer went to France in December, 1993, on a two-day visit and met with a Deputy Regional Medical Officer of Health, two gynaecologists, a paediatrician, a midwife and a family planning counsellor. Extensive discussions took place on the operation and experience of the 18-year-old French Abortion Law. I would, however, draw attention to the fact that the proposals of the Public Health Committee do not mirror the French law although they do include certain features of it. In this context, my Committee is indebted to the Sub-Committee of the Jersey Council of Churches for its helpful research of relevant French legislation.

3. RU486 is a synthetic hormone which prevents or disrupts implantation of the embryo in the womb. It is envisaged that one or more abortifacient drugs for use by approved registered medical practitioners will be made available."

Public Employees Contributory Retirement Scheme  
Committee of Management: membership

THE STATES, adopting a proposition of the Establishment Committee, and in accordance with Regulation 3(5) of the Public Employees (Contributory Retirement Scheme) (General) (Jersey) Regulations 1989, as amended, approved the appointment of Senator Antony Beresford Chinn as an employer representative on the Committee of Management for the period ending 31st December 1994, in place of Deputy Derek Ryder Maltwood of St. Mary.

Oakwell Respite Home, St. Brelade: acquisition -  
P.38/94

THE STATES, adopting a proposition of the Education Committee -

(a) authorised the purchase on behalf of the public from Heart of Variety (C.I.) Incorporated, of the property known as Oakwell, Park Estate, St. Brelade for a sum of £207,008, with the public being responsible for the vendor's legal

fees;

(b) authorised the Attorney General and the Greffier of the States to pass, on behalf of the public, any contract which it might be found necessary to pass in connexion with the said property and any interest therein;

(c) authorised the payment or discharge of any expenses to be incurred in connexion with the acquisition of the said property and of all interests therein, and of the payment of all legal expenses, from the Island Development Committee's vote of credit 'Acquisition of Land - Major Reserve' (C0904);

(d) rescinded their Act dated 11th November 1992.

Grands Vaux Community Centre, St. Saviour -  
P.41/94

THE STATES, adopting a proposition of the Island Development Committee, decided to support the Island Development Committee's intention to grant planning permission for the development of the Grands Vaux Community Centre, St. Saviour, to include new pitched roofs and the construction of an extension to form a new sports hall and community room on land that is situated within an area designated as Green Zone on the Island Map 1-87, as amended, as shown on drawing No. 427/1.

Gambling (Amendment No. 3) (Jersey) Law 1994 -  
P.42/94

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Gambling (Amendment No. 3) (Jersey) Law 1994.

Jersey Association for Youth and Friendship:  
loan - P.44/94

THE STATES, adopting a proposition of the Finance and Economics Committee -

(a) approved the granting of a loan to the Jersey Association for Youth and

Friendship for the purpose of assisting with the renovation and refurbishment of Lyndale Girls' Hostel, St. Helier.

- (b) agreed that the loan should be £36,833.00 on a £ for £ basis, and should bear interest at four per cent a year and should be repayable in equal annual instalments over a period of fifteen years commencing one year after the granting of the loan.

La Motte Garages, La Rue à Don, Grouville:  
lease - P.45/9

THE STATES, adopting a proposition of the Housing Committee -

- (a) agreed to the lease to La Motte Ford Limited of the site of La Motte Ford Garage at La Rue à Don, Grouville, for a period of one year commencing 25th March 1994 at an annual rent of £36,120;
- (b) authorised the Greffier of the States to sign the necessary lease with the company;
- (c) authorised the Treasurer of the States to receive the rent as it becomes due.

Leonard Norman Close, St. Saviour: sale to Les Vaux Housing Trust - P.46/94

THE STATES, adopting a proposition of the Housing Committee -

- (a) approved the sale of the freehold of Leonard Norman Close, off Belvedere Hill, St. Saviour, a completed development of one three-bedroom, seven two-bedroom and four one-bedroom dwellings, to Les Vaux Housing Trust for a consideration of £1,000,000, with each party being responsible for the payment of its own legal costs;
- (b) authorised the Attorney General and the Greffier of the States to pass the necessary contracts;

- (c) authorised the Treasurer of the States to receive the amount connected with the above transaction.

Boats and Surf-Riding (Control) (Amendment No. 10) (Jersey) Regulations 1994 - P.47/94

THE STATES, in pursuance of Article 49 of the Harbours (Administration) (Jersey) Law 1961, made Regulations entitled the Boats and Surf-Riding (Control) (Amendment No. 10) (Jersey) Regulations 1994.

Committee of Inquiry into circumstances leading to the release from contract of former Chief Executive Officer of Sport, Leisure and Recreation Department: conduct of proceedings.

THE STATES rejected the proposition of Senator Vernon Amy Tomes to request the Committee of Inquiry into the circumstances which led to Miss Mary Frances Alexander, Chief Executive Officer, Sport, Leisure and Recreation Department, being released from her contract -

- (a) to make available to Miss Alexander full details of the allegations made against her and the evidence in support thereof.
- (b) that Miss Alexander shall be entitled to legal representation at all public oral hearings conducted by the Committee;
- (c) that the former President of the Establishment Committee and the President and all members of the former Sport, Leisure and Recreation Committee, and any other material witnesses nominated by Miss Alexander, shall be called to give evidence at public oral hearings;
- (d) that Miss Alexander shall have the opportunity of testing by cross-examination conducted by her own counsel all evidence given at public oral hearings;
- (e) that all evidence at the public oral hearings shall be given on oath.

(f) that all written evidence previously given shall be made publicly available during the course of the hearings.

Members present voted as follows -

``Pour" (16)

Senators

Syvret, Tomes.

Connétables

St. Clement, Grouville, St. Helier, St. Saviour, Trinity.

Deputies

Wavell(S), St. John, H.Baudains(C), Carter(H), Johns(H), Duhamel(S), Matthews(B), Grouville, Huet(H).

``Contre" (29)

Senators

Jeune, Horsfall, Rothwell, Le Maistre, Stein, Quérée, Bailhache.

Connétables

St. John, St. Lawrence, St. Mary, St. Brelade, St. Peter.

Deputies

Rumboll(H), Norman(C), St. Peter, Le Sueur(H), St. Ouen, Coutanche(L), Huelin(B), St. Mary, S.Baudains(H), Walker(H), Crespel(H), Pullin(S), Trinity, Routier(H), Dorey(H), Breckon(S), St. Martin.

THE STATES rose at 1.02 p.m.

C.M. NEWCOMBE

Deputy Greffier of the States.