

# STATES OF JERSEY



## OPEN BORDERS ARRANGEMENTS (P.89/2020): AMENDMENT

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Lodged au Greffe on 10th July 2020  
by the Chief Minister

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STATES GREFFE

OPEN BORDERS ARRANGEMENTS (P.89/2020): AMENDMENT

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**1 PAGE 2, PARAGRAPH (1)(a) –**

After the words “all persons” insert the words “who opt-in to the border testing programme”.

After the words “untested persons should” for the words “be held in isolation” substitute the word “isolate”.

**2 PAGE 2, PARAGRAPH (1)(b) –**

After the words “that persons entering our borders” insert the words “from amber or red category countries, as defined in the safer travel policy guidance,”.

After the words “travel pre-registration” for the word “until” substitute the words “for the timeframe stipulated in the guidance including if”.

After the words “they have received” insert the word “earlier”.

After the words “negative PCR test result” insert the words “, and confirm in their declaration how they will be travelling directly to that accommodation”.

**3 PAGE 2, PARAGRAPH (1) –**

After paragraph (c), insert the following new paragraph –

“(d) that persons arriving in Jersey should not visit any hospital, residential care home, nursing home, domiciliary care setting or the prison, or visit anyone at high risk of Covid-19, until they have completed their required period of self-isolation and/or received a negative PCR test result;”.

**4 PAGE 2, PARAGRAPH (2) –**

After the words “to request the Minister for” for the words “Infrastructure to arrange with” substitute the words “Health and Social Services to issue guidance to”.

After the words “and other private” insert the word “transport”.

After the words “operators to” for the words “make available appropriate transport” substitute the words “enable safe”.

After the words “to limit infection risks” insert the words “, including the wearing of facemasks”.

**5 PAGE 2, PARAGRAPH (4) –**

After the words “the Minister may introduce additional” insert the words “or alternative”.

CHIEF MINISTER

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

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

- (1) to request the Ministers for Home Affairs and Health and Social Services to ensure that the arrangements and processes now in operation to open our borders to persons from outside the Bailiwick of Jersey are made as safe and effective as possible in protecting our community from the importation of the Covid-19 infection, and, in order to achieve this aim, to request that the following additional measures are introduced with immediate effect –
  - (a) all persons who opt-in to the border testing programme should receive a PCR test on entry to our borders and in the event of the capacity of our testing facility being exceeded by the number of persons arriving at any one-time, untested persons should isolate until tested;
  - (b) that persons entering our borders from amber or red category countries, as defined in the safer travel policy guidance, should be required to self-isolate in the accommodation which they declared in their travel pre- registration for the timeframe stipulated in the guidance including if they have received earlier notification of a negative PCR test result, and confirm in their declaration how they will be travelling directly to that accommodation;
  - (c) during the period of self-isolation required under paragraph (b) –
    - (i) persons should be required to travel directly to their accommodation and not break their journey, and
    - (ii) persons should be advised to travel to their accommodation by private vehicle if possible or otherwise travel by public transport;
  - (d) that persons arriving in Jersey should not visit any hospital, residential care home, nursing home, domiciliary care setting or the prison, or visit anyone at high risk of Covid-19, until they have completed their required period of self-isolation and/or received a negative PCR test result;
- (2) to request the Minister for Health and Social Services to issue guidance to the bus and other private transport operators to enable safe arrangements for persons requiring to self-isolate, when arriving at the airport or harbour, to limit infection risks, including the wearing of facemasks;

- (3) to request the Minister for Health and Social Services to issue guidance to operators of registered tourist accommodation to manage the accommodation provided for those persons required to self-isolate to limit the risk of the infection entering the community; and
- (4) that these arrangements should remain in place for a minimum of 6 weeks and, after that point, may be renewed by a decision of the Minister for Health and Social Services; and the Minister may introduce additional **or alternative** measures at any point if he considers that the risk of infection require it.

## **REPORT**

### **Introduction**

I appreciate and acknowledge the intent of [P.89/2020](#) lodged by Deputy J.H. Young of St. Brelade. The proposition has been lodged with the well-being of the community in mind and I have endeavoured to respond to the proposition in that spirit.

Over the past few days, I have discussed and worked with Deputy Young as this amendment has been developed. My objective has been to develop an amendment which recognises the concerns that are represented by Deputy Young and puts in place additional actions which further mitigates them. Separately, I am also keen to ensure that long-term structures are put in place to ensure an ongoing dialogue can take place with States Members who wish to highlight and address particular issues, including concerns of our community, as we progress through the safe exit framework and the safer travel period.

### **Medical advice**

The report to P.84/2020 referenced the medical advice of the Scientific and Technical Advisory Cell (“STAC”), submitted on 23rd June 2020. The advice in full was included as Appendix 4 to the report accompanying [P.84/2020](#). It is important to emphasise that this medical advice has not changed. Similarly, the policy of the Government, which is to act in accordance with the medical advice, has also not changed. This policy has served Islanders well to date and helped steer us through the pandemic emergency response.

The management of the Covid-19 pandemic, and Jersey’s response to it, remains a balance of risks. The action that Ministers, and the Assembly, have taken to date has sought to be proportionate and aimed at causing the least overall harm. Members have demonstrated their appreciation that Covid-19 is not the only harm that can impact on the physical and mental well-being of Islanders and that there is a need to gradually move to a position where our community can live with the existence of the virus, in as safe a manner as possible and whilst protecting members of our community to whom the virus represents a higher risk.

Accordingly, the Amendment has been developed within this context.

### **Views of Islanders**

During the debate on P.84/2020, I and several Ministers and Members regularly acknowledged the anxiety felt by a number of our fellow Islanders by the move to the safer travel period. We continue to recognise these concerns. Indeed, the ‘shield’ aspect of the ‘suppress, contain and shield’ strategy remains as important today as it was in March. This proposition represents an opportunity to put in place further measures that address the concerns of those who may be continuing to shield, and of those who are continuing their return to a more regular life alongside the continued existence of the virus, suppressed to very low levels.

In proposing this Amendment, I have sought to be mindful of these views, and also ensure that our response continues to be consistent with the medical advice, proportionate to the current level of risk and takes account of those members of our community who’s wellbeing will benefit from the operation of the safer travel period.

## **The Amendment**

Paragraph (1)(a) is amended to recognise that people entering Jersey's borders have the choice of participating and complying with the requirements of the border testing programme, developed in accordance with medical advice, or self-isolating for the timeframe specified by medical advice (currently 14 days). I hope Members will acknowledge that it is not possible to insist that everyone must submit themselves to testing, and the alternative of 14 days self-isolation should continue to be available.

Paragraph (1)(b) is amended to ensure that the policy being followed during the safer travel period continues to accord with the latest medical advice, whilst providing additional clarity and certainty for the Assembly and Islanders.

The debate on P.84/2020 and the amendments specified that passengers participating in the border testing programme would not have to self-isolate between the time they have their test and the receipt of the result. This accords with medical advice and is a proportionate and balanced approach. As part of this approach, it is appropriate to clarify that such an arrangement does not apply to people entering Jersey from those countries or territories categorised as amber or red in the safer travel policy guidance. Indeed, it is proportionate to require people with a travel history involving any such jurisdictions to isolate for the period recommended by the medical advice. At present, persons entering from red category countries can be tested upon arrival in the Island, but then must isolate for 14 days irrespective of the result of the test. Persons arriving from amber category territories can be tested on arrival, and then must isolate for 5 days at which time they can receive a second test. If that second test is negative, a person is then able to end their period of isolation. The categorisation of countries as red, amber or green in the guidance will be subject to continual review throughout the operation of the safer travel period.

The Minister for Health and Social Services and I have also agreed that it should be necessary for persons who will be required to self-isolate to specify in their pre-travel declaration form how they will be ensuring they can travel directly to their accommodation.

A new paragraph (1)(d) is added to provide further certainty for high-risk Islanders. If the Assembly agrees, no person arriving in Jersey will be permitted to visit any hospital, residential care home, nursing home, domiciliary care setting or the prison until they have completed their required period of self-isolation and received a negative PCR test result (if arriving from amber or red category countries) or received confirmation of a negative PCR test result (if arriving from a green category country). This will ensure that Islanders living in settings that are recognised as being at greater risk to the virus are in receipt of additional protection from that which was agreed in P.84/2020.

Additionally, the amendment would stipulate that anyone arriving from off-Island is not to visit any other person who is at high risk from Covid-19 until they have completed their required period of self-isolation (if arriving from a red or amber category country) and have received a negative PCR test or, if arriving from a green category territory, until they have received a negative test result.

Paragraph (2) is amended so that the Minister for Health and Social Services issues guidance to public and private transport operators to ensure that safe arrangements can

be adopted for those being transported to a location where they will self-isolate for the required period. The amendment also states that this is to include the wearing of facemasks for such persons – a further addition to the provisions of P.84/2020. Subject to medical advice, this could be a principle that is required of Islanders using public transport and private hire more generally.

The minor amendment to paragraph (4) is to ensure the required flexibility is provided for the Minister for Health and Social Services to take any urgent measures necessary to respond to updated medical advice regarding the risk of infection, to ensure that the arrangements in place remain proportionate, uphold the overall well-being of our community and keep Islanders safe should the risks change. Members will recall that, in accordance with paragraph (d) of P.84/2020, any changes to the safer travel policy must be presented to the States in a report prior to them becoming effective.

### **Conclusion**

I hope Members will recognise that this amendment builds on the spirit of the proposition, and provides a number of additional safeguards and requirements, not only from P.84/2020 but also the initial proposition itself.

If adopted as amended, this proposition will provide further reassurance to our community regarding the safe operation of the safer travel period and will ensure we can continue to proceed in a balanced and proportionate manner in accordance with the advice of our medical experts.

I thank Deputy Young for the time and consideration he has given to this matter over the past week, and hope the proposition can be proposed, and approved, as amended.

### **Financial and manpower implications**

There are no additional resource implications for the States arising as a consequence of adopting this amendment. It should be noted that there may be financial and manpower implications arising from the implementation of the safer travel policy, and these may change over time.