

STATES OF JERSEY



‘LIFE IN JERSEY’ TEST AND ELIGIBILITY FOR ELECTION

Lodged au Greffe on 15th January 2021
by Deputy I. Gardiner of St. Helier

STATES GREFFE

PROPOSITION

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

- (a) to request the Council of Ministers to develop a “Life in Jersey” test based on the existing Jersey aspect of the British citizenship test, for introduction by October 2021;
- (b) to request the Council of Ministers to establish an appropriate Oath or Affirmation for allegiance to the Island of Jersey (including its cultures and traditions) by October 2021, with a view to persons taking the Oath or Affirmation before the Royal Court of Jersey in order to obtain a Certificate in the “Life in Jersey” test;
- (c) that a person who has successfully completed the “Life in Jersey” test and who has taken an Oath or Affirmation before the Royal Court, in accordance with paragraph (b), should be eligible to stand for, and be elected to, the States, notwithstanding that they are not a British citizen, provided all other necessary criteria under the relevant Law (other than British citizenship) are met; and
- (d) to request the Privileges and Procedures Committee to bring forward the changes to the States of Jersey Law 2005 and, in consultation with the Comité des Connétables, the Connétables (Jersey) Law 2008 to give necessary effect to paragraph (c) of this proposition by the end of 2021.

DEPUTY I. GARDINER OF ST. HELIER

REPORT

Eligibility criteria for States Members has been the subject of more than one debate in the States and in the last debate on 22nd September 2020 views were wide-ranging. The original proposition [P.75/2020] was seeking the removal of British citizenship as part of the criteria but this was rejected such that British citizenship remains. There are many reasons why an individual might not want to apply for British citizenship, not least because some countries do not allow dual citizenship, and this proposition provides an alternative option.

The proposition gives an individual the opportunity to acquire eligibility status to stand for election as a States Member by obtaining a “Life in Jersey” Certificate (“the Certificate”) with the Certificate illustrating an individual’s commitment to the Island rather than the United Kingdom. The Certificate itself comprises two parts: (i) a test and (ii) a ceremony in Royal Court. By passing a “Life in Jersey” test the individual demonstrates a knowledge of Jersey’s customs, traditions and day-to-day life and by taking an Oath or Affirmation in the Royal Court they swear an allegiance to the Island to uphold such customs and traditions. The successful completion of the Certificate will provide eligibility status to the individual to stand for election as a States Member provided all other criteria (other than British citizenship) have been complied with.

The [Jersey Supplement](#) (Appendix) to the Life in the United Kingdom test provides a history of the Island and a profile of the Island today and it is proposed that it forms the basis of the written part of the Certificate. Whilst I believe that the Jersey Supplement is the starting point, this does not preclude additional approaches being taken in the development of the test.

The test itself will not be free but any cost will not be prohibitive.

There is a potential link to the development of the Certificate and the work taking place by the Island Identity Policy Development Board which could be explored.

The Certificate might also, in future, be introduced into schools, given that 16-year olds are eligible to vote. It could provide insight for students into “Life in Jersey” and perhaps even encourage the younger generation to become involved earlier in the politics of the Island and appreciate the uniqueness of Jersey life.

In summary the Certificate will provide a simple, straightforward route for an individual to show a willingness to understand the Island’s identity and confirmation of their allegiance to supporting and maintaining it.

The importance of diversity and inclusion in any Parliament cannot be understated – no more so than in Jersey where the population includes a variety of ethnic groups. The Certificate will allow a wider selection of candidates to stand for election which can only be of benefit.

Financial and manpower implications

The direct financial and manpower implications of this proposition relate to the development of the “Life in Jersey” scheme proposed, which can be absorbed from departmental budgets. However, if there is a wider uptake of the scheme there may be a number of resource implications which cannot, at this stage, be predicted. Law drafting time will be required as a result of the proposition.

Appendix

<https://www.gov.je/SiteCollectionDocuments/Life%20events/ID%20Citizenship%20Test%20-%20Jersey%20Supplement%20-%2020190304.pdf>

Represented below for ease of reference:

Life in the United Kingdom

Jersey Supplement (from 3rd June 2019)

A Guide for New Residents

Please note that the Citizenship test in Jersey is based on:

- the entire contents of this Jersey Supplement

and

- the entire contents of the ‘LIFE IN THE UNITED KINGDOM: A Guide for New Residents’.

A copy of the Life In The UK book (ISBN 9780113413409) may be obtained from bookstores, online retailers or The Stationary Office <http://www.tsoshop.co.uk/bookstore.asp>

PART 1

THE ISLAND OF JERSEY – A BRIEF HISTORY

The earliest evidence of human activity in the Island comes from about a quarter of a million years ago, when bands of Palaeolithic (old Stone Age) hunters moved through the area, following herds of mammoth. There are two cave sites, at La Cotte de St Brelade and La Cotte à le Chèvre, which tell us the story of these early days.

However, people only really settled at about the time Jersey became an island – about 7,000 years ago, when the water from the melting Arctic ice caps eventually flooded over the low-lying plains between what is now Jersey and France. This was the beginning of the Neolithic period, or new Stone Age, and it was then that the first farmers began to settle.

The most obvious evidence from this time are their religious sites – the tombs known as dolmens – that can be seen around the Island, the biggest and most spectacular being at La Hougue Bie. At this time Jersey's main links were with the people who lived around the St Malo region of France, and by the time the Romans moved into the region, just over 2,000 years ago, the Island population was probably part of the Coriosolites tribe. When Jersey became part of the Roman world, it was called 'Andium' or 'Angia'.

After the Roman Empire collapsed in the 5th century AD, northwest Europe entered into a period that is sometimes referred to as the Dark Ages.

It is difficult to get any idea of what it was like to live in Jersey for a period of several hundred years because so few documents have survived. Some are in England and France but none are in the Island. We know a few names and dates, but not what the Island was called and almost nothing about the lives of the people.

Christianity

It is believed that a missionary, St Marculf, converted the Islanders to Christianity in about AD 538, and by the middle of the 6th century religious men like St Helier were living in the Island. In the 7th and 8th centuries monastic communities were set up on the islet of St Helier and on L'Île Avois on the north coast.

At the beginning of the 9th century, when the French ruler Charlemagne attempted to impose his authority, the Channel Islands were included in the diocese of Coutances in Normandy. This link continued until the Protestant Reformation in the 16th century, when it became part of the diocese of Winchester.

Vikings

After two or three centuries of chaos, new states began to emerge from the tribal society of Europe. By the middle of the 9th century, the dukes of Brittany gained control of the Cotentin peninsula and the Channel Islands; however, at the same time, Vikings were subjecting northern Europe to raids from Norway and Denmark, including the Channel Islands. They settled on the Brittany coast and gave the Island a name – '*Jersoi*'

933: The Normans

The picture of the past becomes clearer after AD933 when William Longsword (the son of a Viking adventurer), the second Duke of Normandy, annexed the Channel Islands. Jersey was firmly in the Norman world. The local language, *Jèrriais*, is one of the dialects of western Normandy that shares the same roots as the Norman-French spoken by William the Conqueror, and it was the everyday language of the Island until the 20th century.

The Duke divided the Island up into land holdings called fiefs and gave them to his followers in return for certain services. These tenants of the Duke were called seigneurs, who in turn granted land to their followers, again in return for services.

In 1066 the seventh Duke of Normandy (William II of Normandy) defeated King Harold of England in the Battle at Hastings and became King William I of England. This was the foundation of the Island's constitutional link with England.

Under Norman rule, in 1155, an abbey was established on the islet where Elizabeth Castle now stands, it is believed to have replaced an earlier monastery dedicated to St Helier. The abbey must have been the grandest building in Jersey and remained the Island's most important religious site until the Reformation and the suppression of the monasteries in 1540 by King Henry VIII. Parts of the building survived until the 18th century.

1204: The Separation of Normandy and England

For more than 130 years the Channel Islands were a peaceful backwater, ruled by the Dukes of Normandy. But when King Philippe II of France regained control of Normandy in 1204, the Islands remained loyal to their Duke, King John of England. They became an outpost of the English Crown within sight of the enemy coast. A main form of defence, Mont Orgueil (Gorey Castle) was built.

The Islanders became skilled in exploiting their position to gain political and economic concessions from the English Crown, but they paid a price. The French constantly attacked Jersey shipping, and the Island was sometimes used as a pawn in international politics. For example, during the Wars of the Roses in England, the Queen (Margaret of Anjou, the wife of Henry VI) apparently planned to sell the Islands to the French in return for their support for the Lancastrian cause. The French occupation lasted for seven years before the Yorkist fleet captured Mont Orgueil and liberated the Island in 1468.

By the time the Henry VII became king in 1485, the Channel Islands, which had had their own Bailiffs since the 13th century, were each given their own Governor. The Bailiwicks of Jersey and Guernsey became two distinct political entities.

RELIGION

The religious affiliations of the Islanders played an important part in the social and political scene from the coming of Christianity in the 6th century until the end of the 19th century.

The Reformation

The Channel Islands were part of the diocese of Coutances until 1569 when, following the English church's break with Rome, the Islands were transferred to the diocese of Winchester.

The Reformation had a profound effect in Jersey. The Island took the French Calvinist form of Protestantism - because of the availability of Bible and Prayer Books in French and of French-speaking preachers. However, the English Crown imposed Anglicanism in the 1620s.

Methodism

The religious monopoly of the Church of England was challenged at the end of the 18th century when fishermen returning from Newfoundland brought Methodism with them. John Wesley visited the Island in 1787, and Methodism played an important role in the Island thereafter.

Catholicism

Catholicism was made illegal in the Island after the Reformation, but in the 1790s there was a sudden influx of Roman Catholic refugees from the Revolution in France. The refugees were allowed to hold services, but not allowed to make converts.

In the 1830s and 40s there was an influx of Irish labourers who came to work on the major building projects of the time - including the new harbour. This added English speaking Catholics to the population.

There was a further wave of Catholic incomers when teaching and nursing orders – the De La Salle brothers, the Jesuits, and the Little Sisters of the Poor – sought refuge from anticlericalism in France at the end of the century.

THE CIVIL WAR

Jersey became embroiled in the 17th-century English Civil War, which for two decades dominated politics in the Island and intruded into everyday life.

Divided loyalties

After the outbreak of war in 1642, most Islanders were sympathetic to the parliamentary cause. This may have been through conviction or widespread resentment of the de Carteret family, who controlled the Island on behalf of the English king.

Sir George Carteret, who was Lieutenant Governor and Bailiff, ran a privateering fleet out of St Aubin, which raised a fortune for the Royalists. In response to Carteret's activities, the Parliamentarians despatched an invasion force to the Island in 1651. Carteret and his men retreated to Elizabeth Castle, where they were finally forced to surrender after being bombarded from the town. A harshly puritanical regime now governed the Island until the restoration of the monarchy in 1660.

A Royal refugee

For a few months in 1646 the Prince of Wales, the future Charles II, sought refuge in the Island and was lodged in the Governor's House at Elizabeth Castle.

After the execution of Charles 1 in 1649, Jersey was the first place to proclaim his son King. A few months later Charles returned with his brother, the Duke of York (the future King James II). Although he was now a king in exile, Charles was very short of money and his stay was a financial burden on the Island.

During the 1630s Charles I imprisoned William Prynne, the puritan pamphleteer, in Mont Orgueil. In the 1650s the castle became the prison of Royalist sympathisers. After the Restoration, five of the regicides who signed the warrant for the execution of Charles were confined in the castle.

In recognition for his loyalty during the Civil War, Charles II gave George Carteret a tract of land in North America, which became known as New Jersey. (The original land grant of the Smith Isles off the coast of Virginia had been made in 1649, but the Parliamentarians had captured the ship carrying the colonists.)

FRENCH AND ENGLISH CONFLICT

As a possession of the English Crown close to the shores of France, the Island and its shipping was constantly vulnerable to attack.

Strategic importance

Jersey and Guernsey could threaten the ports between Cherbourg and Brest and control the lucrative sea routes between England and Bordeaux and the southwest of France.

The Pope intervened in 1483 by issuing a Bull of Neutrality, which threatened to excommunicate the crews of any ship fighting within sight of land. This lost its value after the Reformation when England and Jersey were no longer Roman Catholic.

There was a period of comparative calm in the late 16th and 17th centuries, when the French had other territorial concerns. During the 18th century, France and England were almost constantly at war as the European nation states struggled to achieve a balance of power.

Privateering

A new form of economic warfare was developed: privateering. This was intended to disrupt enemy shipping and trade all over the world. A ship owner was licensed by the Crown to attack enemy shipping by a 'Letter of Marque', which entitled him to keep the profits from any prize he captured. Many merchantmen carried on with their normal trade, but took any opportunities that arose to attack enemy ships. The profits from the sale of any ship or goods captured were shared between the Crown, the owner and the crew.

Privateering could be a very lucrative business and many Jersey fortunes were made this way. On the other hand there were risks, as corsairs operating out of St Malo were very active. In 1793-5, 42 Jersey boats (70 per cent of the Island's

shipping) and 900 men (4 per cent of the entire population) were captured by the French.

Privateering finished with the end of the Napoleonic Wars in 1815.

FORTIFICATIONS

Remains of fortifications from the Iron Age to the Second World War show how important defence has been throughout the Island's history.

The castles

Mont Orgueil was the main medieval castle: it was started after the English King lost mainland Normandy in 1204. The castle at Gorey grew to be a massive structure, but attempts to adapt it to withstand cannon fire were unsuccessful. New fortifications were built on the islet at St Aubin and then on St Helier's islet, starting in the mid-16th century. This developed into Elizabeth Castle, the main defence of the Island throughout the 17th and 18th centuries.

During the Napoleonic Wars Fort Regent was built on the Town Hill. It superseded Elizabeth Castle, but was only completed in 1814, just in time for a long period of peace.

The towers

Twenty-three coastal towers constructed in a style that is unique to the Island ringed Jersey. They were built after the French invasion attempt of 1779. The eight squat Martello towers were built after the turn of the century and are similar to towers around the British Isles. Other batteries, guardhouses, and magazines, built in the 18th century have survived in varying states of ruin.

St Catherine's Harbour

In 1843 Parish Arsenals were built and in 1847 the British government, suspicious of French naval intentions, ordered the construction of a deep-water harbour at St Catherine's. The French threat effectively ended with the accession of Napoleon III in 1852.

German fortifications

During the German Occupation, Hitler had the Channel Islands turned into a massive fortress. Artillery in the Islands completely covered the approaches to the Bay of Mont St Michel from Cherbourg to Paimpol.

Slave labour was brought in to construct gun positions, bunkers, fire-control towers, and underground command posts and hospitals.

Sufficient time has elapsed for these remains now to be seen as an integral part of the Island's heritage.

THE MILITIA

For centuries, Jersey men had to be prepared to defend their Island against attack from France. Militia service was a part of everyday life.

History

The first mention of a formal militia dates from 1337 when Islanders were grouped in companies of 1000, 100 and 20 men. Their role was home defence.

In 1545, when cannon and gunpowder had changed the nature of war, the militia was organised into parish companies, each with two pieces of artillery supplied by the British government. Their effectiveness was demonstrated in 1549, when a French invasion force was defeated at Jardin d'Olivet.

When Charles, Prince of Wales, reviewed the militia in 1646 on the sands of St Aubin, there were three regiments, mustering 4,000 infantry, 200 cavalry, and 24 cannon. During the 18th century every man aged between 15 and 65 had to serve in the militia. They had to be ready to man the coastal towers and batteries at two hours notice. There were also regiments of the British army stationed in the Island, garrisoning the castles and commanding the defences.

Militia obligations were eased at the end of the 19th century, though all former members remained in reserve. During the First World War, when conscription was introduced, the Royal Jersey Garrison Battalion was formed for men unfit for active service. In the 1920s militia service was made voluntary. During the Second World War the Jersey Militia served outside the Island for the first and only time in its history. It was disbanded in 1946.

Battle of Jersey

Both regular army and militiamen took part in the famous Battle of Jersey in 1781 when a French force under Baron de Rullecourt came close to capturing the Island. The Lieutenant Governor, Moyse Corbet, was captured and submitted. An English army officer, Major Peirson, disobeyed orders, refused to surrender, and led a successful attack on the French soldiers in the Market Square (now called Royal Square).

The Battle of Jersey has been a continuing inspiration for commemorative souvenirs and is the subject of a famous painting by American artist John Singleton Copley, a copy of which hangs in Jersey's Royal Court.

PROTESTS

The 18th century was dominated by repeated conflicts with France, but there was also domestic strife.

Political parties

Island society was divided into two political camps: the conservative Charlot and the liberal Magot parties, who opposed each other with passion. These became known later as the Laurel and Rose parties.

1730: 'Six-au-Sou' riots

The currency of the Island was based on the livre tournois. In the 1730s the States attempted to bring the value of Jersey copper coinage (the sou) into line with the French copper liard. While merchants could benefit from the exchange rate, poor people saw it as an attempt to swindle them. Armed mobs marched on St Helier from

all over the Island and broke into the States Assembly. The Bailiff, Lieutenant Bailiff, Dean, and other officials were forced to take refuge in Elizabeth Castle and then flee to England.

1769: Corn riots

In the late 1760s there were food shortages. The high price of bread and the export of corn was the pretext for riots against the government of Charles Lemprière. As a result, additional units of the British Army were drafted into the Island.

The Lieutenant Governor, Colonel Bentinck, was required to look into the laws and customs of Jersey and to rationalise them. This resulted in the Code of 1771, the basis of Jersey's constitution. The Revolution in France increased the authorities' fear of riot. Further outbreaks at the high price of bread broke out in 1822 and 1828.

1838: Oyster riots

In the early 19th century the oyster fisheries flourished. The States attempted to regulate the fisheries, but in 1838 hundreds of oystermen defied the law and illegally dredged for oysters. The army and the militia were turned out and the oyster cutters were fired on from Mont Orgueil.

1847: Bread riots

The Riot Act had to be read again in the spring of 1847, when rioting broke out in protest at low wages and the high cost of food.

1900: Anti-French riots

Jingoistic Jerseymen deeply resented French opposition to the war in South Africa. Pent-up feelings were released when news came of the relief of Mafeking. Noisy demonstrations turned into a riot, and windows were smashed and property damaged in the French quarter of St Helier.

EMIGRÉS AND REFUGEES

For centuries the political situation in France was reflected in waves of people seeking refuge in Jersey.

Huguenots

The Huguenots were French Protestants who began to arrive in the 1530s. They were generally educated people and the Island economy benefited from their skills. There was a further influx after the notorious Revocation of the Edict of Nantes in 1685 when Louis XIV unleashed persecution on Protestants.

At the time of the French Revolution more than 7,000 refugees flooded the Island. These emigrés were political rather than religious refugees, and as Roman Catholics they represented a problem to the Protestant island.

More political refugees came during later upheavals, particularly after 1848. The most famous of these was the great French writer, Victor Hugo, who arrived in 1852. While living in Jersey at Grève d'Azette, Victor Hugo took up photography and attended séances. In 1855 he was expelled from the Island for attacking British

support of the French government. He moved to Guernsey where he stayed for a further 15 years.

Spy network

A covert operation known as 'La Correspondance' was run from the Island during the Napoleonic Wars by a Jerseyman, Admiral Philippe d'Auvergne. Money, guns, ammunition and spies were smuggled into France and refugees and information were brought out. The operation was betrayed (but not fatally) by one of its agents in 1808.

YEARS OF CHANGE

An influx of English-speaking settlers in the early 19th century started a profound change in Island society as the Norman-French language and culture began to be eroded.

Immigration

After the Napoleonic Wars there was an influx of British Army officers retired on half-pay who found life in Jersey congenial and cheap. These waves of settlers created a demand for housing that was met largely by the expansion of St Helier.

Additional English-speaking immigrants labourers - many of them Irish - who came to work on the major building schemes such as the Esplanade, the harbour development, and the St Catherine's Harbour project. The unskilled workers were underpaid and exploited. They lived in the poorest parts of the town, where they were particularly susceptible to the cholera epidemics of 1832 and 1849. Other nationalities began to make their mark in Jersey, attracted by the work opportunities Jersey provided. Many French came from Brittany to work the land, and after the Second World War Italian and then Portuguese and Madeirans arrived to sustain the growing tourism industry.

Through agreements reached within the farming and catering industries, they have been followed in recent years by workers from Poland and, to a lesser extent, from Kenya.

Over the years, many wealthy immigrants from Britain have made Jersey their home in order to escape more punitive taxes at home, and government moves are again being made to attract more millionaires to settle and contribute to the Island's tax income.

Anglicisation

The number of newcomers led to an increasing Englishness in Jersey society.

The Island's language, Jersey Norman-French, or *Jèrriais*, is a spoken language. The official language of the State and the law was French until 1948. The new houses in St Helier were built in the English style. The ex-army element, who called themselves residents, had their own English-language newspaper.

In 1834 an English style currency superseded the local one, although French money remained legal tender until 1923. The English language finally became dominant

when it was admitted as an option to be used in debate in the States in 1900. For centuries Jersey had had its own weights and measures, based on those of Romans. In 1919 they were dropped in favour of the English system. However, land is still measured in vergées (1 = 0.44 acres).

Education

Two grammar schools for boys that had been founded in the 15th century closed when Victoria College was founded in 1852 to give boys an English-style education. Others were sent to England. While most middle-class girls were educated at home, some were sent to France or England for their secondary education until the Ladies' College was founded in 1880.

In the 1870s the States decided that English should be the language of instruction in schools. So, when education became compulsory in 1899, every Islander had to speak English at least some of the time. In the 20th century many new schools were built and education closely followed English patterns. Curriculum and the exams upon which entry to universities and colleges depend are all decided in England.

WORLD WARS

The two world wars affected Jersey in different ways. In 1914-18 the war was in northern France; in 1940, enemy forces occupied the Island.

First World War

After the outbreak of War in 1914 the British garrison was withdrawn. The Island was not directly affected by the war but many Jersey men served overseas. In 1916 conscription was introduced. Over 6,000 men served in the forces (10 per cent of the population). Men unfit for active service, or in occupations such as agriculture, were formed into the Royal Jersey Garrison Battalion.

Second World War and the Occupation of Jersey

War between Britain and Germany broke out in 1939. By 1940 German forces had overrun most of northern Europe and it was impractical for the British to defend the Channel Islands. To save unnecessary loss of life, the Islands were demilitarised: the British Army moved out and after a brief bombardment the German Army moved in. The Occupation began on 1st July 1940. During the next five years a strict curfew was enforced, censorship was imposed, the possession of radios and cameras was forbidden, and stringent rationing was introduced. The learning of German was compulsory in schools.

More than 300 Islanders were sent to concentration camps for 'political crimes' which included helping Russian prisoners and listening to the BBC. Twenty-two of them died in captivity. A further 1,300 British-born men and women were deported to internment camps in Germany. Food, clothing and fuel were scarce throughout the occupation, but after the Allied landings in Normandy the Channel Islands were cut off from German supply lines. Everyone was near to starvation by the time the International Red Cross ship "Vega" arrived with food parcels for the Islanders.

Slave labour was imported by the Organisation Todt to help in the construction of massive fortifications. Not only did the artillery batteries on the Channel Islands

protect the whole Bay of St Malo, but the Islands themselves were made impregnable.

Hitler was determined to defend the only British soil his forces ever occupied. But the defences were never put to the test. The Allies avoided the Islands, and Jersey was one of the last places in Europe to be liberated.

Every year May 9th is celebrated as a public holiday – Liberation Day.

A SEAFARING COMMUNITY

Shipping and trade

In a small Island like Jersey, everything that cannot be grown or made in the Island has to be imported, and produce must be sold overseas. For centuries small sailing boats worked up and down the nearby French coast and across to England, while larger ships traded all over the world.

Fishing local waters

Fish has always been part of the Island diet. Lobsters, crabs, oysters, ormers, congers, and bass are all found in local waters. The oyster trade developed in the 1820s in Gorey, when the village expanded to house the thousands of men, women and children involved in the trade. Competition with French fishermen was so fierce that at times it erupted into violence. But over-fishing of the oyster beds led to the collapse of the industry by the 1860s. Commercial oyster fishing still continues, though.

Fishing the Grand Banks

In the 17th, 18th and early 19th centuries an important part of the economy depended on cod fishing and trade with Newfoundland and Nova Scotia. While Guernsey had an established wine trade with Gascony, Jersey fishermen developed trade with the New World. By 1775 there were more than 2,000 Jersey men in Newfoundland and the Gaspé Peninsular. As this was a French-speaking part of the world, Jersey men were able to act as intermediaries between the British and the French Canadians. A complex trade grew up. Ship owners and merchants in Jersey sent supplies to Newfoundland and the fishing fleet off the Grand Banks. The catch was dried and sold in South and Central America, from where cargoes of hardwood and sugar were carried to the Mediterranean. Fruit was then taken to northwest Europe.

Harbours

There are no good natural harbours in Jersey. For centuries ships had to unload at low water on to carts drawn up on the sand. There was a small port at Gorey in the Middle Ages, but the first harbour to be developed was the protected anchorage at St Aubin. This became the Island's main port in the 18th century. Merchants' houses, warehouses and sail lofts survive there to this day. St Helier gradually became the commercial centre of the Island, and the main harbour was built here between 1788 and 1820. The Victoria Pier was built in 1846 and the Albert Pier soon after. Large new extensions have been made since the 1960s.

Smuggling

Jerseymen had access to French and English ports and were not slow to take advantage of the opportunities offered for smuggling. Jean Martel, from St Brelade, set up as a brandy merchant in Cognac in 1720 and developed trade between Jersey and France. Smugglers carried his brandy into England and he smuggled Jersey knitted stockings into France.

Shipbuilding

Along with the expansion of overseas trade, the Island's shipbuilding industry developed, particularly after the Napoleonic Wars. Numerous small firms used the beach along the coast from St Aubin to Gorey on which to build ships of up to a thousand tons. More than 900 ships were built between 1770 and 1870, and this generated employment for the trades of sail and rope making, blacksmithing, and block and mast making. The builders of wooden ships were driven out of business from about 1870, when iron-hulled and steam-driven ships were introduced.

Steamships

A passenger and mail service had operated out of Southampton since the 1780s, but when steam-ships came into service they were no longer dependent on wind and tide and so could run to a regular timetable.

The new ferry services were run by the English railway companies and linked to the mainland rail network. This encouraged tourists to visit the Island and also enabled the agricultural industry to develop because fresh produce could now be delivered to distant markets.

FINANCE

Jersey is locked into the world's finance and banking industries and has an importance out of all proportion to its size. An estimated 70 per cent of Jersey's income tax comes from finance.

Banking

Banking developed in Jersey along similar lines to that in England. Private banks mushroomed in the early part of the 19th century as trade with Newfoundland and the wider world expanded. These banks, and even churches and parishes, issued their own notes. Local joint stock banks succeeded the private banks. In the 1870s an economic recession caused the collapse of several of these banks and many local businesses and families were ruined. Those banks that survived were caught up in a wave of mergers in the 20th century, which created the main clearing banks of today.

Financial services

The Island economy was transformed after 1962, when the law that fixed interest rates at five per cent was repealed. Higher interest rates, a sympathetic tax structure, and political stability began to attract investors from all over the world to hold deposits in Jersey.

The second critical factor in the burgeoning of the financial services industry was the impact of computers and the information technology revolution.

Whereas money was once physically moved around in coins and notes, and transactions were noted by hand in ledgers, today the finance industry is hooked into an international communications network and millions of pounds a minute are moved simply by changing the figures on a computer screen.

Now merchant banks, trust companies, insurance companies, and stockbrokers find it convenient to have a base in Jersey. The finance industry has become the Island's biggest earner.

TOURISM

Visitors started coming to the Island in small numbers in the period of peace after the Napoleonic Wars. By the 1830s Jersey was recognised as a tourist resort and the first guidebooks were published. The number of visitors rose steeply when the English railway companies set up a regular steam ferry service linked to the railway network on the mainland. Hotels were built to accommodate the growing number of visitors who explored the Island on horseback, by carriage, and by horse-drawn excursion car. The natural beauty of the Island was its main attraction. Sea bathing pools were built and there were several pleasure gardens. Other entertainments, such as theatres and concert parties, were developed.

Tourism was vigorously promoted in the 1950s and Jersey became one of the most popular destinations for British holidaymakers for their two-week annual breaks. From the 1960s to the 1980s, tourism was the most important single industry in the Island, although in the past two decades it has gradually declined as finance has taken over. Its revival is seen as a challenge to provide future diversity to the economy.

AGRICULTURE

Jersey has long been famous for its pretty cattle and their creamy-rich milk, and potatoes with fine taste and quality, but local farming has a long history of adapting to change. It may now come behind other income producers – the finance industry and tourism – but those who still earn their livelihood from the land help sustain the rural face of Jersey.

For much of Jersey's past, farming was almost always the most important activity, for self-sufficiency and for business with the world outside. The geographical advantages of facing south, which warms the spring soil, and being surrounded by sea, which keeps the earth relatively frost-free, have always given the Island an edge on its commercial competitors, although for centuries much of the population literally lived off the land.

Now, few small farmers remain, and those big ones that operate use modern methods for dairy and crop production. Supermarkets in the UK are now their main customers, as well as the local population.

The famous Jersey cow was a 'protected species' for 200 years. No cattle imports were allowed in order to keep the breed pure, but through exports and husbandry

elsewhere, the animal can be found in almost every country in the world. It is highly valued for its rich milk content and production. However, in July 2008 the States of Jersey took the historic step to amend legislation to allow the importation of bovine semen into Jersey, although semen that is genetically pure will enable the resultant progeny to be entered in the Jersey Herd Book. Cows other than Jerseys can now be seen in Island fields.

Equally famous is the Jersey Royal potato, the most renowned of all Island crops.

Jersey woollens

Although Jersey is known all over the world for its knitted fishermen's jumpers, in the 16th to 18th centuries the Island was famous for its knitted stockings. Stockings were exported to England, France, Spain, and even America. Mary Queen of Scots wore a pair of Jersey stockings at her execution.

Sheep were kept on the Island, but large quantities of raw wool were imported for the knitting industry. Some people knitted full time, and many farmers and their wives knitted as an extra source of income. In 1608 the States, worried by the neglect of agriculture, banned knitting during the harvest and vraicing (seaweed collecting) seasons.

CUSTOMS AND TRADITIONS

Jersey has a variety of customs and traditions, some of which are unique to the Island.

Jersey Norman-French

Jersey, with its ancient Norman roots, has a language of its own which is still used by a small minority of speakers and writers – *Jèrriais* (Jersey Norman-French). Although its use declined greatly in the last century, as Jersey became more anglicised, the language has been kept alive by local organisations and enthusiasts. Regular local radio broadcasts, occasional publications and the internet have helped with its revival in recent years, and *Jèrriais* classes now feature at some primary schools.

Assise d'Héritage

The Assise d'Héritage, believed to be the oldest land court Europe, is held every year in the Royal Court to enable seigneurs to formally renew their ancient allegiance to the Crown and for members of the legal profession to renew their oaths.

Clameur de Haro

An ancient Norman legal device still valid today, it is a direct appeal to the spirit of the first Duke of Normandy (Rollo) to stop in their tracks someone committing a crime against another or their property and acts as an injunction until the complaint is heard by a court.

The remedy only exists in civil law and has been used in modern times, although not in recent years. It is also recognised in the other Channel Islands.

Visite Royale

Two parishes are visited every year by a mobile Royal Court, which examines the parish's accounts to make sure they are in order and inspects hedges and roadways to ensure no obstructions are being caused. Sometimes fines are imposed on landowners and the parish, and the cutting down of trees considered to be a nuisance can be ordered.

Visite du Branchage

Twice a year each parish inspects its roads and lanes to check that overgrown hedges are not causing problems for pedestrians and road users. Landowners are obliged to carry out trimming work and can be fined a small amount if they don't.

PROSPERITY AND COMMUNICATIONS

Communication with the outside world is vital for an island. Today, Jersey's two main industries, tourism and finance, rely more than ever on the efficient movement of people and information. Tourism and finance are responsible for three-quarters of the Island's annual income, bringing great prosperity during the last three decades, but they have also added to the pressure on Jersey's environment.

The challenge now is to balance the needs of development and conservation.

PART 2

JERSEY TODAY: A PROFILE

Jersey is an island lying in the Bay of Mont St Michel. It is usually described as being 9 miles by 5 miles (45 square miles), or approximately 15 km by 8 km (118.2 square kilometres). It is approximately 90 miles from the south coast of England and 15 miles from the French coast of Normandy.

The island is divided into 12 civil parishes, the biggest in area being St Ouen and the smallest, St Clement. The most densely populated is St Helier and the least is St Mary.

Population

As in the UK, a census is held in Jersey every ten years, the last one having been in 2011. In recent decades there have been interim censuses every five years. According to the last census in 2011 there were **97,857** people living in Jersey.

Since 1951 the island's population has grown by about 77%. This has largely been due to immigration, especially in the late 1960s and 1970s, brought about by the successful tourism and finance industries..

Ethnic and cultural diversity

In the 2011 census, islanders were asked to describe their cultural background. Just over 46% considered themselves Jersey, just over 33% British, over 8% Portuguese/Madeiran, over 3% Polish, over 2% Irish, over 1% French and nearly 4% other white background. Less than 0.5% considered themselves to be Black African or Black Caribbean and less than 1% together either Chinese, Asian or other mixed race.

Since 2001 there has been an influx of immigrants from the new member states of the European Union, especially Poland.

Economy

The Island's chief source of income comes from the finance industry, provided by banking and other offshore financial services. Tourism and agriculture were once the biggest earners, but now come far behind. The government's policy is to protect finance while trying to revive tourism and encourage diversification into other ways of raising tax.

The cost of living is usually higher in the Channel Islands than in the UK or Continental Europe, but wages and the standard of living are usually regarded as better. High levels of unemployment are rare. The prices of houses, along with rents, are very expensive, and are roughly equivalent to those in Central London.

Steps are being taken to try to encourage more millionaire immigrants to settle in an advantageous tax area while contributing significant amounts themselves to the local economy, as many did in the post-war years.

Because Jersey, along with the other Channel Islands, is not a member, there is obviously no economic contribution to, or support from, the European Union.

Religion and tolerance

Although Jersey is mainly an Anglican community, other Christian denominations and religions are active and well represented for a population of the island's size. Religious and racial tolerance is considered particularly important in a cosmopolitan community that tries to do business worldwide and attract visitors from near and far.

The head of the Anglican Church is the Dean, who is appointed by the Crown, has a non-voting seat in the States and is also Rector of the parish of St Helier.

National days

As well as the usual British public holidays, Jersey also enjoys Liberation Day, May 9th. This is the one holiday peculiar to Jersey and the rest of the Channel Islands, although other notable occasions for Jersey are the Battle of Flowers in August and the annual International Air display in September, for which many employees are given a half-day off at the discretion of their workplace.

Public holidays (as in England) are:

New Year's Day – January 1st

Good Friday

Easter Monday

May Day Bank Holiday – the first Monday in May

Spring Bank Holiday – the last Monday in May

August Bank Holiday – the last Monday in August

Christmas Day – December 25th

Boxing Day – December 26th

HOW JERSEY IS GOVERNED

THE BAILIWICK OF JERSEY (A 'peculiar of the Crown')

The Bailiwick of Jersey is made up of the main island of Jersey and two outlying reefs, the Minquiers and the Ecréhous.

While it was once part of the French Duchy of Normandy, for the last 800 years it has been associated with, but not part of, England through the islanders' allegiance to the Sovereign. The Island, which is often referred to as 'a Crown peculiar', is part of the British Isles but not of the United Kingdom. In 2004 it celebrated 800 years of loyalty to the English Crown, to which it had stayed allied after King John lost his Norman lands to the French king.

The Island is self-governing, and its parliament, called the States (from the French word *états*), is one of the oldest legislatures in the world. The Island has never sent representatives to sit in the Westminster Parliament, and Acts of the UK Parliament only apply to Jersey by agreement. The Island makes its own laws and conducts its own financial affairs, but the UK represents Jersey in foreign affairs and defence.

The Island has its own legal system, and its Royal Court is one of the oldest law courts in existence.

Origins

Jersey's constitutional position has its origins in AD933, when the Duke of Normandy annexed the Channel Islands from Brittany. After the Norman Conquest of England in 1066, Jersey was linked to the English Crown. When King John lost his Norman lands in 1204, the Channel Islands remained loyal to him and were ruled as a personal possession of the monarch but they kept their Norman customs and traditions. The Crown appointed a Warden of the Isles and they governed the Channel Islands until 1485 when Jersey and Guernsey were given their own governors and became separate administrative units.

GOVERNMENT

The Island is divided into 12 parishes, which have their origins in the 11th-century ecclesiastical divisions in the Island. They soon became the basis for civil government. These parishes (St Helier, St Lawrence, St Brelade, St Peter, St Ouen, St Mary, St John, Trinity, St Martin, Grouville, St Clement and St Saviour) are headed by elected Constables (*Connétables*).

The 49 voting members of the States are made up of three different categories: 8 Senators, 12 Constables and 29 Deputies. They are elected to serve four year terms. The Senators are elected by the whole of the Island; the Constables by single parishes and the Deputies by single parishes or parish districts.

Until the end of 2005, there had been no cabinet or prime minister - government was the responsibility of States-appointed committees, answerable to the full Assembly. Now ministerial government has been put in place and the old committee structure has disappeared. The hope is that Island government will be more efficient and effective and more easily understood and accountable.

Now the government is headed by a Chief Minister elected by the States Assembly, who chairs an elected ten-strong Council of Ministers. Each has a particular responsibility (e.g. education, health, social security). Helped by a number of Assistant Ministers, they will decide matters of policy that will be brought to the full Assembly for approval or otherwise.

A full-time chief executive and the chief officers of the various government departments support the council.

Most States Members who are not part of the executive are expected to hold membership of one or more of four main scrutiny panels to check on the government's policies.

The Bailiff, who is appointed by the Crown, is the President (or Speaker). The Bailiff is allowed to speak but has no vote. When he is absent, the Deputy Bailiff, also appointed by the Crown, takes his seat.

The Lieutenant Governor, Dean, Attorney General and Solicitor General are also members and can speak but not vote.

PARLIAMENT (THE STATES ASSEMBLY)

Function

The Island's laws are made by the States, but have to be sanctioned by the British Sovereign in Council (the Privy Council). Laws are then registered in the Royal Court before coming into effect. The UK Government, which often signs international conventions on the Island's behalf, extends other legislation, usually involving foreign affairs and defence, to Jersey and other British Islands.

Jersey does make its own fiscal and taxation laws, and all others concerning local matters, although often it adopts laws from the UK which can be tailored to local requirements.

Reform

The States originally consisted of 12 Jurats, 12 Rectors and 12 Constables, representing the judiciary, the church and the common people. They advised the Royal Court and the Bailiff, who both made and enforced laws.

A comprehensive revision of Jersey's constitution resulted in the Code of 1771. It established a split between the legislature and judiciary, taking law-making power away from the Royal Court and giving it to the States, although the Bailiff is still both the President of Jersey's parliament and chief judge.

In 1857 the first Deputies were elected, one from each parish and three from St Helier. In 1948, the States was thoroughly reformed. Senators, elected on an Island-wide vote, replaced the Jurats, and more Deputies replaced the Rectors. The biggest change since then happened in 2005 with the move to ministerial government, although the composition of the Assembly remains the same.

Today

Until recent years, those elected to the States served on an unpaid basis. Now, though, all can claim an income allowance and expenses of about £40,000 a year. The names and telephone numbers of all States Members are listed near the front of the local directory.

Many Members of the States regard it as a fulltime job, although they can retain outside business interests, which they must declare.

Electors

Until the 20th century, only adult male ratepayers were eligible to vote. Female ratepayers over 30 got the vote in 1919 and became eligible to be elected Deputies in 1924 although the first woman was not elected until 1948. Since then, women have held all three elected States positions. Voting for all British nationals was established in 1930. Anyone who is 18 and over, meets residency requirements and is on their parish's electoral register can vote in local elections.

Parishes

The Island is divided into 12 parishes, each governed by elected officials who act on decisions made by parish assemblies – public meetings of parishioners. The officers of a parish are:

Constable (civic head and formerly, but no longer, of the parish police)
Rector (in charge of church affairs)
Centeniers (parish policemen, the senior of whom is the chef de police)
Procureurs du Bien Public (public trustees)
Churchwardens
Vingteniers and Constable's Officers (also parish policemen)
Roads inspectors
Rates assessors
Almoners

All these officers, except the Rector, are elected by the parish assembly and are unpaid (although the Constable, who sits in the States, is eligible for a States Member's payments). The Rector presides at assemblies when church affairs are discussed, and the Constable presides when civil affairs are dealt with.

Function

Money to run the parish is raised by rates on houses, buildings and land. Parish responsibilities include social welfare, residential home care, repairs to minor roads, street lighting, refuse collection, local policing, and the issuing of licences for drivers, dogs and firearms.

Since 2006, as well as the parish rate, each parish has charged their residents an Island-wide rate. This is made up of a portion paid by non-domestic ratepayers (mainly business) and one by householders, and helps pay the costs of welfare grants and residential care.

Fiefs and Seigneurs

During the Middle Ages, grants of land (fiefs) were made by the English King to prominent Islanders (seigneurs) in return for military and other services. These seigneurs had special privileges, such as the rights to own mills, collect taxes and gather vrac (seaweed). In turn, they granted smaller parcels of land to other Islanders, again in return for services.

Disputes between tenants, and other manorial matters, were dealt with at courts presided over by the Seigneur. This feudal system did not die out until the 19th century, but some of the practices survive in ceremonial form today. The final legal rights of seigneurs were removed in the 1960s.

Crown appointments

The Lieutenant Governor, usually a retired member of one of the armed forces, serves a five-year term as the monarch's representative. He sits in the States but has no vote, and can only intervene in government if the monarch's interests are threatened. The role is mainly ceremonial.

The holders of the principal legal offices, (Bailiff, his deputy, Attorney General and Solicitor General), who have to be qualified lawyers, are appointed by the Crown, as is the head of the Anglican Church in Jersey, the Dean.

THE LAW

Jersey has its own distinct legal system, with four courts that sit regularly:

Royal Court
Magistrate's Court
Youth Court
Petty Debts Court

The Royal Court is the oldest, its President being either the Bailiff, Deputy Bailiff or Commissioner, sitting with any number of 12 Jurats (lay judges). It deals with criminal and civil matters.

The ancient office of Jurat is usually filled by retired members of society (men and women) elected by members of the Royal Court, the States Assembly, and the legal profession. They can serve, unpaid, until the age of 72, but still keep their title afterwards.

The Jurats' role is to decide on the facts of a case (unless a criminal case is being tried by an Assize jury of 12 lay jurors) and determine the court's sentence. The Bailiff directs them on points of law.

The Magistrate's Court decides on summary offences, imposing lesser fines or terms of imprisonment than the Royal Court can impose or making probation and

community service orders. Anyone accused of a particularly serious offence would first appear here before being sent to the higher court.

Jersey's two Magistrates are full-time, qualified lawyers, who also act as chairmen of the Island's Youth Court, which deals with young offenders, and as judges in the Petty Debts Court, which can hear civil claims up to £30,000.

The Appeal Court hears appeals against decisions of the Royal Court. English lawyers come to Jersey to hear appellants. The Bailiff and his deputy can preside if they were not involved in the original cases. A final course of appeal is to the Privy Council.

Jersey also has a Divorce Court, which sits periodically, and a Licensing Assembly to decide on liquor licences.

There are now also Employment Tribunals to judge on workplace disputes, such as cases of unfair dismissal and breaches of minimum wage legislation. Only advocates admitted to the Jersey Bar, and *écrivains* (Jersey solicitors) are permitted to plead before Jersey's courts, and only advocates can appear in criminal matters and Royal Court actions.

POLICING

Two types of police force operate in the Island.

States Police

The uniformed police appeared in 1853 but operated only in the parish of St Helier. In 1952 a professional fulltime force was constituted with powers that were extended in 1974 to cover the whole Island. The force now employs all the procedures, methods, technology, training and modes of operation of police elsewhere in the British Isles.

Honorary Police

Each parish has its own division of the Honorary Police force, which is one of the oldest law-enforcement bodies in the world.

Its origins go back to the 15th century and it is made up of laymen and women who become Centeniers, Vingteniers, and Constable's Officers, elected to serve three-year terms. Their titular head is the Attorney General.

Any paid, uniformed policeman can make an arrest, but only a Centenier from the parish in which an offence has been committed can charge an accused person.

If an offence is relatively minor, or involves a juvenile, it might be settled at a parish hall inquiry after a Centenier has heard the facts. This can result in a person being cautioned rather than going to court. If not, a date for a Magistrate's or Youth Court appearance will be set and a Centenier will formally present the case in court.

Criminal investigations are carried out by the professional force, sometimes with the help of the unpaid officers. The latter are particularly called upon for help in policing public events that attract large crowds and with traffic control.

JERSEY AND EUROPE

Jersey is not a member of the European Union, but when Britain negotiated its own entry, certain conditions were agreed for the Channel Islands, mainly covering trade and the freedom of movement for EU citizens. As Jersey makes no contribution to the EU, it obviously receives no financial subsidies.

Any citizen of a member country, just like any British citizen, is free to live in Jersey and work without the need for a work permit (although still being subject to housing qualification status and residency requirements for some jobs). But Jersey-born people can find a problem if they wish to live or work in a EU country other than the United Kingdom but have no parent or grandparent who is from a member nation. Jersey has a number of consular offices and agents for the representation of non-British residents. They include France, Portugal, Ireland, Germany, Italy, Poland and the Scandinavian countries.

Human rights

The Human Rights (Jersey) Law 2000 incorporates rights and freedoms for Jersey's citizens guaranteed under the European Convention on Human Rights.

Data protection

A law on data protection that follows that in the United Kingdom covers Jersey, which has its own Data Protection Registrar.

SOURCES OF HELP AND INFORMATION

Reference points

Useful Books

Jee, N: *The Landscapes of the Channel Islands*, Phillimore Syvret, M & Stevens J:
Balleine's History of Jersey, Phillimore
The Jersey Layman's Guide to family Issues, Apache Guides, Jersey

Useful websites

States of Jersey website www.gov.je
Citizen's Advice Bureau, St Paul's Centre, St Helier Tel 724942
www.cab.org.je Jersey Heritage Trust, The Weighbridge, St Helier
www.jerseyheritagetrust.org La Société Jersiaise, Pier Road, St Helier
www.societe-jersiaise.org
Jersey Evening Post www.thisisjersey.com

Libraries

Jersey Library, Halkett Place, St Helier
Lord Coutanche Library, Société Jersiaise, 9 Pier Road, St Helier