

**QUESTION TO BE ASKED OF THE PRESIDENT OF THE HOME AFFAIRS COMMITTEE ON  
TUESDAY 9th SEPTEMBER 2003, BY THE DEPUTY OF ST. MARTIN**

**Question**

Will the President inform members when the Committee intends to present draft legislation relating to the confiscation of alcohol for the consideration of the States following the adoption of P.46/2002 on 21st May 2002, and explain why it has taken so long to present the draft legislation concerned?

**Answer**

The Deputy of St. Martin asked a similar question in March this year. At that time, I said that the Committee had been proceeding on the basis that it would be possible to achieve the required legislation by amending the Policing of Roads, Parks and Beaches Regulations. However, it became clear that the law drafting brief would need to be much tighter in order to ensure that the new powers of confiscation would be used appropriately. The intention is to prevent people drinking when they are causing a nuisance or committing an offence, or they are under age and not under the control of a parent or guardian, rather than penalising people who are drinking alcohol but are being well behaved or enjoying a family gathering.

The Home Affairs Committee considered more detailed drafting instructions at its meeting in February 2003, and subsequently submitted these to the Law Draftsman on 1st April 2003. As a result, the Committee is preparing to bring forward new legislation entitled the Confiscation of Alcohol (Jersey) Law 200-. In terms of delay, members will appreciate that it is normal practice for a new law to require several drafts before it is ready for a Committee's consideration. In this case, three drafts have been required in order to answer the Draftsman's questions of clarification and consult closely with the police. Owing to the summer recess, the Committee will be considering the draft law at its meeting on 26th September 2003.

Once the Committee has considered the draft law, I anticipate that it will want to consult more widely before lodging. Although this may include some outside agencies, I anticipate being able to lodge the Confiscation of Alcohol (Jersey) Law 200- by the end of the year. I should remind members that the power to confiscate alcohol is part of the Alcohol Strategy which was lodged by the Health and Social Services Committee on 15th July 2003, but for which no date has been fixed for debate. When the States adopted P.46/2002, it agreed that the Home Affairs Committee should take the matter of confiscation forward separately. Whilst accepting that this has taken some time, we are still on course to achieve the new law in advance of any other measures that the States might approve once it has debated the Alcohol Strategy.