

**WRITTEN QUESTION TO THE CHIEF MINISTER
BY DEPUTY R.G. LE HERISSIER OF ST. SAVIOUR**

ANSWER TO BE TABLED ON TUESDAY 28th MARCH 2006

Question

Will the Chief Minister inform members –

- (a) when the Law Society of Jersey Law will be brought into force? and,
- (b) whether anti discrimination legislation will be brought to the States and, if so, when?

Answer

- (a) The matter currently rests with the Law Officers' Department, and I am advised by that department that it is not possible at this stage to give an indication of when the Law Society of Jersey Law will be brought into force.

Members will recall from my previous answer to Deputy Le Herissier that the Law Society of Jersey Law has not yet come into force because there are potential difficulties on the possible application of the Law to the Law Officers and the lawyers in the public service.

I understand from H.M. Attorney General that discussions have taken place and agreement reached with the Law Society on a proposal that the terms of the Law should not be extended to public sector lawyers. I shall be referring this proposal to the Legislation Advisory Panel that is shortly to be appointed by the States, and will be asking for its views on the proposal.

I can assure members that this is being dealt with as a matter of the highest priority.

- (b) The subject of anti-discrimination legislation is referred to in the periodic report on the 'International Convention on the Elimination of all forms of Racial Discrimination', a copy of which was recently posted on the States of Jersey website under 'Ministerial Decisions/ Chief Minister'.

The answer to the question is contained in the following extract from the report –

'The States of Jersey decided in 2002 to introduce new primary legislation to address the issue of racial discrimination. It was subsequently decided to extend the remit of the drafting programme to include protection from discrimination in a number of other areas including sex and disability discrimination.'

A draft Discrimination (Jersey) Law is in the final stages of preparation. Once finalised, it will be published for consultation in the Island so that organisations and individual members of the public can all comment on the proposals. The authorities hope to commence consultation early summer of 2006 with a view to a final draft Law being presented to the States as soon as reasonably possible after the consultation replies have been considered.'

.....The draft Law is designed to be an enabling law. In other words, the provisions of the legislation will allow the States to adopt separate sets of Regulations in phases which will progressively extend protection from discrimination in different areas. The intention is to achieve conformity and consistency of treatment in relation to different areas of discrimination, because the underlying provisions of the Law will deal with all types of discrimination in a similar way.'