

2.3 Deputy C.F. Labey of Grouville of the Minister for Home Affairs regarding licensed premises seeking proof of identity and identity fraud:

As more and more licensed establishments are now demanding that young people prove their age by either producing their passports or driving licences which then frequently get lost or stolen on the premises, what action, if any, is the Minister taking to address the very real possibility of identity fraud?

Senator B.I. Le Marquand (The Minister for Home Affairs):

I sincerely hope that the factual statement contained at the start of the question is wrong because both my department and the police have been trying to get the message over about the existence of the Validate identity card which can be acquired for £10. I answered a similar question from Deputy Martin about 2 months ago. I then indicated that Validate cards were accepted by nightclubs and pubs. Unfortunately, I then discovered that although they were accepted by the Association and by most of the managers, the message had not got down to the troops on the doors. As a result of that Home Affairs started to take action and wrote to the police and the police then, in fact, decided to have a campaign to inform people about this and they sent Validate packs - which I assume are information packs - to retailers and licensees in Jersey as well as to nightclubs and pubs. The key issue is going to be getting the message over to the doormen that these are accepted as a means of identification.

2.3.1 The Deputy of Grouville:

On whose authority have these doormen got to demand such official and important documentation and does the Minister regard it as an abuse of so-called power and, more importantly, further consequences of fraud when the identity cards could prove the age as he has alluded to? Is this an abuse of power and what is being done about it?

Senator B.I. Le Marquand:

I am not sure I heard all of the question. The legal position, as I understand it, is that licensees have an absolute right to exclude people from their premises if they so wish. Responsible licensees check ages and they normally do so upon the basis that anyone who looks under 21 they check, and to do that they require responsible documentary evidence. It is unfortunate if they have been requiring either driving licences or passports when the Validate cards are there for exactly this purpose.

2.3.2 The Deputy of St. John:

Historically doormen would train before they took up the job within the licensing premises. Is this still the case?

Senator B.I. Le Marquand:

Yes, they do receive some training and I believe they have a blue badge. I am looking at the Deputy of St. Martin hoping he will nod as to the colour of the badge. I believe it is blue.

2.3.3 Deputy T.M. Pitman:

In my previous profession I regularly used to be a reference for young people under a previous scheme run by - I think it is - the Portman Group. Does the Minister share

concerns about companies actually making profit out of young people by the charges involved in these cards? I hope he agrees with me that it is a real concern.

Senator B.I. Le Marquand:

It is far preferable than people taking passports and losing them. I have heard some interesting stories about what happens to passports during what are called foam nights. I am not sure what a foam night is but I assume it means everybody gets very wet, and the passport shrinks or dissolves altogether in the process. These cards are quite reasonably priced. They are only £10 and I view that as a very moderate charge.

2.3.4 Deputy J.A. Martin of St. Helier:

Just escaped the Deputy of St. Mary there again. It follows on from Deputy Pitman's question as I did raise this because myself and the Deputy of Grouville, like many others, have teenage children and children who are older and the expense of replacing a passport is ridiculous. It is also quite a long time in coming. The Portman card is the validation card I think the Minister is talking about. Firstly it has to go off-Island. Is there no way that we can have a validation card that is only produced on receipt of a passport but the passport then does not have to be taken out? Now, this is months down the line and I am sorry the message is not getting across. I was out last weekend, doormen are doing their job but they are absolutely only taking passports and very rarely even driving licences off the kids that may not look the age. They are being thorough but they do not think that anything else is going to protect their jobs and the licensee. So we do have a problem and I think it falls on the Minister for Home Affairs to do something to sort this out. I was asked myself and unfortunately I did not have my passport with me. [Laughter]

Senator B.I. Le Marquand:

Portman cards were in fact replaced by Validate cards. The police have certainly made a great deal of effort on this and there was public information about this. We will go back to them and see if there is something further we can do but there seems to be a breakdown of communications between management and doormen, and that seems to be where the problem lies.

2.3.5 Deputy M. Tadier:

The question is tenuously linked. The Minister, I am sure, will agree that on certain occasions people are refused entry to establishments on very spurious grounds. Will the Minister assure us or inform the house whether the Discrimination Law will extend to bouncers and to management?

Senator B.I. Le Marquand:

Yes, I am certain it will do in due course. But of course it is going to take time to bring it in in sections.

2.3.6 Deputy M. Tadier:

If I may, how would that work? For example, if someone is refused entry on personal grounds to do with size or to do with gender, how can that be enforceable given that the establishment has the right to refuse entry to anyone without giving a reason?

Senator B.I. Le Marquand:

I do not think that there is going to be a section on size. [Laughter] What happens... the structure of the law is that there are particular characteristics against which you

cannot discriminate; if you do you render yourself liable to civil action and I think, in certain circumstances, criminal penalties.

The Deputy Bailiff:

This, if I may say so, seems to be at the very edges of a supplementary question. Deputy Dupre.

2.3.7 Deputy A.T. Dupre of St. Clement:

I just wonder could these identity cards be issued through the Parish Halls. You get your driving licence from the Parish Hall; could the youngsters not get an identity card at the same time?

Senator B.I. Le Marquand:

Validate cards are produced by a particular business that operates off the Island. There is a website you can apply to. I gave the details last time, www.validateuk.co.uk. To create a parallel system involving the Parish Halls would be completely unnecessary when we have this facility. We just have to get the message out it is there and get the doormen to understand what it is for.

The Deputy Bailiff:

Last question from the Deputy of Grouville.

2.3.8 The Deputy of Grouville:

Could the Minister confirm if his department's - or the Customs and Immigration in his department - income has increased since this door policy has been in place and when this issue is finally going to be resolved?

Senator B.I. Le Marquand:

I am afraid I did not hear the question because of talking behind me. Could the questioner repeat the question and could those behind me be a little more silent, please.

The Deputy of Grouville:

Could the Minister confirm if his department's income in passport fees has increased since this door policy has been in place and when this issue is finally going to be resolved?

Senator B.I. Le Marquand:

This is a difficult one to answer because, although I have information on the number of passports and driving licences... apparently 94 passports and 67 driving licences have been reported as lost but there were no reports of thefts of these from licensed premises. We do not know where or when they went missing. Obviously there must be some loss in licensed premises among those and that will have increased the income of the Customs and Immigration Department but it will also have increased their workload.

The Deputy Bailiff:

We now go on to question 4 from Deputy Le Claire of the Minister for Treasury and Resources which will have to be answered by the Assistant Minister.