

3.5. Deputy K.C. Lewis of St. Saviour of the Minister for Home Affairs regarding the prospect of action being taken to stop the service known as ‘Jersey Lifts’: [1(271)]

Will the Minister commit to take the appropriate action, in association with the Minister for Infrastructure, where required, to stop the service known as Jersey Lifts?

The Deputy of St. Peter (The Minister for Home Affairs):

I am aware that this is a very topical question, which relates to a long-running subject of debate within our community. It is important to state, firstly, that not all of the activity on Jersey Lifts will be illegal. Legitimate not-for-profit lift sharing is within the law, good for the environment, improves accessibility for people without a car and reduces the likelihood of drink driving. Where there is illegal activity, however, such as unlicensed taxi services being offered, strict penalties are provided for in the Motor Traffic (Jersey) Law 1935, with fines of up to £10,000. The Deputy will be aware that an investigation was undertaken a few years ago into Jersey Lifts, with around 20 people being interviewed, although no offences could be proved beyond all reasonable doubt, which is the threshold needed to secure conviction. The police have continued to deliver safeguarding messages and advice regarding an improper use of Jersey Lifts and where they have become aware of anyone who poses a risk to the public, they will take proportionate action.

3.5.1 Deputy K.C. Lewis:

There are, at the moment, I believe, 4 Facebook sites offering this service. I am not after friends who are pooling their money to save petrol and help each other out, because I know money is tight. It is the other people that are providing this service. Is the Minister aware that acting as a *de facto* taxi service is, in fact, breaking the law? Taxi and cab drivers need to have security checks, must have a public service vehicle licence, must have the relevant taxi cab insurance and must drive the authorised vehicle. Should somebody be offering a taxi and cab service without this, not only are they breaking the law, but should there be a serious accident there would, certainly, be no insurance cover. The driver of these vehicles could also be a sexual predator, under the influence of drink, or drugs. So, what action will the Minister be taking?

The Deputy of St. Peter:

The Deputy will know that the operational side of policing is not a matter for the Minister. However, I refer the Deputy to my previous answer, in which I stated under the Motor Traffic (Jersey) Law the potential penalties for somebody, who is breaching that law, which is very clear. Also, I will reiterate the fact that the police have made great efforts to communicate safeguarding messages around the appropriate use of lifts.

3.5.2 Deputy M.J. Norton of St. Brelade:

Would the Minister, under the facts that the most popular of these social media sites has 10,859 members in the Island and in the last 24 hours there were 446 requests for lifts and there were at least 30 adverts openly advertising for lifts such as: “£20 to St. Brelade, call me now”, with a number, please give us some information as to what prosecutions have taken place, because this is deeply concerning?

The Deputy of St. Peter:

As I have already stated, the police have been monitoring this. They are engaging with the Department for Infrastructure. The police are there to enforce the law and, in this case, it is a law and a policy set by the Department for Infrastructure. We are in an age of great change, where the disruptive use of technology is a great phenomenon of our age. We look at many businesses that have now become household names, that have stemmed from the disruptive use

of technology and engaging into a new market through the new technology that is now available to people. So, I will reiterate that the police are monitoring this.

3.5.3 Deputy L.M.C. Doublet of St. Saviour:

The Minister mentioned safeguarding messages that have been given. Can she give some more details, please, on whether officers have gone into schools to talk about this and exactly what work has been done? Is there any further work planned on this and does she think any new legislation is required to deal with this?

The Deputy of St. Peter:

Let us start, firstly, with the legislation. As I mentioned, the Department for Infrastructure looks after the legislation in this area and the police are engaging with the department, I believe, to that effect. Road safety law, of course, is a big matter on that department's agenda currently. Regarding the safeguarding messages, there is a good deal of communication always emanating from the States of Jersey Police, of a very high standard and they communicate clearly. We also have a great relationship with Prison! Me! No Way! who undertake specific and focused pieces of information. If I could just blatantly use this as cue, as I mentioned Prison! Me! No Way!, they were highly commended last week at the National Chartered Institute of Marketing awards dinner for their excellent communications and, particularly, a campaign that was aimed at the use of psychoactive substances. I believe that a great deal is being done, has been done, and is intended to continue to be done.

3.5.4 Deputy M. Tadier:

Will the Minister state what the law says on this with regard to what fees, or what reimbursement, can be made for a non-taxi driver to recoup money? Could she clarify, for example, is it okay to accept a donation for petrol money, or a donation, full stop? Is it illegal, or unlawful, to ask for any kind of money in return for the lift? I will leave it there and may do a supplementary.

The Bailiff:

That question, Deputy, is right on the margins and probably over the margins of this Minister's responsibilities. She is not responsible for the law and I am not sure it is fair to ask her to make a comment on what the law permits. It is not the law for which she carries responsibility. The only relevance of this question to her, seems to me, to be the potential police involvement, which is enforcing the current law.

Deputy M. Tadier:

Sir, can I rephrase the question, in that case? It seems to me that there is concern, on both sides, and I am concerned both for taxi drivers, but also I do not want to see young people being criminalised and the suggestion that there are drug addicts, who are driving round charging money for lifts illegally, which I know was not said, but is the inference, is completely unacceptable. Does she think that it is absolutely important to put clear information out there and clear guidelines, both for those who seek to operate legitimate car sharing facilities in Jersey, which is surely something from an environmental point of view we want to encourage, while also putting in place protection for legitimate businesses? Does there need to be more information, so that the police and the operators feel that they know what the boundaries are and that when there is illegal activity the police can take decisive action?

The Deputy of St. Peter:

I will hark back to my previous answer, I think, whereby communication is very much a key part of the enforcement of the law. As I said, the police are here to enforce the law and I refer

back to my original answer which said that legitimate not-for-profit lift sharing is within the law. However, it is vitally important, particularly around the issues of safeguarding and general safety of the public, that people understand the risks of undertaking such activity.

[10:15]

3.5.5 Deputy K.C. Lewis:

As I have mentioned, it is not the people car sharing I am going after. It is people who are making a living at this, people who are earning good money at this, people who are not insured, people who we do not know who they are, or what they are doing. I know the Minister is not responsible for operational, but she is responsible for policy. Will she kindly make it a policy to eradicate this nonsense, or do we have to wait for someone to be molested in a car, or a car wrapped round a tree and somebody left with life-changing injuries before something is done? Will the Minister take action?

The Deputy of St. Peter:

This aspect of the law, as I previously mentioned, is a matter for my colleague the Minister for Infrastructure and the States of Jersey Police are engaging with that department in order to progress, if required. It is for the very fact that people put themselves at risk that communications have been conducted by the States of Jersey Police to highlight the dangers and risks involved in this activity. So, I am aware that the police will continue to communicate regarding those risks to the public.