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5.4 Deputy M. Tadier of the Minister for Health and Social Services regarding the date on which the Legislative Drafting Office was given the instructions to amend the Misuse of Drugs (Jersey) Law 1978 to reflect the reclassification of Bedrocan and Tilray medication: [OQ.131/2018]

Will the Minister provide the date on which the Legislative Drafting Officer was given the instruction to amend the Misuse of Drugs (Jersey) Law 1978 to reflect the reclassification of Bedrocan and Tilray medication?

Deputy R.J. Renouf of St. Ouen (The Minister for Health and Social Services):

Drafting instructions were sent to the Law Draftsman's office on 2nd March following the Ministerial Decision on 13th February accepting the advice of the Misuse of Drugs Advisory Council.

The Bailiff:

That was this year, was it?

The Deputy of St. Ouen:

That was this year.

5.4.1 Deputy M. Tadier:

Is it also the case that the Misuse of Drugs Advisory Council wrote to the former Minister for Health and Social Services at the end of last year on 28th December advising that these changes should be made; and does he believe that the delays that have taken place in between then, and also including with the latest drafting instructions, is acceptable and, if not, what reasons can he give for the delay as well as what action will he take to expedite the drafting?

The Deputy of St. Ouen:

I do not have the date when the Council wrote to the previous Minister but I have no reason to disbelieve the dates the Deputy has stated. Yes, I have some concerns about the delays that have arisen, which I understand are down to a combination of issues relating to sickness, annual leave, a pre-election rush for law drafting and of course the ever-looming Brexit - which is making great demands on the Law Officers' Department - and children's matters which have, perhaps rightly, taken a prominent place. So this is progressing, I understand, and I will continue to press for the draft to be placed before me for approval so that I can make the order as quickly as possible.

5.4.2 Deputy M. Tadier:

Does the Minister confirm that another Member and myself have been in constant correspondence, it seems, with the Minister and that he wrote to us on 19th September saying: "I am frustrated with the delay too and I am chasing continually? Will let you know as soon as I can." Does the Minister think that it is a healthy state of play for a small Island jurisdiction, which prides itself on being swift of feet - fleet of feet even - and being able to produce and bring new legislation and amendments to the Assembly, when it is taking such a long time for a very straightforward, it would seem, amendment to drugs legislation to be brought to this Assembly so that many hundreds of our Islanders can find the very best and effective medication that they need to relieve them of their pain?

The Deputy of St. Ouen:

I think there are a number of questions in that but yes, of course, we would all want a sleek service in which once something is decided it can be almost instantly put into action. We have to

understand pressures on departments and I cannot speak for pressures that may exist within the Law Draftsman's Department. But the Deputy has quoted the words I used; it has been a frustration for me but I am assured that this is being worked on. It is not perhaps as simple as the Deputy thinks. I am told it is a complex issue and the matter is now in its fourth draft. I can also reassure the Deputy, if he is concerned, that a cannabis-based medicine should be available to Island residents. One is now available on a free prescription available publicly through the hospital pharmacy, known as Sativex, and that was made publicly available in January. So, the order that will be made will licence some further products but one is already available if prescribed by the clinicians. Thank you.

The Bailiff:

We come to question 5, which we cannot come to because Senator Mézec is not here.

Deputy G.P. Southern:

Could I ask that the Chairman of the Privileges and Procedures Committee circulate the answer that he has prepared in advance for Senator Mézec and that he circulates it to Members as a whole?

The Bailiff:

Mr. Chairman, are you willing to do that?

Deputy R. Labey:

I have not prepared an answer but I will circulate something if the Deputy wishes it.

Answer subsequently provided by the Chairman of the Privileges and Procedures Committee:

With the approval of PPC I have accepted the Chief Minister's invitation to form a working party to consider all matters relating to the future role of the Bailiff. Further details on the composition of the working party will be released to members imminently with the terms of reference to follow after our first meeting scheduled for 9th October. The working party allows PPC to progress its current agenda in tandem with considerations of the speakership and in the timeline afforded by the Bailiff's notice of retirement. It would seem sensible for PPC to bring to the Assembly for consideration the conclusions of the working party in the form of a proposition and in a timeframe that allows for any changes the Assembly may approve to coincide with retirement of the current Bailiff.