



**Annual Report  
2017**

## Contents

<b>2017 Consumer Council's Notable Successes</b>	<b>3</b>
<b>Chairman's Report</b>	<b>4</b>
<b>What We Do</b>	<b>6</b>
<b>Legal Status of the Consumer Council</b>	<b>6</b>
<b>The Council</b>	<b>7</b>
<b>Executive Summary and Main 2017 Issues</b>	<b>9</b>
<b>Consumer Information, Advice and Education</b>	<b>10</b>
<b>Codes of Practice, Best Practice and Self-Regulation</b>	<b>21</b>
<b>Consumer Advocacy</b>	<b>22</b>
<b>Financial Report</b>	<b>28</b>

## Notable 2017 Successes

- Published 4 **newsletters**
- We have, with the help of expert volunteers, hosted a series of **lunchtime** talks on a broad range of topics – for example Wills, Money, Probate, and Property
- We sent out new E-Marketer **digital newsletters**
- The Consumer **Council** presented the work of the **Council** and discussed how to be a savvy consumer with over 1,200 Jersey secondary school students.
- Helped to recalibrate the Jersey Fraud Prevention Forum
- Raised the **Code of Consumer Lending** higher on the agenda with it now under the remit of the Chief Minister's Department
- We spoke to the **media** on a broad range of consumer issues
- Researched and published **funeral cost** comparisons
- We communicated via **social media** to over 3,600 followers
- Began to recruit the new **Chair** for the Council
- The Council played a significant role in the review of **Jersey's Legal Aid** Scheme
- Hosted over 40 **lunchtime talks** meeting over 600 consumers listening to a range of professional speakers
- Working with Caring Cooks highlighted **shopping, budgeting** and **meal planning skills**

## Chairman's Report

It is with pride and a degree of frustration that I look back over my six years as Chair of the Jersey Consumer Council; pride because the Council has engaged with so many more people, organisations, changed our culture, bolstered our credibility and has spearheaded a variety of initiatives which have enhanced the consumer's landscape. Frustration as I know we can achieve so much more but hindered only by our funding being limited and further reduced year on year.

I am delighted to say that once again the Council picked up the issue of consumer credit, we dusted off the 'Code of Consumer Lending' and gathered together industry experts, regulators, government and consumer bodies to ignite the debate and transport it into the machinery of government regulations, via the Chief Ministers Policy Team, so as to significantly protect consumers looking towards credit regulation.

In 2017, we represented the consumers voice in a variety of key consultations issued by the States of Jersey, Channel Islands Competition Regulatory Authority, and the Jersey Financial Services Commission (JFSC).

Nowhere is consumer advocacy more of a fundamental ingredient in light of the risks of potential consumer detriment when accessing financial and telecommunication services.

We have continued to work hard with many island secondary schools to deliver parts of their PSHE curriculum. We have met with students from Le Rocquier, Victoria College, JCG, Hautlieu and Grainville in a variety of age groups from years 7 up to years 10. We view this work as pivotal in helping young islanders to weather the challenges of budgeting, banking, consumer laws, fraud, basic contracts and pricing.

Our work throughout 2017 and the previous year's seeks to help consumers to make **#Informed #Decisions**. We have actively spoken to consumers to gauge their views and to seek out the issues and difficulties. We are mindful that examples of great consumer benefit and support should not be overlooked.

The Consumer Council's work is much richer for the support of Citizen's Advice Jersey, Trading Standards and the team of Economic Development, Tourism, Sport and Culture.

Our work and continuous communications at all levels and in all mediums has helped position the Consumer Council to where it can now tackle greater challenges and be perceived as a very credible force for consumer advocacy. Our outward facing energy is undertaken on a bedrock of strict governance, reporting and transparency.

Finally, my greatest thanks are reserved for the Council's Executive Officer, Anne King. Without Anne's enthusiasm and expertise, the Council would not be able to achieve many of its objectives in such an effective way

Advocate Rose Colley

## What We Do

The Jersey Consumer Council (JCC) works on behalf of consumers on the Island.

We are a research and policy-based advocate for good consumer-facing market conduct. We investigate and publicise anomalies in consumer affairs and provide Islanders with accurate and timely information to help them make informed decisions.

## The Legal Status of the Jersey Consumer Council

The JCC was originally established by Act of the States on 25th April 1995. In February 2011, the States adopted P.182/2010, which set out a new mandate for the JCC. It included for the first time a provision that the Chairman would not need to be a States member. Part of the proposition also required the Minister for Economic Development to take the necessary steps to establish the JCC as an appropriate legal entity. Subsequently in July 2011, the States adopted P.89/2011, which recommended that the JCC be established as an Incorporated Association under Article 4 of the Loi (1862) sur les teneures en fidéicommiss et l'incorporation d'associations. The benefits of achieving this included greater independence, as well as the ability to enter into employment, research and consultancy contracts in its own right.

Following legal work on drafting a formal constitution, the Royal Court granted an Act of Incorporation on 11th November 2011 and directed that a copy of the Constitution be lodged with the Judicial Greffe.

On 31st January 2012, the States approved the appointment of Advocate Rose Colley as the second chairman of the Council since its inception, and most significantly the first non-States member to undertake the role.

## The Council

The constitution of the Council sets out the rules regarding the appointment of the Chairman and members.

Article 12.3 states:

“The Chairman shall hold office for a term of three years and may be appointed to hold office for a further term of three years but shall not hold office as Chairman for more than six consecutive years.”

### Chairman - Advocate Rose Colley



Following a recruitment process overseen by the Jersey Appointments Commission in late 2011, the States approved the appointment of Advocate Rose Colley for a term of 3 years effective from 31st January 2012. Advocate Colley was then re-appointed by the States for a further term of 3 years commencing on 1st February 2015. 2017 will therefore be Advocate Colley’s last full year in term.

Rose Colley is an Advocate of the Royal Court and is currently a Partner at Viberts law firm and head of Family Law.

Advocate Colley became a Solicitor in 1980 and spent a number of years as a lecturer for the Inner London Education Authority before entering into private

practice in 1986. She completed her MBA at the Nottingham Law School in 1996.

Advocate Colley moved to Jersey in 1997 becoming an Advocate in 2000 and joined Viberts the same year as practice director. She is a former acting Bâtonnier, is the current secretary of the Jersey Law Society and an examiner for the Board of Examiners for the Jersey law exams.

### **Executive Officer – Mrs. Anne King**

Anne joined the Consumer Council in 2011 bringing a wealth of customer service experience with her. She was a senior area manager in a startup contract catering company in the UK, Commercial Director for a red London bus company and a change consultant for Transport for London and the Harbours and Airports Committee. She has also run her own business.

Anne obtained her ‘Preparing to Teach in the Lifelong Learning Sector’ (PTLLS) qualification which helps with the education role she fulfills on behalf of the Council.

### **Council Members**

Advocate Jean-Marie Renouf

Mrs. Daphne East

Mr. Derek Ferguson

Mrs. Donna Le Marrec

Miss Francesca Rotheram

Mr. James Rondel

Mr. Peter Tompkins

Mr. Tim De Gruchy

The Jersey **Consumer Council** held 4 meetings in 2017.

## Executive Summary and Main 2017 Issues

Our role is to be the consumers' champion; we investigate and publicise anomalies in consumer affairs and provide Islanders with accurate and timely information to help them make informed decisions

Our 22<sup>nd</sup> year was busier than ever with greater expectations of the Council from consumers, politicians, industry and the States of Jersey alike.

Effective and timely communications was at the heart of our activities for 2016.

In early 2017 we drafted the advert and revisited the job description and person specification for the Chairman role in preparation for recruiting a new Chairperson and began the discussion with the Appointments Commission for the recruitment journey which concluded in early 2018 with the Appointment of Mr C Walker as the new Chair, appointed for a 3-year term of office.

## Consumer Information, Advice and Education

The Council achieved this in 2017 via:

- 4 Newsletters, distributed to 40,000 homes
- Social Media – Facebook and Twitter
- E-marketing – providing timely information and updates, channelling consumers to the website
- Responding to media requests – TV, Radio and written publications
- Running a program of education initiatives with other partners
- Provide a range of complimentary lunch time talks

### Communication & Helping Consumers to Make #Informed #Decisions

The **Council** continues to work hard on reaching and engaging Jersey consumers; we published 4 newsletters in 2017. The newsletters cover a broad range of topics and help to raise awareness of local topical issues. Importantly we continue to foster consumer engagement and contacts from the publication of our newsletter to help ensure that we can ably represent the voices of Jersey's consumers.

We have sought to be brand strong but evolving to maximise the impact of our publications.

Our social media channels on twitter, Facebook and LinkedIn are blossoming, the Officer has benefited from a short and bespoke training morning to enable better messaging, imagery, videos and more; allowing us to spread messages and invite debate.



## Caring Cooks



### Local charity launches 'Healthy Eating Week' and encourages islanders to eat well and eat together

The first ever *Caring Cooks of Jersey Healthy Eating Week* takes place from Monday 12th June through to Saturday 17th June. The local charity which aims to make nutritious and tasty food part of daily life is encouraging us all to think about how we can eat well and eat together, even when short on time and on a tight budget.

There are plenty of inexpensive, nutritious and delicious foods available all of which can be used to prepare healthy meals from scratch in a much shorter time than you might think.

Of course budget planning, shopping and cooking food from scratch can seem a little daunting, many people may never have learned to cook, or perhaps have lost their confidence in

the kitchen. If that sounds familiar then why not join one of the Community Cooking Courses offered by Caring Cooks of Jersey? These courses are a great way to get into the kitchen, to learn new skills in a friendly and supportive environment and to help change the way you and your family eat. The courses run over a five week period on either a Monday and Wednesday evening at Le Rocquier School, St Clement. All the ingredients are provided and each week you get to take home a tasty two course meal.

Here are just a few top tips from Caring Cooks of Jersey on how to be cost conscious but enjoy healthy, delicious and nutritious food.

Plan your meals. Plan your weekly meals by writing a shopping list will help you avoid making the impulse buys. Look for lower cost items, be aware of special offers but don't be tempted to buy something that may actually go to waste. Supermarket economy ranges can be great value and nutritional, and often little difference to the standard or branded versions.

1. Look for special offers on long shelf-life products. Stocking up on store cupboard staples such as dried pasta and rice, tinned or dried beans and pulses and tinned tomatoes can save money.

continued on p.2

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June 2017 / Issue 83

[www.jerseyconsumercouncil.org/jc](http://www.jerseyconsumercouncil.org/jc)



## Employing Tradesmen

### Top Tips for employing builders or tradesmen...

Having building, general maintenance or home improvement work done can be difficult and stressful. It is important that you develop a positive and honest relationship with those undertaking work for you; the tips listed below will help you achieve that. Do not be afraid to ask lots of questions, do your research and know exactly what work has been agreed to be done and for what price.

It is recommended that you check to see if your building work requires planning permission, also check if your work needs to meet building regulations and consider whether you need to use a surveyor, architect or quantity surveyor. Visit the Planning and Building section on [www.gov.je](http://www.gov.je), which gives information and guidance regarding property development.

continued on p.2

### HOT TOPICS

- Call for evidence: Have you recently used a letting agent?
- What is a Direct Debit?
- Charities & bequest issues
- Mis-selling financial products
- Funeral cost comparison
- FREE Lunch Talks
- Have your say, join us on facebook and twitter ...

March 2017 / Issue 82

[www.jerseyconsumercouncil.org/jc](http://www.jerseyconsumercouncil.org/jc)



## Take time to think and plan when cooking on a limited budget

Eating on a budget, finding time and having the confidence to prepare meals from scratch, are why sometimes many find it difficult. With a bit of planning, using leftovers and just giving it a go, it does get easier.

A good place to start is a weekly menu plan and a budget, which will help you get into the habit of knowing what your weekly shop will cost. Allocate one or two days for a pasta dish, they are cheap, quick with many variations, such as meatballs and spaghetti, ham and pea or simply fresh tomato sauce, all of which should cost under £5.

Sunday is a great day for a roast as you will have more time, plus you can use the leftovers for a dish or two during the week. Why not buy a bigger chicken and strip the carcass down to create a chicken and leek pie on Monday, or a chicken curry with some simple flat-breads another day?

Once you become confident with creating really simple dishes, you'll find yourself building several weekly meal planners which you can just use time and time again. Because after all, we need these things to be simple.

*Caring Cooks* have a range of cost effective recipes allowing you to try your planning, shopping and cooking skills. *Caring Cooks* are treating us all to a **Cookery demonstration 27th September Coop Grande Marche St. Helier 12:30 - 13:30 pm.**

**Let's get started...**

1. Work out your weekly grocery budget (planners available by post or on line).
2. Plan out a weekly menu (recipes available by post or on line).
3. Write out your shopping list, including weight of ingredients.

4. Be disciplined when you shop and stick to your budget. Where possible 'Shop the Offers'. Get familiar with your supermarket's offer cycles.

5. Allow planning and preparation to be a priority. This gives you time to batch-cook and freeze where appropriate. There is no need to feel guilty about time spent planning and cooking.
6. Enjoy your cooking and keep budgeting and planning.

If you would like to learn new skills and confidence in the kitchen, and are over 16, please get in touch with Caring Cooks to find out more.

Recipes which share ingredients and are simple to make can be found here on *Caring Cooks* website:

[www.caringcooks.org/jersey.com](http://www.caringcooks.org/jersey.com)

Join us on [Twitter](#) [Facebook](#)

September 2017 / Issue 84

[www.jerseyconsumercouncil.org/jc](http://www.jerseyconsumercouncil.org/jc)

DECEMBER 2017

ISSUE 85



## CONSUMER ACTION IS A POWERFUL FORCE

IT'S TIME TO RECOGNISE THAT THE JERSEY CONSUMER IS A POWERFUL FORCE THAT IS COMING TO THE FORE. HAVE YOU JOINED THIS WAVE OF CHANGE?

Interestingly the vast majority of online consumers are more than happy to vote with a click of their finger. If dissatisfied, it would seem that Jersey consumers are now prepared to vote with their feet when in retail shops and gaining a similar experience on price or service. By flexing your demands and voting with your feet (not just your finger), you too can impact the future strategies of a local business. Remember that if you're not completely satisfied, you can always find other retail outlets to procure your products or services.

**WHERE TO START** - We have created a simple booklet to support you in your purchasing routine:

1. RESEARCH  
Many of you will have a vague idea of the likely costs of an item/service, if not, research so you're prepared. You may have questions you'd like to ask about a specific product.
2. PRICE CHECK  
If time allows, visit several retail shops to experience the customer service quality and pricing strategy, and/or
3. CUSTOMER SERVICE  
Were you acknowledged by staff and well help offered?
4. COMMUNICATE  
Those working in customer service are typically only too willing to help. If you

believe that an item/service is positioned above market value ask why. There will be an explanation to balance your opinion. At certain times of the year there may be sales / promotional offers / added-value offerings, ask when this might be.

Keep the Jersey Consumer Council informed. We're marking now until 31st January, 'The Consumer - Your Voice' campaign. Share your experiences with us, your successes in discussing prices, service, changing minds, policies and practices.

We look forward to learning more about your experiences and sharing more successes on:

[www.jerseyconsumercouncil.org/jc](http://www.jerseyconsumercouncil.org/jc)



Join us on...



The **Council** plays an active role in the **Jersey Fraud Prevention Forum** which was created to keep islanders safe as fraud/SCAMs are for ever on the increase and are more insidious and nasty every time. In early 2017 we initiated work with the Jersey Financial Services Commission and the States of Jersey Police to help to recalibrate the Jersey Fraud Prevention Forum, to focus efforts and to ensure that we maximize our support to islanders.



#### What is the Jersey Fraud Prevention Forum?

The Jersey Fraud Prevention Forum will seek to develop a coordinated and strategic approach to the protection of the Island's general public from investment frauds and scams between the agencies concerned.

#### Who is part of the Forum?

The agencies that form the Jersey Fraud Prevention Forum are as follows:

- |   |  |
|---|--|
|  | State of Jersey Police and Joint Financial Crimes Unit<br><a href="#">View Website</a> |
|  | Jersey Financial Services Commission<br><a href="#">View Website</a>                   |
|  | Jersey Consumer Council<br><a href="#">View Website</a>                                |
|  | Jersey Post<br><a href="#">View Website</a>  |
|  | States of Jersey Trading Standards<br><a href="#">View Website</a>                     |

## Media

The Chairman and Executive Officer regularly give interviews to BBC Radio Jersey & Spotlight TV, Channel Television, the Jersey Evening Post & Commercial Radio station 103 on a variety of consumer issues generated from within or from outside of the Island.

- Alive after 5
- Condor
- Newsletter
- Launches

- Jersey Gas
- Jersey Telecoms
- Funeral Charges
- Transport & Travel Disruption
- AirBNB
- Construction Regulations
- EU Roaming
- SCAMS
- Mobile telephone roaming charges
- Greenhouse gases
- Merits of a living wage
- The new Healthy Eating strategy
- Advertising standards
- Budget, plan, shop & cook
- Lunchtime talks
- Christmas Shopping
- Online safety
- VAT pricing
- Customer service
- Retail Tax
- Chairperson recruitment
- Newsletter
- Advent and the Consumer
- Returns Policies
- Parcels

We continue to our Price Watch web platforms to help islanders make **#Informed #Decisions**.

### TelCoWatch



**TelCoWatch**; the site allows consumers to compare prices and packages from our local suppliers.

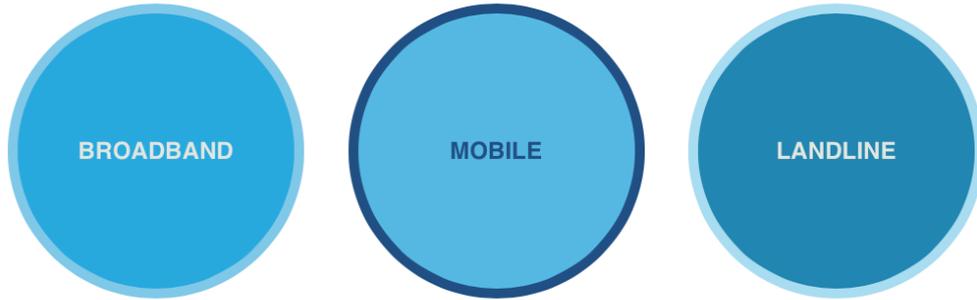
<http://jerseytelcowatch.com>



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A Jersey Consumer Council website

Start comparing Jersey TelCo prices by clicking on one of the buttons below

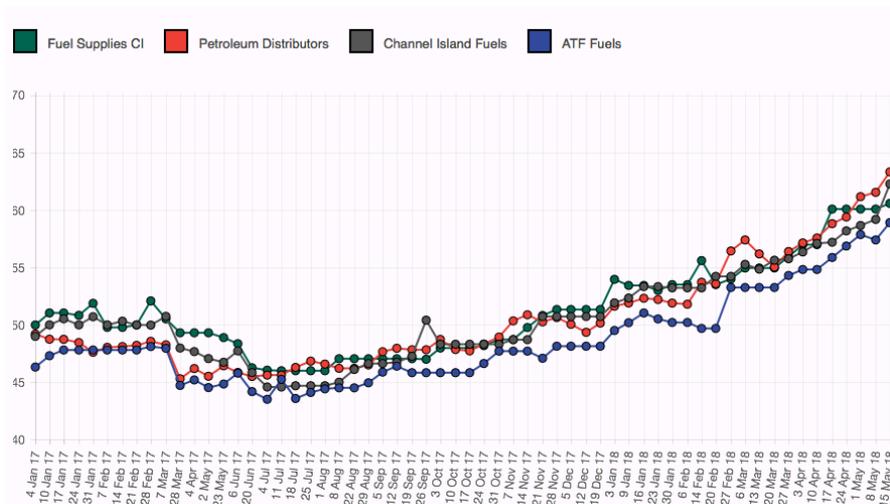


### Fuel Watch Jersey

Fuel Watch’s role is important in keeping islanders informed of current oil, petrol and diesel prices.



Keeping an eye on the costs of fuel in Jersey.



The graphs have helped consumers to track the trends in prices. The site is very popular providing greater transparency in the market place for consumers.

<http://www.jerseyfuelwatch.com>

In 2017, we researched and published a **'Funeral Costs' Comparison paper** – which generated a huge amount of interest.

Graham Jones Director, SunLife concludes the recent Sunlife Cost of death 2016 report by saying 'However, despite the fact that there is clearly a very real issue with the cost of dying, as a society we are still not comfortable talking about death or our funeral wishes.

This apathy around funerals means that many families are left with unexpected costs when a loved one dies and hasn't made any financial provision. And the lack of conversation around death and dying also means that many of us are left to make decisions about a loved one's funeral without knowing what that person would have wanted. As a society, we need to stop treating death as a taboo subject; talking about death won't make it happen, but what it will do is ensure we are more prepared for it, both financially and emotionally.'<sup>1</sup>

It was evident from consumer contacts that families were all too often surprised by the final invoices in relation to the full funeral costs. Have published our first 'Funeral Matters' booklet we challenged ourselves with digging deeper into the costs.

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<sup>1</sup> <https://www.sunlife.co.uk/press-office/funeral-costs-soar-by-10-times-the-increase-in-the-cost-of-living-in-a-year---forcing-families-to-cut-corners-on-their-loved-ones--send-off/>

Subsequently we worked with the Funeral Directors, Jersey Hospice, the Mortuary and the Tell-Us-Once team to update and reprint the Funeral Matters Booklet. The updated version also covered what to do after your loved one dies – the administration and tasks faced by families. The Funeral Directors funded the printing of the booklets.

## Price Comparison Jersey February 2017

(for a Cremation, with a family having 1 limousine. Followed by arranging the burial of ashes at a later date)

Service Provided	DeGruchy's Funeral Care	Maillards	Pitcher & Le Quesne	Guernsey	Hertfordshire
Professional Fees	£900	£900	£1,233	£900	£1325*
Care of the Deceased (bringing into care and hygienic treatment)	£410	£550	£760	£410	Included in above *
Embalming	£110 (only if requested)	£162 (only if requested)	£140 (only if requested)	£110 (only if requested)	£98 (only if requested)
Funeral Director Fee above professional fees	No charge	No charge	£593	No charge	No charge
Provision of Hearse, Driver & Bearers	£600	£540	£685	£600	£375
Bringing the deceased into care out of hours	No charge	No charge	£262	No charge	£185
Provision of Limousine (x1)	£180	£175	£195	£180	£195
Attendance of Funeral Director at Burial of Ashes	£75	£91	£135	£75	£90
Cheapest coffin (Wood effect)	£450	£594	£580	£450	£445
Hardwood Ashes Urn	£120	£120	£115	£120	£98
<b>Funeral Directors Costs'</b>	<b>£2,735</b>	<b>£2,970</b>	<b>£4,558</b>	<b>£2,735</b>	<b>£2,713</b>

*The above table compare the Funeral directors costs and do not include the third party 'disbursements' such as the cost of cremation, ashes, ministers charges, flowers etc. Local funeral directors also offer a no frills limited 'Simple Funeral/Cremation' averaging £1,964 plus any relevant third party/disbursement costs.*

### Program of Education Initiatives

We recognise the value in educating today's and tomorrow's consumers. Companies spend billions of pounds a year on marketing and advertising goods and services and training staff to sell, yet we don't get any buyers' training. We begin to reveal that there is a consumer rule book which protects us and helps us to make #Informed #Decisions.

Through an education initiative, the Council, in collaboration with other partners, provided practical advice and guidance for our teenagers on financial and consumer rights aspects of the Personal Social and Health Education (PSHE) curriculum for children of secondary school age.

### The Council:

- Co-ordinated and provided targeted consumer education sessions to young consumers in full time education
- Collaborated with Education, Jersey Financial Services Commission, Community Savings and Trading Standards in delivering appropriate content
- Provided a range of subjects in schools to engage these young consumers, to include money management, consumer rights, financial lending and scams

In 2017 we spoke to groups of Le Rocquier, Victoria College, Grainville, Jersey College for Girls and Hautlieu students spanning a range of age groups. Since 2013, we have continued to foster positive working relationships with the schools.

All of the sessions given by the **Council** are interactive and generate interesting discussions. The Consumer **Council** discussed how to be a savvy consumer with over 1,200 Jersey secondary school students in 2017.

We were a mentor/judge for Les Quennevais' year 10 Business Enterprise Challenge other judges were Jersey Business, Trading Standards and JFSC.

## Complimentary Lunchtime Talks

To help consumers make informed decisions and to foster greater transparency in a wide range of topics we continued to call upon local businesses, organisations and bodies to work with us to offer complimentary lunchtime talks, accessible to the community.

### The Council:

- Engaged with partners who delivered sessions to the community
- Ensured a range of topics
- Ensured that the sessions are promoted and accessible to the community

Topics highlighted in 2017 included:

- Wills & Probate
- Financial Provisions for Retirement
- Financial Advice – what does good look like?
- Ombudsman – one year on
- Dementia & Long Term Care
- Wills & Bequest Issues
- All about Jersey Gas
- Save Water- Save Money
- Staying Safe on Line
- Mobile Health Check
- Curatorships & the Capacity & Self Determination Law
- Long Term Care & Property Matters
- Children’s Half Term Tasting Session with Caring Cooks
- How to make the best use of the time with your Lawyer
- The Do’s and Don’ts’s of Pension Transfers, Particularly ‘Final Salary’ Pension Transfer
- How do Debt Remission Orders work?
- Applying for a Mortgage – How to Prepare Yourself

- Information Security and New Data Protection Laws

### #Lunchtime Talk Testimonials

*Wide-ranging, Authoritative & proving  
it pays to be in the know" -  
Jacky*

*"Very interesting and thought-provoking  
briefing delivered in 40 minutes"  
- Jan*

*"Informal, interactive and always  
interesting"  
- Peter*

### Primary Health

The **Council** continues to be involved with Primary Health issues and liaises with both the Primary Health Care Body and Health & Social Services. We are part of a Sustainable Primary Care Implementation Group working with Economic Consulting and Financial Advisory representatives from Deloitte to consider both the States funding and patient payment mechanisms for primary care services.



## Price Perceptions Survey

In a bid to get a fair deal for Island consumers in 2016 the **Council** took up a challenge to look into the transparency of our **high street retailers' pricing mechanisms**.

We decided to ask local consumers to tell us what they think via an online survey. The results highlighted that;

- Lack of clarity with retail pricing
- Perception of retailer greed
- Consumers are price sensitive but purchasing experience is also important
- Consumers are very motivated to buy elsewhere, if they think they are not being valued or pricing perceived as unfair

We have continued to work with the Jersey Retail Group to highlight the frustrations faced by consumers. This is an area that continues to be a key focus for the Council.

## Condor Consumer Group

Following Senator Farnham's call in 2016 for a new Condor user group to be set up to allow 'users the opportunity to give feedback to Condor at a senior level' we have continued to chair the meetings.

The discussions have been frank and shared directly with Condor the impacts of delays etc. on passengers. We have worked through a lengthy list of niggles, frustrations, suggestions and positive issues.

## Codes of Practice, Best Practice and Self-Regulation

The Consumer Council has consulted on and will proceed with launching a new and significantly updated 'Code of Practice for Consumer Lending'. We have worked with Trading Standards and Citizens Advice to draft the new code and liaised with the Guernsey Financial Services Commission and the Jersey Bankers Association in order to raise standards of good lending practice. The Code was originally published in 2007 is an invaluable guide to both 'unregulated' lenders and consumers.

Discussion with a working group, comprising industry experts, regulators, government and consumer bodies in 2017 afforded the Code a new journey as the Lead Policy Adviser: Funds, managed accounts & asset management from the Chief Minister's Department has agreed to coordinate a full consultation and work programme in relation to the future of the code. It is anticipated that the area of consumer credit will be regulated dependant on consultation feedback.

In early 2017 we were invited to become chair of the **Energy Forum**. The Jersey Energy Forum is a body of volunteer representatives from the energy industry, businesses and the third sector. The purpose of the Energy Forum is to act as an ambassador for Pathway 2050, to liaise with the Energy Executive and support the initiatives by providing clarity, transparency and openness in relation to sharing information and to address strategic issues which are beyond the scope of an individual project area.<sup>2</sup>

Evaluating the invitation for the JCC to **Chair the Energy Forum** as part of the Pathway 2050 Energy Plan – we accepted the nomination as this reflects our 2017 Business Plan objectives

As the Chair of the Energy Forum we undertook to look at the issues of; Micro

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<https://www.gov.je/SiteCollectionDocuments/Environment%20and%20greener%20living/ID%20Energy%20Partnership%20Terms%20of%20Reference%202014%2020140924%20JB.pdf>

Renewables and energy and Brexit. With a significant 2017 focus of **energy affordability** as per Pathway 2050: An Energy Plan for JerseyAction Action Statement 26: Understanding affordable energy.

## Consumer Advocacy

The Council has further developed our advocacy role. Consumer advocacy refers to actions taken by the Council to promote and protect the interests of the buying public. Historically, consumer advocates have assumed a somewhat adversarial role in exposing unfair business practices that threaten the welfare of the general public. Consumer advocates use tactics like publicity to raise awareness of issues affecting consumers to counteract the harm.

The Council has taken a more proactive approach in investigating and publicising anomalies in consumer affairs to provide Islanders with accurate and timely information to help them make informed decisions.

In 2017 we submitted consultation papers to ensure that the consumer voice is represented;

- Consultation Paper No. 1 2017 Financial Services (Jersey) Law 1998: Investment Business Fees
- CICRA Draft Telecoms Regulatory Strategy
- Jersey's Cyber Security Strategy Consultation
- Consultation Paper No. 6 2017 Amendments to Codes of Practice
- Living Longer – Thinking Ahead (Social Security)

We represented the Consumer in the Jersey Financial Services Commission Investment Business Working Group.

The 2014 / 15 Household Spending Survey<sup>3</sup> clearly identifies the key spend areas for Islanders.

- Households spent on average £80 on food each week
- £16 per week was spent on petrol, diesel and other motor fuels and almost £4 per week on parking
- Households spent an average of £25 per week on Health of which more than a third (£9 per week) was spent on dentists and nearly a quarter (£6 per week) on doctors' fees

**Food costs** continue to be an emotive issue for consumers, particularly those on lower income<sup>4</sup> as the number of people turning to food banks has increased by 25% between 2011 and 2014 and that 'the high costs of doctor visits are deterring many people on low income from seeking appropriate and timely medical treatment'.

In 2017, we sought to Look at an initiative to help consumers manage our high food costs. We planned to work with local food retailers to promote a rotating 3 weekly '**staples shopping basket**' to highlight to the consumer that 'value' items will be adequate to deliver a variety of simple family meals but at the very best price.

It was hoped that we can offer the 'JCC Food Staples' for 1, 2 & 4 people households combined with recipe cards and ideas and wherever possible supports local food producers. The collaborative work began on a Staples idea working with the supermarkets and Caring Cooks. It was a first to have the representatives from the Coop, Waitrose and Tesco-Alliance in a room together. The initiative was not supported by the supermarkets for several reasons; they felt that they already did enough to cover their social responsibilities, it would not fit with the corporate plan and it was unsustainable from the business view point. Thus, we turned attentions to highlighting cooking, shopping and budgeting skills working with Caring Cooks to help

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<sup>3</sup> <http://www.gov.je/Government/Pages/StatesReports.aspx?ReportID=2084>

<sup>4</sup> <http://www.statesassembly.gov.je/ScrutinyReports/2016/Report%20-%20Living%20on%20Low%20Income%20-%202016%20September%202016.pdf>

fulfill our business plan objective. We held cookery demonstrations, recipe publications and a children's 'Bush Tucker Trial'. We are mindful that there is a wealth of work to be undertaken in the field of food costs; we will continue in 2018 with a fresh approach.

We work hard to engage with consumers across all sectors in the island; reaching out to church groups, cultural groups, age specific groups and the working population. Throughout 2017 we helped to develop the positive and productive **Consumer Protection Network**

We were vocal in the planned introduction of **JT Billing charges** – we fielded calls and fed back the effect the charges were due to have on elderly and vulnerable customers; with a positive outcome and better provisions for earlier dialogue in the future changes planned from JT

The Council have continued working with the **Sustainable Primary Health Care** team to ensure that when there are negotiations over price controls in a specific sectors, such as health, Council are in the room with both an independent mandate to stand up for consumers and the technical understanding required.

As a single, consolidated consumer champion, we can do work that spans the practical and the technical. At one end of the spectrum, the Council created and set up P.O. Box 500 with Jersey Post to assist the community and vulnerable with scam mail. At the other end, in cross-cutting work, the Council are exploring how to improve time-poor consumers decision making, by revising the Code of Practice for Consumer Lending, and worked with Caring Cooks to raise the profile of budgeting, shopping skills and basic cookery techniques to help people eat well and budget for affordable meals.

Representing the Consumer in the ongoing **Access to Justice** debate as it progressed. Here is a copy of our response to the consultation regarding the

## **‘Review of Legal Aid Scheme.’**

The draft Access to Justice (Jersey) Law will, for the first time, establish a statutory basis for the Island’s Legal Aid Scheme. The move will bring Jersey’s legal Aid system in line with other parts of the British Isles where it is established in legislation.

In May 2014, respondents to a call for evidence on improving access to justice in Jersey suggested that it should be the responsibility of the government to administer the system and provide a modern Legal Aid scheme for the Island. The Law Society undertook a public consultation regarding a revised Legal Aid scheme during May and June 2017, which was conducted with the help of the **Jersey Consumer Council** and Citizen’s Advice Jersey.

The Consumer Council benefited from participating in the Legal Aid debate as an active member of the Expert Group, reviewing Access to Justice. We welcome the time and energy afforded by everyone on the review of Legal Aid as it is critical to the smooth operation of Jersey’s justice system, ensuring that those who truly cannot afford the cost of legal advice and representation are not deprived of access to justice.

Through the lengthy discussions we note that the Law Society significantly amended its original proposals submitted late 2016. However, the Council is still concerned that without adequate funding from the States the scheme will be unable to fully achieve the objective of allowing all members of society to have access to justice where they are unable to afford legal representation other than through legal aid.

In an ideal world, legal aid would be fully funded by the States as it is in Guernsey. However, given the current system in Jersey and the discussions of the expert group the Council feels that it is essential that there is a good partnership

between the States and the Law Society in order to ensure the smooth working of the legal aid scheme.

### **Criminal Law**

The Council support the proposals for funding of this area of law. From the discussions that have taken place it is clear that the funding levels suggested will ensure that criminal cases continue to be dealt with under a legally aided scheme. The Council also accepts the minor changes that are proposed to eligibility for the type of case covered by legal aid. However, it is essential that the proposed criminal rota operates in such a way that people given a legal aid certificate have a choice of lawyer and are not merely allocated one from the rota. If States money is being paid for criminal work, it is essential that those accused of a criminal offence can choose their lawyer from the panel.

### **Family/Civil Claims and Proceedings**

This is an area where the Council believes that the States should be looking at additional States funding. All the time the whole burden of paying for this area of law falls on the legal profession alone, the consumer will continue to potentially not have a choice of lawyer, will run the risk of being allocated a lawyer who is not a specialist and may well be treated as a second-class citizen by lawyers forced to take on this work.

However, given that it appears that there is no appetite on the part of the States to fund this work, the Council supports the proposals as representing the right balance between the user of legal aid and the legal profession.

### **Financial Eligibility and Personal Contributions**

We are pleased that the financial eligibility criteria are clear but would welcome continued transparency and clarity for all those accessing the scheme to ensure that they understand at all stages the process, costs and payment options.

From information given to the expert panel by the Law Society it appears that there are firms in the Island who will be willing to offer legal services at less than their normal charge-out rates and also to consider both free sessions and more closer working with Jersey Citizens Advice. It is recognised that there will be those who will fall outside legal aid under the new proposals who were eligible for legal aid previously but on balance it is accepted by the Council that the current system is unsustainable.

### **Legal Aid Office**

The introduction of an independent one-stop-shop affording islanders greater clarity and signposting is welcome by the Council.

### **Choice of Lawyer**

The Council have stated throughout the Access to Justice and Legal Aid review that we believe that applicants should have the best-fit lawyer for their personal issue as opposed to the next available lawyer on the Tour de Role, for example a commercial lawyer having to represent a family case.

Finally, the Council would add the following extracts from the public hearing:-

*'We certainly have not ended up with a perfect system but I think in terms of checks and balances and the partnership approach there is a scheme that is probably as good as we are likely to get.'*

*'I think again from a consumer point of view there probably is a little bit of concern in terms of people who now fall outside legal aid but I think it will be up to the profession to make sure that it fills the gap...'*

In conclusion, the Council believes that the proposed scheme, short of a properly publically funded scheme for both criminal and family/civil work represents a way forward.

The legislation to due for debate in the States sitting week commencing the 25<sup>th</sup> June 2018. It is hoped that the Assembly will see fit to ratify the proposals to provide a legislative framework around the legal aid system and other improvements.<sup>5</sup> “Having a Legal Aid scheme that sits squarely within a legislative framework is a positive step towards securing access to justice for Islanders, both now and in the future. On that basis, I trust that the States Assembly will see fit to adopt this draft law.” CEO of the Citizens Advice Jersey, Malcolm Ferey

## Financial Report

The **Council's** expenses in 2017 were met by a grant of £95,000 from the Economic Development, Tourism, Sport and Culture Department.

Grant Thornton has audited the financial matters of the **Council** and the audited accounts have been submitted to EDTSC.

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<sup>5</sup> <https://www.gov.je/news/2018/pages/legalaidproposal.aspx>

Making the Jersey consumer voice heard and making it count