

# **STATES OF JERSEY**



## **JERSEY COMMUNITY RELATIONS TRUST: APPOINTMENT OF TRUSTEE**

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**Lodged au Greffe on 19th March 2009  
by the Minister for Home Affairs**

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**STATES GREFFE**

## **PROPOSITION**

**THE STATES are asked to decide whether they are of opinion –**

to agree to appoint by secret ballot one of the following members to be a trustee of the Jersey Community Relations Trust for a period of 3 years –

- (a) Senator S.C. Ferguson;
- (b) Deputy S.S.P.A. Power of St. Brelade;
- (c) the Deputy of St. Mary,

and to agree that the procedure for the ballot should mirror that used for the appointment of Ministers, namely that successive ballots should be held if necessary until one nominee obtains more than half of the votes cast.

**MINISTER FOR HOME AFFAIRS**

## **REPORT**

### **Introduction**

The Jersey Community Relations Trust (JCRT) Constitution, in paragraph 2, establishes the aim of the organisation –

“To seek to eliminate discrimination on any ground including, but not limited to, grounds of colour, race, nationality or ethnic or national origins, gender or sexual orientation, disability or age, by promoting good relations between all members of society, and seeking to achieve equality of treatment and opportunity within our community”.

Paragraph 3 of the Constitution sets out the objectives of the Trust, as follows –

- (a) To encourage mutual respect among all people in the Island.
- (b) To promote equality of treatment and opportunity.
- (c) To encourage and facilitate partnerships which enhance social harmony.
- (d) To identify areas where discrimination arises, while promoting and encouraging existing and future initiatives to tackle it.
- (e) To promote education in the community about the aim of the Trust.
- (f) To promote recognition and acceptance of cultural diversity.
- (g) To promote training in furtherance of the aim of the Trust and the development thereof.
- (h) To provide information and advice and facilitate initiatives concerning discrimination.
- (i) To sponsor and support research in furtherance of the aim of the Trust.
- (j) To take measures to counter discriminatory behaviour, attitudes, and policies.
- (k) To monitor these objectives.

### **States appointment of a Trustee**

The Trust Constitution (paragraph 5.1) requires that –

“The States shall appoint one Trustee, being a member of the States of Jersey who is committed to the objectives of the Jersey Community Relations Trust as set out in paragraph 3 of the Constitution.”

The Minister for Home Affairs has invited all Members of the States to consider, with due regard to the commitment required to the objectives of the Trust, if they would wish to be appointed by the States as a Trustee, and 3 nominations have been received–

Senator S.C. Ferguson;  
Deputy S.S.P.A. Power of St. Brelade;  
the Deputy of St. Mary.

Each nominee has been asked to submit a written statement (500 words maximum) to support their application, setting out their reasons for wishing to be appointed and why they support the aims of the Trust. These statements are attached in the Appendix.

The Members of the States are requested to appoint a Trustee by ballot.

**Financial and manpower implications**

There are no additional financial or manpower implications for the States arising from this Proposition.

**Deputy Sean Power**

Discrimination is almost always directed towards or against a person or a group. It can be based on class, age, race, politics, disability, language, employment and gender. It is usually associated with prejudice. It can be behaviour promoting a certain group (e.g. affirmative action), or it can be negative behaviour directed against a certain group (e.g. redlining). Discrimination can be found here in Jersey.

I believe that I will bring the same energy, enthusiasm and ability to work that I am known for to the JCRT. I am always conscientious about my public responsibilities and I believe that I have shown this with my Parish work, and that I have one of the best attendance, punctuality and voting records in the Assembly. Indeed, I receive calls and letters from all over the Island.

While I was born in Ireland, I have lived in Jersey since 1982. I have personally experienced the difficulties of poor accommodation, lodging houses and unregistered accommodation.

Now, having come full circle, I think my current role at the Housing Department puts me in a position to deal with many issues from within. I will shortly be taking my old Scrutiny Panel and some other States Members on a visit to lodging houses that will reflect the good and the not so good. In the next few months, I will be bringing to the States a new Tenancy Law, and shortly after that an amendment to that Law to bring lodging house accommodation closer to what must be qualified standards.

I have served on Scrutiny Panels and I was involved in important reviews such as the Design of Homes Review (specifically minimum room sizes) and the Overdale Review that related to care of the elderly. I was a Member of the Health, Social Security and Housing Scrutiny Panel with Senator Breckon and Deputies Le Hérisssier and Martin. I was Chairman of that Scrutiny Panel's Housing Sub-Panel.

I was involved in a review of Long-Term Care of the Elderly and this was published early last December just after the elections.

I was part of the Official Committee of Enquiry into the operation of Third Party Appeals in the Royal Court and this extensive piece of work was published a few weeks ago.

There are issues in Jersey to do with discrimination. These need to be dealt with in a positive and progressive way. I believe I have a role to play in this area.

I recognise the cultural diversity that Jersey has embraced, and I want to play a part in reinforcing the respect and tolerance that is needed to be improved.

My own background is privileged as I came from a tight-knit working class Irish family. My parents gave me skills. I have some of that great Irish trait and that is the ability to communicate. I have used those skills in how to participate in Island life.

I believe I have some of the skills needed to serve the Jersey Community Relations Trust.

## **Senator Sarah Ferguson**

The Community Relations Trust is particularly concerned with a number of matters. Top of their list are bullying and sexual harassment, race discrimination, sex discrimination, age discrimination, disability discrimination and housing discrimination. However, the issues which appear to be of most concern are bullying – of which sexual harassment is a sub-set – age discrimination, disability discrimination and housing discrimination. It would appear, therefore, that some prioritisation has already taken place.

The Chairman, Dr. Moran, tells me that previously the JCRT was mainly making donations to other charities. I would agree with her that it is not for the JCRT merely to make donations. In those circumstances it is difficult to assess the results of the work done and to be sure that the desired effects are being achieved. On the other hand the JCRT should not be merely an agency for pursuing changes to the legislation in order to achieve the desired result – in theory. This is the top down approach which allows for political correctness but often has a counter-productive result. Relying on legislation alone merely imposes political correctness and encourages the covert continuation of unfairness. Legislation can provide a framework but the community at large must play their part.

It is also essential to ensure that legislation intended to address perceived social injustice does not have a detrimental effect when balanced with anti-discrimination legislation. There needs to be some lateral thinking when considering the collateral effects of new laws.

Some of the problems causing perceived discrimination have arisen because Jersey is a small island with limited space and resources. Solutions possible in large countries are not always possible here, except by sacrificing those factors which make Jersey special.

The JCRT should work with the other agencies, but there should be checks in place to establish whether the proposed programmes are effective. Furthermore there should be an assessment of the particular area to provide evidence of any malpractices taking place and the scale of the problem. We may be horrified, we may be pleasantly surprised but where is the evidence?

The JCRT cannot rely on merely amending or sponsoring legislation. There may be areas where new legislation will address a problem, but in most instances there needs to be work done within the community to change attitudes. It requires a combination of communication, education and encouragement.

It is essential that there should be a variety of programmes set up to change attitudes in the community. There are a number of procedures available – mentoring and self-help networking groups are some of the techniques tried and tested elsewhere. None of these proposals are high cost and the rewards will far outstrip the minimal outlay required.

The Minister has suggested that the initial emphasis will centre on employment, and recommends that JACS should handle discrimination cases. Too many cases coming to JACS requires more work at the grass roots level.

Above all discrimination is a community problem – the community must be encouraged to help solve it.

## **Deputy Daniel Wimberley**

The Community Relations Trust is an organisation whose work has a bearing on the well-being of all Islanders. Its work is extremely important and it deserves a fully committed States representative who understands the issues.

The Community Relations Trust aims to build our Island-wide community, strengthen our communities, tackle discrimination and promote inclusion. These are all essential building-blocks of a successful society. It is not easy to build a pluralist society where people are genuinely happy and at ease. It is far easier to settle for a monoculture, but in today's world, that option is no longer available.

To break down prejudice and suspicion the best method is to create opportunities for positive contact. The Community Relations Trust can, for example, promote activities within a geographical community where there is a shared goal which serves to bring people together, or encourage voluntary and statutory organisations to be genuinely inclusive both in policy and in practice.

An example of "strengthening our communities" – the Community Relations Trust recently organised a concert at St. Thomas' Church which featured performers well-known to the Island's Portuguese community. A member of the audience commented afterwards how grateful they were that such an event had been arranged, and that it was the first time they had felt at home in Jersey.

The Community Relations Trust aims for a society where each individual is confident in his or her multiple identities, feels respected and valued, respects and values the identities of others, and where the Island as a whole has an identity with which all feel comfortable.

I was involved in the groundwork which led to the creation of the Community Relations Trust – from setting up the seminar to explore the extent of racism and discrimination on the Island in 1997, which led to the Racial Discrimination Forum in 1999 (if I remember correctly), and to the eventual setting up of the Trust, of which I was a founder member.

I passionately believe in the work of the Community Relations Trust, both for its intrinsic value, but also as essential to create the resilience our society will need in the times ahead. The future is uncertain, the costs of running our society on existing models perhaps impossible. Community-building is an essential part of any strategy to face the future with real confidence, and the Community Relations Trust is the only body in Jersey dedicated exclusively to this task.