

21.04.20

15 Deputy L.M.C. Doublet of the Chief Minister regarding passports showing someone has received Covid vaccination (OQ.94/2021):

Will the Chief Minister advise whether the Council of Ministers, the competent authorities Ministers or the Emergencies Council has discussed the introduction of a passport or certificate to show that someone has received the COVID vaccination; if so, what is the timetable for reaching a decision on this matter and will the introduction of any such scheme require the Assembly's approval?

Senator J.A.N. Le Fondré (The Chief Minister):

The introduction of vaccine passports or COVID certification status is a topical proposal, which has received a good deal of media attention, both locally and in the United Kingdom. So competent authorities Ministers have received a briefing paper on the range of potential applications and the associated policy and operational challenges. So, in short, it has been discussed, but I emphasise there has not been any decisions yet at all. So it will be coming back to competent authorities. We need to, given the time I am answering this type of question, emphasise that any such certification might be considered would be principally for the purposes of travel. If it was approved it would form part of the Safer Travel Policy. In essence, it is not unusual for other jurisdictions around the world, and obviously for example parts of Africa require people to have been inoculated against yellow fever, to require people to have been vaccinated against, for example, COVID. Therefore, if that is to evolve, if that does evolve, there will be some form of ability to give people the ability to demonstrate that they have been vaccinated. That needs to be done in a proper way that is less open to fraud. It is ultimately going to be a voluntary system. In other words, it is to facilitate people if they wish to travel.

3.15.1 Deputy L.M.C. Doublet:

I thank the Chief Minister for his answer. As he stated that this would apply to travel, can I clarify that businesses and services locally will not be able to discriminate against people based on their vaccinated status?

Senator J.A.N. Le Fondré:

I cannot really give that answer. It is something that I think raises what I will call the whole ethical dimension that we have talked about. So 2 examples, one is that it is my understanding that, for example, airline carriers, therefore businesses and technically a business landing in Jersey, whether it is operating in Jersey, may at some point start requiring a vaccination certificate for people to travel with them. What I am unclear at this stage is whether that would be, for example, for short-haul or just long-haul. Equally, I understand that there have been rulings in other jurisdictions that allow employers to require employees in certain circumstances to have been vaccinated. So this is an evolving area and fraught with whole ranges of ethical issues. From my perspective, I do not yet have the advice in terms of what would the position be if a business locally decided that they required all of their customers to demonstrate that they had been vaccinated through the production of a certificate. I do not know the position, if that is a commercial decision, or whether it infringes human rights for the sake of argument. That is something that we will be considering. In terms of where we are at this stage, it is purely around travel and it is around facilitating the ability for people to demonstrate that they have been vaccinated. That is from people being vaccinated in Jersey. Then the question becomes, as people are vaccinated, for example in the United Kingdom, if they are also producing a certificate, does that impact upon how they are treated in terms of the

testing regimes if they come into the Island? That is a discussion that will be coming to C.A.M. (Competent Authorities Ministers) later.

3.15.2 Deputy I. Gardiner:

I thank the Chief Minister for his answer. As he indicated that the vaccination passport certificates become an international standard for travel, how quickly can they be issued in Jersey taking in account that the U.K. opens for international travel in mid-May?

Senator J.A.N. Le Fondré:

That is why, as I said, this is an evolving position. I mean evolving internationally as well. So I do not think there is yet an agreed standard. I know there is talk of appropriate digital apps and that may give the relevant level of certainty to demonstrate that somebody has been vaccinated. So, in essence, I would have to come back to the Deputy on this. We are seeking to do this as soon as we can. But I am making the point in essence, from our perspective, it is a voluntary system.

3.15.3 Deputy I. Gardiner:

As we will be opening to the travel with the U.K., will we have different isolation testing rules for vaccinated and unvaccinated tourists arriving to the Island?

Senator J.A.N. Le Fondré:

At this stage, or from Monday of next week, depending on the outcome of the debate, which I understand we are likely to be having later this week, there is no change in the red-amber-green and the way people will be treated. One of the considerations, which is what we are looking at, is whether, if somebody comes from an area, which is not green, but can demonstrate they have been vaccinated, is whether they should only be subject to the day zero isolation requirements or whether they should be required to continue to isolate until day 5, if for example they were coming from an amber region. That is where we need the advice to understand. But the view generally, the view to date is that it is likely that there would be some mitigation on the isolation requirements coming through. I do not see that shifting away from the day zero, the requirement to isolate until the results of the day zero test are known. But I do caveat that. It is ultimately based on the professional advice we receive. As and when we get to that stage, we would be doing an update to States Members.

3.15.4 Deputy G.P. Southern:

What consideration, if any, has been given to the possibility of opening discussions with the U.K. Government in particular to agree a standard in this area? What consideration has been given to the possibility that each country will have different standards and make the whole thing really difficult to apply?

Senator J.A.N. Le Fondré:

I have just mislaid a note I had on this subject, but the short answer is that there is no point in having, for the sake of argument, a Jersey standard, a Guernsey standard, a French standard, a U.K. standard, *et cetera*, and they do not all talk to each other. Again, it is early days, but we are keeping an eye on what is happening internationally. As an example, on the COVID app that we have already, there are measures in place to ensure that it does talk to similar apps, for example, in the United Kingdom.

3.15.5 Deputy L.M.C. Doublet:

The Chief Minister mentioned ethical considerations and I would like reassurance that any measures to introduce vaccine passports will come to the States Assembly so that, as a Parliament, we can give this issue full consideration.

[12:15]

Senator J.A.N. Le Fondré:

If vaccine passports were to become mandatory, absolutely. If it is a voluntary scheme, basically I need to see what it looks like first. We are very obviously happy to give relevant Scrutiny members the briefing as and when any proposals are put forward. It is essentially, for the sake of argument, if the Assembly decided not to support a vaccination passport scheme, but if the prime air carriers required a vaccination passport scheme, that might put things into a somewhat difficult position for any Islander wishing to go and visit family members in the United Kingdom. That is why I pause in if it was a voluntary scheme effectively. But before we get to that stage, I need to know what the exact details are. As I said, these discussions are ongoing at this stage.