

2024.11.12

**3.15 Deputy L.M.C. Doublet of St. Saviour of the Minister for Justice and Home Affairs regarding updating the Draft Crime (Prejudice and Public Disorder) (Jersey) Law: (OQ.216/2024)**

Will the Minister provide an update on the progress, if any, on updating the Draft Crime (Prejudice and Public Disorder) (Jersey) Law, including any consultation and discussions with key stakeholders?

**Deputy M.R. Le Hegarat of St. Helier North (The Minister for Justice and Home Affairs):**

As the Deputy will know, the Crime (Prejudice and Public Order) (Jersey) Law, was divided into 2 sections, one dealing with public order components and the other with the issue of hate crime. The public order section was brought to the Assembly as the Draft Crime (Public Order) (Jersey) Law which has recently come into force. The hate crime elements of the law are being developed into a standalone law which will be brought to the Assembly in 2025. Some key questions for stakeholders will concern the scope of the intended protective characteristics and the terms of the intended offences. An effective consultation on those points require that a draft of the legislation be available for discussion. Therefore, I will be consulting on the details of the legislation in 2025.

**3.15.1 Deputy L.M.C. Doublet of St. Saviour:**

Could the Minister please give some further detail on the exact timings of 2025? Which quarter of that year would it be?

**Deputy M.R. Le Hegarat:**

At this stage I cannot give exactly which quarter it will be. There have been some delays in relation to unforeseen circumstances and the person dealing with this particular piece of legislation has another large piece of legislation which is coming to fruition, so I cannot be exact. I would like it to be expedited as quickly as possible, but I would not want to say that it would be in the first or second quarter and then find myself in a position where I could not deliver on that.

**3.15.2 Deputy I. Gardiner of St. Helier North:**

Can the Minister confirm if it will be lodged in 2025?

**Deputy M.R. Le Hegarat:**

That is an affirmative. I am confident that it can be done and lodged in 2025.

**3.15.3 Deputy H.M. Miles of St. Brelade:**

Can the Minister tell the Assembly whether misogyny is going to be included in this particular piece of legislation?

**Deputy M.R. Le Hegarat:**

In relation to the misogyny part of it, I have recently spoken to the conveyer of the Delegated Powers and the Law Reform Committee of the Scottish Parliament about the treatment of misogyny in Scotland. I will be speaking to that person again in relation to this issue. Whether it will be standalone or form part of the hate crime, I am having that discussion, and I will continue that discussion.

**3.15.4 Deputy H.M. Miles:**

Is the Minister prepared to give her view whether she thinks misogyny should or should not be included in the legislation?

**Deputy M.R. Le Hegarat:**

I think, moving forward, it should be considered as part of a legislation, whether that is separate or within the hate crime.

**3.15.5 Deputy L.M.C. Doublet:**

What other actions can the Minister take, or would the Minister consider taking, in the meantime? For example, would she consider asking the police to record crimes motivated by hatred of women in the same way that they record data on crimes motivated by hatred of other protected characteristics? Also, would she consider actions along the lines of the Labour Government in addressing incel culture that might be present, especially around social media use on the Island?

**Deputy M.R. Le Hegarat:**

The simple answer to that question is, yes, I am happy to speak to the States of Jersey Police to see what we can do in the interim time before this legislation is implemented.