

STATES OF JERSEY



LIFTING OF TRAVEL RESTRICTIONS: STATES ASSEMBLY APPROVAL (P.68/2020) – AMENDMENT

**Lodged au Greffe on 15th June 2020
by the Minister for Economic Development, Tourism, Sport and Culture**

STATES GREFFE

LIFTING OF TRAVEL RESTRICTIONS: STATES ASSEMBLY APPROVAL
(P.68/2020) – AMENDMENT

1 PAGE 2, PARAGRAPH (a) –

After the words “lifted without the” insert the words “Minister for Economic Development, Tourism, Sport and Culture presenting a”.

After the word “prior”, for the words “approval of” substitute the words “report on the lifting of restrictions to”.

2 PAGE 2, PARAGRAPH (b) –

After the words “be allowed to” for the words “travel to” substitute the word “enter”.

After the words “Jersey without” insert the words “either undertaking the border testing requirements and agreeing to comply with subsequent testing and self-isolation requirements, developed in accordance with medical advice in order to identify and contain cases of Covid-19, or self-isolating for 14 days”.

Delete the words “having first been tested for Covid-19 and providing proof thereof”.

3 PAGE 2, PARAGRAPH (c) –

After paragraph (b), insert the following new paragraph –

“(c) that the options for pre-travel testing should be explored with other relevant jurisdictions, in accordance with medical advice;”

and re-designate the remaining paragraphs accordingly.

4 PAGE 2, PARAGRAPH (d) –

After the words “Council of Ministers to” for the word “develop” substitute the words “publish and keep updated”.

After the word “a” delete the words “proposed policy for travel to and from Jersey (incorporating a detailed”.

After the words “plan of action for” delete the words “implementation and”.

After the word “monitoring” delete the word “of”.

After the word “the” for the word “policy)” substitute the words “trial COVID-19 Border Testing Programme and any subsequent passenger testing/screening measures”.

5 PAGE 2, PARAGRAPH (e) –

After the words “Council of Ministers to” for the words “distribute the proposed policy to” substitute the word “update”.

After the words “States Members at least” for the words “5 days” substitute the words “every week on the operation of the trial COVID-19 Border Testing Programme, and plans for the development and further roll-out of other passenger testing/screening measures as part of the Safe Exit Framework”.

Delete the words “before the debate on any proposition seeking the Assembly’s approval of lifting the current travel restrictions,”.

MINISTER FOR ECONOMIC DEVELOPMENT, TOURISM, SPORT AND CULTURE

Note: After this amendment, the proposition would read as follows –

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

- (a) that the current travel restrictions allowing only those who are undertaking necessary travel to and from Jersey should not be lifted without the Minister for Economic Development, Tourism, Sport and Culture presenting a prior report on the lifting of restrictions to the States Assembly;
- (b) that no-one should be allowed to enter Jersey without either undertaking the border testing requirements and agreeing to comply with subsequent testing and self-isolation requirements, developed in accordance with medical advice in order to identify and contain cases of Covid-19, or self-isolating for 14 days;
- (c) that the options for pre-travel testing should be explored with other relevant jurisdictions, in accordance with medical advice;
- (d) to request the Council of Ministers to publish and keep updated a plan of action for monitoring the trial COVID-19 Border Testing Programme and any subsequent passenger testing/screening measures to permit more, safe travel to and from Jersey; and
- (e) to request the Council of Ministers to update States Members at least every week on the operation of the trial COVID-19 Border Testing Programme, and plans for the development and further roll-out of other passenger testing/screening measures as part of the Safe Exit Framework.

REPORT

Introduction

Ministers appreciate the intention and objective behind Deputy J.M. Maçon of St. Saviour's proposition ([P.68/2020](#)) and are supportive of many of the Deputy's proposals. Ministers have endeavoured to keep States Members and the public as well-informed as possible at all stages of this public health crisis and welcome any proposals that can further enhance our efforts in this respect.

Ministers immediately sought to engage with Deputy Maçon upon the lodging of this proposition and have enjoyed open and productive discussions with the Deputy on the subjects of border testing and travel restrictions in the past week. These have led to the lodging of this Amendment which, Ministers understand, is acceptable to Deputy Maçon. Ministers welcome this outcome and are grateful to Deputy Maçon for the constructive manner in which he has engaged on this topic.

The amendment is required to take account of the significant work that is already taking place, in accordance with the Safe Exit Framework, to permit more, safe travel to and from Jersey and to ensure that any future measures can be implemented by the Government as required in accordance with medical advice. Importantly, the amendment maintains an enhanced role for the States Assembly in overseeing this work and ensures that States Members, and the public, will be provided with regular updates on the Government's travel and borders policy responding to Covid-19 and the operation of current and future testing programmes and screening measures at the border.

Background

As Deputy Maçon references in his report, the public health measures needed to respond to Covid-19 have drastically limited Jersey's transport connectivity. This has made a significant contribution to reducing imported seeding of infectious cases and has supported the Government's successful suppress, contain and shield strategy.

The Deputy is correct that travel to and from the UK requires major consideration. There is an ongoing need to continue to suppress and contain the virus in order to keep it at very low levels in the Island. There is a concurrent medical requirement to ensure that the Government's efforts to combat Covid-19 causes the least overall harms.

As Deputy Maçon correctly states, Islanders may currently only undertake essential travel on a limited number of scheduled "lifeline" Blue Island services to Southampton and Gatwick, and must have authorisation to travel from the Jersey Customs and Immigration Service in order to book travel. At present, there are no commercially-operated passenger air services to or from Jersey. There are no passenger ferry sailings at all. Members will acknowledge that this is not a sustainable long-term arrangement. The economic and social risks and damage, which are already being felt, will gradually become more severe the longer the current restrictions are in place.

By way of example, Members are aware that the tourism industry in Jersey (supporting the jobs of 4,800 Islanders) is at a standstill as it enters the peak summer season. The financial services sector, which has proved to be highly resilient throughout the crisis to date, will also begin to feel the effects of a prolonged loss of air connectivity should the

present circumstances continue. Much of Jersey's success, across all economic sectors, has been built on a broad range of air and sea routes to and from the Island, and our economy depends significantly on business and leisure visitors coming to the Island. The risk of a permanent loss in transport connectivity becomes greater the longer restrictions are in place.

Of equal and perhaps greater significance is the impact on the well-being of Islanders. Restrictions on the right of people to leave the Island, in order to see their family and friends or simply for a holiday, a break or a change of scene to pursue pastimes will be leading to an increase in anxiety and depression among people in Jersey. This is harmful to Islanders.

Accordingly, there is a need to find a solution which balances the harm being caused by the present travel arrangements with the potential harm that could be caused by a significant rise in cases of Covid-19 if the virus were to spread again as a result of being brought in from those coming into the Island from the UK or further afield.

Testing

The balance being sought by the Government is to enable air and sea carriers, who have all confirmed they wish to resume services as soon as possible, to be able to do so gradually and safely within the framework of a robust border testing programme.

To that end the Government has, since 1st June, been operating a trial programme of testing passengers for Covid-19 as they arrive at Jersey Airport. This has been based on advice from the Scientific and Technical Advisory Cell ("STAC") and applies to passengers arriving on the Blue Islands 'lifeline' flights, who are given the option to take part in the trial.

The trial is based on passengers taking a first PCR test at the airport upon arrival and having to self-isolate until the results of the first test are received (within a 24 to 48-hour timeframe), thereby significantly reducing the current 14 days self-isolation requirements provided they test negative. A serology test will be taken on day four after arrival. If IgG antibody positive, a second PCR will not be required. If the antibody test is negative, follow-up PCR tests will be required on day four and day seven after arrival in Jersey. Any passenger choosing not to take part in the voluntary scheme must comply with the current mandatory 14-day self-isolation requirement.

The results of the pilot are intended to inform longer-term planning and the development of a route to restoring the Island's connectivity in stages, while maintaining Jersey's progress towards a Safe Exit. It is important to note that the development of future proposals for at-border testing arrangements will need ongoing clinical assessment and oversight. The same applies to the period of isolation required of any person not participating in at-border testing.

The Proposition

Deputy Maçon is understandably seeking to ensure that the States Assembly plays a proper role in overseeing the Government's approach to travel policy and testing requirements in response to Covid-19. Ministers support this objective. Ministers also support the Deputy's aim to ensure that information in this respect be provided to States Members and the wider public in as complete and timely a manner as possible. The Deputy is clear that his proposition seeks to ensure that more, safe travel to and from

Jersey is enabled, and again he and the Government are aligned in this regard. The Amendment lodged seeks to reinforce these agreed objectives and ensure they can be achieved in practice.

The proposition, at paragraph (b), would also require that no-one be allowed to travel to Jersey without having first been tested for Covid-19 and providing proof thereof. Ministers believe that this element of the proposition requires most consideration, in view of work already taking place (as outlined above) and the practical considerations for pre-travel testing of these wishing to enter Jersey.

The Amendment

Accordingly, the Amendment lodged would require the Minister for Economic Development, Tourism, Sport and Culture to present a report to the Assembly prior to the lifting of current travel restrictions. This ensures that the Assembly are informed in advance of any changes to the existing arrangements and that Members can raise queries and questions with the Government.

The need for the prior approval of the Assembly is difficult as this would fix any agreed changes to the schedule of States meetings which may be impractical, especially during the summer recess. The presentation of a report would allow Scrutiny to call Ministers to a hearing at any time (outside of the schedule of sittings) if it was felt that further (public or private) questioning was required or more information needed.

The Amendment also ensures that the proposition relates to the ongoing trial programme of testing which is in operation, and the alternative option for passengers of a 14-day period of self-isolation. Concurrently, the amendment ensures that the options for pre-travel testing can be explored with other relevant jurisdictions. It is important to keep in mind that if any pre-travel testing were to be introduced (if it were practicable), this would be on the basis of risk and expected reciprocity with respect to other jurisdictions, and therefore requires both careful consideration and also the co-operation of other territories. The proposition as currently worded doesn't quite accommodate these factors. Any developments in this respect should, as with the border testing programme, be taken on the basis of medical advice.

The remaining aspect of the amendment enhances Deputy Maçon's objective for greater information regarding the Government's travel and borders policy responding to Covid-19 to be available to States Members and in the public domain. This commitment will be maintained on an ongoing basis. It also ensures that States Members receive weekly updates on passenger testing and screening measures at the borders.

Conclusion

If adopted as amended, this proposition will ensure that Jersey continues to move towards the opening of the Island's borders in a safe and sustainable way that continues to suppress Covid-19 whilst also alleviating some of the wider harms being caused by the current restrictions. This accords with the Government's Covid-19 strategy and the Safe Exit Framework.

States Members will have guarantees of being regularly updated and informed of any changes to the existing policy and a greater degree of information will be in the public domain, and regularly updated.

I again express thanks to Deputy Maçon for his engagement and co-operation on this matter, and very much hope that the agreement reached with him for this amendment will be welcomed by all Members.

Financial and manpower implications

There are no additional financial or manpower implications as a consequence of this amendment.