

2.4 The Deputy of St. Martin of the Minister for Home Affairs regarding plans to introduce any new legislation to resolve the problems associated with Jersey's perceived binge drinking culture:

Will the Minister advise whether she plans to introduce any new legislation to solve the problems associated with Jersey's perceived binge drinking culture and, if so, when will such laws be presented to the States for consideration?

Senator W. Kinnard (The Minister for Home Affairs):

With your permission, and with that of the House, I wonder whether my Assistant Minister might answer this. I can answer it but he is the Member for the Safer St. Helier Group and also is the Member on the Economic Development Working Group on licensing.

The Deputy Bailiff:

Very well, Assistant Minister.

Deputy A.D. Lewis of St. John (Assistant Minister for Home Affairs - rapporteur):

I thank the Deputy for bringing this matter up. While we do not have the problems of many inner city areas, there is a perceived drinking culture in Jersey and Home Affairs is endeavouring to address this issue in a number of ways. However, to be fully effective a cross-departmental approach is required. I do, however, need to remind Members that although Home Affairs is one of the departments most affected by the consequences of excessive consumption of alcohol it is not responsible for some of the initiatives and legislation required to tackle the issue. The key to resolution is revision of the current licensing law. Although this is a matter for Economic Development, I am delighted to say that Economic Development has formed a small steering group consisting of representatives from Economic Development, Health and Social Services and Home Affairs. This is the start of a process of reform and it is anticipated that revisions to the 1974 law will be ready for drafting at the end of August. However, Home Affairs believe that it may be necessary to institute some more immediate measures to help curb the trend of antisocial behaviour caused by the excessive consumption of alcohol. For example, measures need to be considered to tackle the current trend by some of consuming large quantities of alcohol at home before going out of an evening. This is mainly as a result of a disparity in costs between off sales and on sales. Currently the off-license trade is still permitted to undertake drink promotions whereas pubs and clubs are not. This inconsistency needs to be addressed. It appears that young people are being served alcohol in off-licenses often by underage staff who too are under the legal age for drinking but are permitted to work in retail. This needs to be regulated more stringently. Home Affairs would like the Magistrate's Court to have the power when sufficient evidence exists to close down licensed premises within 24 hours when it is suspected that a licensee is seriously violating the law, particularly in respect of serving alcohol to people on their premises when some individuals are clearly already drunk. With regard to other legislation, I will be recommending to the Licensing Law Steering Group that consideration be given to providing Connétables with discretionary powers to implement alcohol-free zones and the power for Honorary and States officers to confiscate alcohol from adults in public places. From what I have said so far, Members will be acutely aware that this issue is very much a multi-agency one and I am, therefore, delighted that Economic Development has established a consultation process to move things forward, but I would like to see some short-term action to address the issue of binge drinking which I thank the Deputy of St. Martin for raising.

2.4.1 The Deputy of St. Martin:

While I accept the praise and thanks from the rapporteur for bringing this to the House, what I was hoping for was seeing some action from Home Affairs which really should be responsible for law and order in this Island. The rapporteur mentioned the effect... about the Confiscation of Alcohol Law. Unfortunately, he was in the House some years ago when I brought a proposition to the House asking the States to ask or request Home Affairs to bring a law to enable police officers to

confiscate alcohol from people over the age of 18. I think it is quite clear now the absence of that law is making things very difficult for the police. Will the Home Affairs reconsider bringing forward legislation which will enable the police officers to confiscate alcohol from people over the age of 18, which it can do so at the moment for persons under the age of 18?

The Deputy of St. John:

Yes, I totally agree with the Deputy. This is common place in various boroughs in the U.K. and when I have been out on the beat with officers that perhaps have worked in the U.K. they are quite surprised that they cannot confiscate alcohol from adults. This is usually done by order by County Councils and it could be done in Jersey too through existing laws. It is something which we are actively looking at and I would hope to think that we can get something through before the revision of the Licensing Law is completed.