



Our Ref: D(J)L/GJLeL/MAR/02
Your Ref: 517/22

09 January 2013

Ms. Kellie Boydens
Scrutiny Office
Morier House
St. Helier
JERSEY JE1 1DD

Dear Ms. Boydens,

Re: Health, Social Security and Housing Scrutiny Panel / Draft Discrimination (Jersey) Law 201-

We write in relation to Deputy K. L. Moore's letter dated the 07 December 2012 and apologise for the delay in responding.

The Jersey Farmers' Union was contacted by the Minister for Social Security requesting our comments in relation to the Draft Discrimination (Jersey) Law 201- and we enclose a copy of our letter dated 15 October 2012 outlining our views and a copy of the Minister's response dated 01 November 2012.

We would also like to take this opportunity of stating that whilst we agree that parts of the Draft Law are of some merit, the States have been contemplating the introduction of the Law for a considerable time and we do not feel that this is the right time to introduce such a Law. In the current economic climate businesses should be given every encouragement and opportunity to flourish and the implementation of this Law at the current time will result in additional pressure and more bureaucratic red-tape.

If you feel you wish to meet with us to discuss our concerns further, we will, of course, be happy to do so.

Yours sincerely

GRAHAM J. LE LAY
PRESIDENT

D(J)L/GJLeL/MAR/01.

15 October 2012

Senator F. du H. Le Gresley
Minister – Social Security
Social Security Department
La Motte Street
St. Helier
JERSEY JE4 8PE

Dear Senator Le Gresley

Re: Draft Discrimination (Jersey) Law 201-

The Council of the Jersey Farmers' Union has taken the opportunity of reviewing the draft Discrimination (Jersey) Law 201- and would like to make the following comments :-

- 1) Selection for Employment - by the very nature of agricultural / horticultural work some strenuous essential tasks have to be undertaken by men as opposed to women who do not have the required strength. This may well be a cause for concern when recruiting staff.
- 2) We understand that this Law will be dealt with piecemeal and relevant Regulations will be introduced covering Race, Sex, Disability and Age discrimination.
- 3) We trust that any inherent bureaucracy and expense both to employers and Government will be kept to a minimum.
- 4) We understand the importance of all businesses reviewing their policies and procedures in relation to this Law and ensuring their members of staff are educated accordingly. We will be reminding our members of their obligations in this respect.

We appreciate being included in your group of stakeholders and look forward to receiving further details of the Law as appropriate.

Yours sincerely

GRAHAM J. LE LAY
PRESIDENT
JERSEY FARMERS' UNION

**Social Security Department
Minister**

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Mr G. J. Le Lay
President
Jersey Farmers' Union
22 Seale Street
St Helier
JE2 3QG

1 November 2012

Dear Mr Le Lay

Re: Draft Discrimination (Jersey) Law 201-

Thank you for your letter of 15 October regarding the draft Discrimination (Jersey) Law 201-.

To address each of your comments;

- 1) As you have identified, when protection from discrimination on grounds of sex is introduced in the future, there could be an issue in recruitment if only men are considered for certain positions on the basis that women are not strong enough to undertake the required tasks. You may wish to take some advice prior to sex discrimination legislation coming into force, but I would emphasize that the law will not prevent you from choosing the best person for the job.
- 2) The protected characteristics will be introduced in stages; the first being race. Protection against discrimination on grounds of sex, age and disability would follow later, to be introduced in an appropriate manner over a period of years.
- 3) In re-drafting the law, it has been my intention that it should be as simple as possible, with minimal additional bureaucracy, and I believe that we have improved on previous drafts in this respect.
- 4) I appreciate you taking this opportunity to remind your members to prepare for the impending legislation.

I intend to lodge the draft Law later this year, or early next year. Subject to the States adopting the draft in 2013, Privy Council assent would then be sought which is likely to take a further year.

I am very grateful to the Council of the Jersey Farmers' Union for taking the time to review the draft and submit comments.

Yours sincerely



Senator Francis Le Gresley
Minister

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