

**WRITTEN QUESTION TO THE MINISTER FOR HOME AFFAIRS
BY DEPUTY M. TADIER OF ST. BRELADE
ANSWER TO BE TABLED ON TUESDAY 17th JANUARY 2012**

Question

Will the Minister give an update on when the Discrimination law is likely to be implemented and will he give an undertaking that it will not be implemented in a piecemeal fashion, but as a whole?

If it is necessary to implement in stages, as he has indicated in the past, will he ensure that the Sex Discrimination Act (implemented in the UK in 1975) should take precedence, as this has been highlighted as the most urgent by groups such as the Jersey Advisory and Conciliation Service?

Answer

As agreed in the States Assembly last year, the Minister for Social Security is now responsible for the development of discrimination legislation. The wording of the question suggests that I have made previous statements in respect of this project, whereas I believe that these statements may have been made by the Minister for Home Affairs, who was previously responsible for this project.

My department is taking on this additional responsibility on top of an already demanding work schedule for 2012. However, discrimination legislation is an important area of social policy in which Jersey lags behind many other jurisdictions and we are committed to making progress on this project as a high priority.

The amendment by the Council Of Ministers to P.118/2011, and approved by the States, laid down a timetable to lodge a draft discrimination law by the end of 2012 and to lodge regulations to cover disability, race, sex and age within two months of the Discrimination Law being registered. I hope to be able to maintain the commitment to lodge the law itself by the end of this year.

I can reassure members that I have no intention whatsoever of implementing the legislation in a "piecemeal fashion" but that it may be necessary to implement the detailed regulations in stages. Businesses will need time to prepare and adapt to the wide ranging implications of the legislation, and a supporting framework will need to be developed including changes to organisations such as the Jersey Arbitration and Conciliation Service and the Employment Tribunal.

Legislation in respect of sex discrimination will be necessary to allow "family friendly" employment legislation to be fully developed. For similar reasons, age discrimination regulations will be necessary in the next few years to ensure that the protection of older workers is effective. Local campaigners have highlighted the need for race discrimination legislation. The exact order in which these regulations are introduced will be agreed during 2012.