

28 June 2024

Sent by email only to: M.Magalhaes@gov.je for delivery to Deputy Helen Miles

Deputy Helen Miles
Chair - Corporate Services Scrutiny Panel
Scrutiny Office, States Greffe
Morier House, St. Helier
Jersey JE1 1DD

Dear Deputy Helen Miles,

Re: Statistics Users Group – additional submissions on the Draft Statistics and Census (Jersey) Amendment Law – p.29/2024 (the “Draft Law”)

We are writing to share our additional views following a review of the submissions made to you by Deputy Morel on behalf of the Chief Minister on 7 and 20 June 2024, respectively.

As our 31 May 2024 letter to you has already noted, SUG is strongly supportive of the intended aims and most of the proposed amendments in the Draft Law. While we do not support a delay in moving forward with the Draft Law, we believe it is our responsibility to be clear and forthright about our observations which are shared constructively as an independent statutory “watchdog” - a critical friend with quasi-regulatory responsibilities under the Current Law.

Our key observation is that the Draft Law essentially removes the independent oversight or “watchdog” element from Jersey’s statistical system by transforming SUG into a Statistics Council that is primarily advisory in nature with some reporting obligations.

This observation is important in light of the broader context and the events in 2020/21 following the sudden departure of the former Chief Statistician which ultimately resulted in the initiative by the then Chief Minister to establish a legislative steering group to propose amendments to the Current Law. These events were brought to public attention in a series of media articles, including the following one: <https://www.bailiwickexpress.com/jsy/news/chief-minister-confirms-statistics-jersey-legal-conflict/>. SUG made a number of recommendations to the then Chief Minister in January 2022 with a response received in March 2022 (both attached) – note that a number of related recommendations remain outstanding. In December 2022, SUG engaged an independent research firm to design and conduct Jersey’s first statistics users survey (infographic attached) – note that 89% of respondents indicated that it is very important that statistics are independent of political influence.

Our comments on a proportionate approach to retain the independent oversight provided by a statutory “watchdog” (that does not require the creation of a separate regulatory or governance body) are as set out in our letter of 31 May 2024.

We hope that the provision of our additional views and the broader context is helpful.

Kind regards,

Gailina Liew
Chair, Statistics Users Group