

**FIREWORKS: RESTRICTIONS ON SALE - PETITION**

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**Lodged au Greffe on 13th February 2001  
by Deputy J.L. Dorey of St. Helier**

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**STATES OF JERSEY**

**STATES GREFFE**

180

2001

P.25

Price code: B

## **PROPOSITION**

**THE STATES are asked to decide whether they are of opinion -**

to charge the Home Affairs Committee to take all necessary steps to restrict the sale of fireworks to suitably qualified and accredited persons organising public fireworks displays.

DEPUTY J.L. DOREY OF ST. HELIER

**Petition**

To Sir Philip Bailhache, Deputy Governor. <sup>[1]</sup>

To Sir Philip Bailhache, Bailiff, President.

To the members of the States of Jersey.

The humble petition of the residents of the Island of Jersey shews that the sale of fireworks to the general public is a cause of disturbance to many, especially the elderly and domestic pets, for a period of several weeks every year, as well as being an unnecessary safety hazard;

And accordingly your petitions pray -

That all necessary steps be taken to restrict the sale of fireworks to suitably qualified and accredited persons organising public fireworks displays.

And your petitioners as in duty bound will ever pray.

Countersignature of  
member presenting ..... Deputy J.L. Dorey of St. Helier

Number of signatures ..... 864

## Report

Many people would generally agree with the principle that people should be free to live their lives as they choose, provided that their actions do not adversely affect others in the community. Probably, more would wish to see this principle of tolerance afforded to their *own* activities, than would believe that the activities of *others* should be so tolerated.

At the extreme ends of the spectrum are two groups who are remarkably similar -

there are those who believe that their own freedom to act in a particular way should be unlimited, regardless of any adverse impact on others;

and there are those who believe that their own freedom to *ban* the activities of their neighbours should be equally unlimited, regardless of whether the ban produces a net social gain.

If we put aside our own prejudices, it seems to me that both the above positions are irrational, and incompatible with life in a democracy.

In practical terms, however, if we reject those extreme stances, there must frequently be a need to adjudicate, in situations where an individual's reasonable claim to be allowed to act in a particular way is in conflict with the reasonable claim of other individuals to be allowed to live in peace, undisturbed by that activity. In such situations, the deciding factors must surely be -

the degree of disturbance to others;

the benefits of the activity to individuals who wish to pursue it;

the degree to which the activity is necessary (or whether the same effect can be obtained from alternatives which are less inherently disruptive).

In the case of the conflict arising around the unrestricted sale and use of fireworks, I believe that under these three headings the following matters should be taken into consideration -

### **Degree of disturbance**

Many people have complained about the disturbance suffered by them, and the terror endured by their domestic animals, as a consequence of the use of fireworks. I have received a number of reports of elderly people being disturbed in their homes, of damage to property, and of household pets which have needed to be tranquillised for extended periods.

Partly as a result of exceptionally unfavourable weather during the 'firework season' in 2000 - but partly also, it would seem as a result of a general tendency, over the years, for that season to expand inexorably - the disturbance continued in various parts of the Island, not for an evening or a weekend but for some six weeks, and at all hours of the day and night.

### **Benefits of the activity**

A few people (but I have to say, very few) have pointed to the long tradition of celebrating Bonfire Night with fireworks in the back garden, and the enjoyment this provides to families. This is a reasonable argument, but it assumes that a degree of disturbance is inherently justified, and it ignores the risks associated with use of fireworks by unqualified people, and particularly by children.

### **Necessity of the activity/alternatives available**

If it is assumed that the enjoyment of fireworks arises primarily from watching them, rather than from personally using them, it should be recognised that there are a number of organised public fireworks displays every year, at which spectators can see many thousands of pounds worth of effect, for a small fraction of what it would cost them to hold a display at home.

### **Conclusion**

Overall, on balance, it seems that a restriction on the sale of fireworks to suitably accredited people associated with properly organised public displays, would have distinct social benefits which far outweigh the significance of a very minor reduction in individual liberty -

knowing the timing of such events, people could take precautions, for themselves and their domestic animals;  
the risk of damage to persons and property would be reduced;  
anyone who wished to watch fireworks would be free to do so.

The proposition asks the States to take note of the legitimate concerns of a significant number of people in the Island who have no wish to restrict others' enjoyment, but who feel that it is not fair or reasonable that their own peaceful enjoyment of life should be destroyed for weeks at a time as a result.

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<sup>[1]</sup> *Note: The petition was instigated before the swearing-in of Air Chief Marshal Sir John Cheshire, K.B.E., C.B., as Lieutenant-Governor and is therefore addressed to Sir Philip Bailhache, who was Deputy Governor at the time.*