

**WRITTEN QUESTION TO H.M. ATTORNEY GENERAL
BY DEPUTY S.Y. MÉZEC OF ST. HELIER SOUTH
QUESTION SUBMITTED ON MONDAY 23rd JUNE 2025
ANSWER TO BE TABLED ON MONDAY 30th JUNE 2025**

Question

“Will H.M Attorney General detail, as far as is possible, the numbers of offences which were prosecuted in each decade going back to the 1940s for homosexual acts, which are no longer illegal, and will he state under which laws these prosecutions were made?”

Answer

Unfortunately, I am not able to answer the question posed in full.

The Sexual Offences (Jersey) Law 1990 decriminalized homosexual acts in private between consenting adults, specifically addressing the crime of “sodomie”. As such, the relevant period for consideration falls prior to 1990.

The Jersey Legal Information Board (the “**JLIB**”) contains case reports from 1980. I have reviewed the reports available on JLIB from 1980 to 1990 and can advise that there is no record of any prosecutions relating to the offence of “sodomie” during this decade.

Case records from the Royal Court prior to 1980 are located in the Poursuites Criminelles. There are significant challenges with identifying specific offences from these records because the indexes to the Poursuites Criminelles contain the names of individuals against whom criminal prosecutions were brought, but not the details of the offence. Case records from the Police Court, held by the Magistrate’s Court, also contain only the names of individuals and not the details of the offence.

To identify any cases of “sodomie” that were prosecuted between 1940-1979 in the Police Court or Royal Court would therefore involve accessing and reviewing each individual case record for both courts. Such a task would require significant resources and time and is undeliverable within the timescale. To serve as an example of the challenges with identifying specific offences from the records, I understand that the Magistrate’s Court has recently archived Police Court papers from 1 December 1973 to 31 December 1979. This six-year period comprises approximately 40 archive boxes of documents and identification of specific offences would necessitate reading through every document within each box.

To assist further I direct you to the response provided by the Minister of Justice and Home Affairs to [OQ.225/2024](#) where she addressed the quashing of criminal convictions for homosexuality. Of particular note the Minister commented:

“The particular difficulty in Jersey is that the historic offence of sodomy applied to both consenting and non-consenting sexual activity between men as the old rape offence applied to women only. At this stage, it is simply not possible to establish the facts of each historic offence. Although a review carried out in 2016 could not find any convictions in Jersey of an offence relating to a consensual same-sex act with a person over the age of 16, that would be legal now.”