

STATES OF JERSEY



‘LIFE IN JERSEY’ TEST AND ELIGIBILITY FOR ELECTION (P.2/2021): COMMENTS

**Presented to the States on 8th February 2021
by the Council of Ministers**

STATES GREFFE

COMMENTS

The Council of Ministers does not support this proposition of Deputy Gardiner.

As a Crown Dependency, Jersey is a British territory and therefore does not enjoy full sovereignty or provide its own citizenship. As Members will be aware, the Island is able to facilitate different routes towards obtaining British citizenship. The Council is of the view that any non-British citizen living in Jersey who believes that it is important for them to demonstrate knowledge of life in Jersey, by taking the Jersey supplement test, should do so through the established route for obtaining British citizenship.

The States of Jersey Law 2005 and the Connétables (Jersey) Law 2008 set that one of the qualifications that enable a person to be eligible for election to the States Assembly is that they are a British citizen (regardless of how that citizenship is acquired). The Assembly has had numerous opportunities to amend this requirement in previous years, most recently through P.75/2020 and its amendments. To date, the Assembly has not taken the opportunity to change the current citizenship requirement, and indeed successive Assemblies have tightened the eligibility criteria for persons to be eligible for election to the States.

Members will also be aware that British citizens owe their allegiance to the Head of State, and not to any individual country or territory which forms part of the British family. The Council does not consider that it is appropriate for the Government of Jersey to effectively invent an oath or affirmation of allegiance to the Island. This could also create the imbalanced position whereby British citizens living in Jersey, and those who acquire British citizenship through the existing and established route, owe their allegiance to the Head of State, whilst other citizens swear allegiance to the Island by virtue of having taken a “Life in Jersey” test, outside of the process for acquiring British citizenship.

Notwithstanding the above comments, Ministers are supportive of the Deputy’s sentiments, expressed in the report to the proposition, that efforts should be made to encourage our young people, and those who choose to live and work in the Island, to become involved in the politics of Jersey and enhance their understanding of Jersey’s identity. This can be achieved through existing programmes of work, including the Island Identity work being led by the Deputy of Grouville, and is accordingly better encouraged as a community-based process, rather than Government taking a top-down approach.

Statement under Standing Order 37A [Presentation of comment relating to a proposition]

“These comments are submitted after the deadline set out in Standing Orders because it had been anticipated that this proposition would be debated at the 2nd March sitting.”