

**WRITTEN QUESTION TO THE MINISTER FOR CHILDREN AND EDUCATION  
BY DEPUTY R.J. WARD OF ST. HELIER  
QUESTION SUBMITTED ON MONDAY 14<sup>th</sup> FEBRUARY 2022  
ANSWER TO BE TABLED ON MONDAY 21<sup>st</sup> FEBRUARY 2022**

**Question**

“Further to the [decision](#) made by the Minister on 8th April 2021, will he state the timescale for completion of amendments to the [Children \(Jersey\) Law 2002](#) and the [Marriage and Civil Status \(Jersey\) Law 2001](#), to allow, among the changes, both members of a same-sex couple to be listed on their child’s birth certificate and to be conferred legal parent status and parental responsibility in the same way as a heterosexual couple?”

**Answer**

It is anticipated that the proposed amendments will be lodged for debate by October 2022.

Significant progress has been made on the proposed amendment; however, a number of complex issues still need to be resolved. These arise from the interface between the proposed new provisions and customary law, plus the fact that Jersey, unlike the UK, does not have a Human Fertilisation and Embryology Act on which to hang provisions requiring us to create new concepts and processes in Jersey law.

In addition to resolution of those issues, key checks and balances need to be undertaken, including:

- consultation with the Court as it is proposed that the draft Law will provide new Court Order making powers which have far reaching and significant consequences
- consultation with the Commissioner for Children and Young People
- Human Rights compatibility reviews
- consultation with the Superintendent Registrar on the operational implications of the draft provisions. This includes, but is not limited to, planning for new Birth Registers, Parental Order Registers and associated certificates

The provisions of the draft law will, in some circumstances, determine who a child’s parents are. It is essential we undertake all the necessary checks to ensure there are no unintended consequences for children and their parents, hence the anticipated lodging date.