

Comité des Connétables



Our ref: MJ/19.3-052025/

29 May 2025

Deputy Montford Tadier
States Greffe: Scrutiny
Morier House
St. Helier
JE1 1DD

By email to: r.sharp@gov.je

Dear Deputy Tadier

Economic and International Affairs Scrutiny Panel - review of the proposed Draft Harbours (Inshore Safety) (Jersey) Amendment Regulations 202- ([P.3/2025](#))

I am writing in response to your letter dated 12th May 2025 requesting comments from the Comité des Connétables on the proposed Draft Harbours (Inshore Safety) (Jersey) Amendment Regulations 202- (P.3/2025). Your letter was discussed at the recent Comité des Connétables meeting and it was agreed to provide you with a collective response to the request as follows.

The Comité provides their support for enhancing safety in Jersey's territorial waters and responsibilities on users of a wide range of watercraft, together with the introduction of new offences to ensure the protection and safety of the public. We note that the States have already approved P.4/2025 Draft Shipping (Jersey) Amendment Law 202- which extends the definition of 'ship' to include a wider range of vessels or watercraft.

The proposed Regulations specify a prescribed limit on the use of alcohol but do not state a prescribed limit in relation to the usage of drugs. The Panel may be aware of the increased use of medicinal cannabis in Jersey and the proposed changes may therefore benefit from capturing a prescribed limit on the use recreational drugs by a person whilst operating a ship and by a 'person with experience in the relevant activity' (draft Article 9K), as their abilities may be impaired.

The Road Traffic (Jersey) Law 1956 prescribes a limit for the concentration of alcohol in the breath, blood or urine of a driver, there are no such limits in relation to drugs. An increasing number of persons are now taking prescribed medicinal cannabis and the effects could still be present in a person the following day thus affecting their fitness to drive. During 2023, there were 42 arrests but only 4 convictions for driving whilst under the influence of drugs, the other cases being lost. The Comité understands that proposals are now being considered.

Please see the link to the Bailiwick Express article [Growing concerns about impact of medicinal cannabis on mental health patients - Bailiwick Express News Jersey](#). The report in Bailiwick Express refers to a recent report which found that 6% of the island's working population held a prescription of medicinal cannabis, compared to just 0.05% in England. Jersey has an unusually high rate.

Clarification is required on how the proposed amendments will be policed and the responsibilities envisaged enforced, as there is a risk of overstretching resources and capacity of public authorities, particularly for instance that of the Honorary Police and there is no mention of this in the financial and staffing implications. The envisaged 'new enforcement policy statement' from the Ports of Jersey Limited has not yet been provided either.

The Panel will be aware as per Article 3 of the 1961 Law that the Harbour Master has policing powers. However, Article 3(2) provides that the prosecution of any person arrested by the Harbour Master shall be undertaken by a Centenier having jurisdiction in the matter or, if the arrest is within the territorial waters of Jersey, by a Centenier of St Helier.

We trust the above response to be satisfactory to your requirements but if you require any further information or wish to discuss the above matter in further detail, please do get in touch.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Jackson', with a stylized, cursive script.

Michael Jackson
Chairman, Comité des Connétables