

2025.09.08

3.11 Deputy L.M.C. Doublet of St. Saviour of the Minister for Justice and Home Affairs regarding hate crime legislation that has not been prioritised (OQ.179/2025):

Will the Minister advise why hate crime legislation has not been prioritised by the Government, and explain how she intends to mitigate the impact on vulnerable groups of the consequent delay to this legislation?

Deputy M.R. Le Hegarat of St. Helier North (The Minister for Justice and Home Affairs)

I thank the Deputy for the question. It is unfortunate that the Police Complaints Law is now in its 30th draft, and that has pushed back all legislation in relation to this term of office. The hate crime law was due to follow that particular piece of legislation as the officer has already been allocated it. We are now hoping that this legislation will be lodged in the coming weeks. I have recently met with 2 members of the community in order to explain where we are in relation to the hate crime law. In terms of mitigation, there is clearly no way to address hate crime as effectively as a hate crime law. However, this Government has taken considerable steps towards equity in the areas of wages and childcare, as well as the development of the International Cultural Centre into a dedicated resource to support vulnerable groups. I would also remind Members that while there is not a proper law. There are laws that actually will address hate crime as both important and required. Most harms which will be addressed in this law can and should be addressed in other pieces of legislation and, therefore, I would encourage any member of our community who is a victim of this type of offence to go to the police and report it because there is legislation that can be used even though we do not at this stage have a specific hate crime law.

Deputy L.M.C. Doublet:

Could I ask the Minister just to repeat part of the answer because I was not clear. She mentioned that the law would be lodged before the end of the term. Did she mean the Police Complaints Law that has delayed this one or does she mean this law?

Deputy M.R. Le Hegarat:

Yes, my apologies. It is the Police Complaints Law which will be lodged in the coming weeks. In relation to the Hate Crime Law, I had previously said that I was hoping that it would be before the end of 2025. Unfortunately, due to the complexity of the Police Complaints Law, that is not going to be possible. However, once the Police Complaints Law is lodged in the coming weeks, that individual will straight away start working on the hate crime law, although that officer has already got some knowledge and understanding.

The Bailiff:

Yes, I will allow a supplementary now that you have had the answer.

3.11.1 Deputy L.M.C. Doublet:

Thank you. That does help. Could the Minister clarify, is there a chance then that the hate crime legislation could be lodged before the end of this term?

Deputy M.R. Le Hegarat:

It is unlikely that it will be lodged before the end of this term. Basically, we hope that we will make significant progress before the end of this term of office and that a new Government will be able to seek the drafting time. Because even though we will obviously have done significant work on it, the drafting time will be a challenge. Also, the fact that we will be going into purdah in April will make it even more of a challenge. So it is unlikely that it will be lodged before the end of this term of office because of the challenges in relation to drafting time.

3.11.2 Deputy H.L. Jeune:

Unfortunately, I was contacted by constituents this summer who had experienced some racial abuse while they were on the beach with their family and they expressed disappointment that when they went to the police they had found out the hate crime law was not in place, and they felt that could have maybe strengthened their dealings with the police. But, of course, the main point is that we do not want to see this kind of situation in Jersey ...

The Bailiff:

It does have to be a question, this is a speech at the moment, Deputy, could it be a question please?

Deputy H.L. Jeune:

Yep. Could the Minister give examples of how herself and her officers are trying to prevent this type of racial abuse from happening in the first place?

The Bailiff:

Before you answer that, Minister, can I just say that “yep” is not the parliamentary term for “Yes, Sir.” All right, please answer the question.

Deputy M.R. Le Hegarat:

Thank you. What I would say in relation to officers and myself, I am quite clear that I feel that we need a hate crime law. We just have not been in a position for this law to be progressed further than it has been. In relation to individuals if they receive abuse or if they are assaulted, if there is anything in relation to telecoms legislation, then I would suggest that they report it to the police. In relation to protection, it is always valuable for people, if they have got witnesses to those offences, that those witnesses go with them also. But these types of offences need to be reported to the police and they need to be reported in fast time in order that those matters can be dealt with.

3.11.3 Deputy H.L. Jeune:

Could the Minister maybe explain a little about what the Government is doing to try to reduce hate crime in general in Jersey, not from the point of view of trying to just prevent it? We have seen in the U.K. an increase and we would not want to see it here. What is she specifically doing for the wider community to see that we do not have this type of behaviour?

Deputy M.R. Le Hegarat:

I think quite often there are many campaigns in relation to many things and I think if you looked at some of the campaigns that have been running over recent weeks and talking about people’s behaviour in whatever circumstances, I think a lot of the media in relation to that, that can actually fall in line with a number of different offences. When we talk about behaviour in relation to violence against women and girls, we are also talking about behaviour in relation to other individuals as well. I think we need to be aligned to the fact that there are not always specifics about what offences we are talking about.

3.11.4 Deputy I. Gardiner:

I am sure that the Minister remembers Hate Doesn’t Belong Here, a campaign that was run in 2019, 6 years past, and since then we have been waiting for the hate crime law. Does the Minister accept that the delay undermines confidence in protecting minority groups in Jersey?

Deputy M.R. Le Hegarat:

I do remember the campaign and I think that it is important that we remember that. Of course we have, in the last 18 months, reintroduced Building a Safer Community framework. From the perspective of that and managing that, and communities working together, I think that will highlight those facts. I do generally believe that if members of the community feel unsafe, or they feel that they are at risk, that it is important for them to go into somewhere like the International Cultural Centre, or to go into the States of Jersey Police, or speak to people within their own community, so that they can get help and assistance to be able to deal with matters. It is about all of us as a community. It is not only about legislation, it is about us as a community working together in order to be able to stop these things from happening.

3.11.5 Deputy I. Gardiner:

I 100 per cent agree with the Minister that we need to work as a community together. Saying that, unfortunately, in our Telecommunications Law for online racial abuse the threshold is really high. Other States Members tried to test this law, which was unsuccessful. Going into the elections, would the Minister consider, to ensure that Members and candidates will feel protected, to look again if anything can be done to introduce the hate crime law before the coming elections?

Deputy M.R. Le Hegarat:

I cannot promise that the hate crime law will be in before the elections, simply because there is insufficient drafting time before we come into purdah. However, there will be the consultation that will come while this legislation is being worked on, so that will be going out into the community. There is some work that has obviously already been done on this but it is about the offences and the drafting of those, so there has been some work and this will be going out to consultation one would hope prior to the election, so therefore the public will know that this law is coming down the track.

3.11.6 Deputy L.M.C. Doublet:

I thank the Minister for her answers and she is clearly keen to progress this law. I want to echo Deputy Gardiner's question. Could the Minister give an update on a response that she gave to a previous question I asked in this area, encouraging the Minister to speak with the police around recording crimes motivated by hatred, even before we have the legislation? Could she let us know what the progress of those discussions are, and is she ensuring that the police have the resources to do this and are given any assistance that they might need?

Deputy M.R. Le Hegarat:

I think what the Deputy asks is a point ... and I am aware of the question that she asked me previously. From my recollection, I apologise to the Deputy, I cannot actually recall whether I have had this conversation or not. However, what I will say is that where other places have recorded what we would say is a non-crime, it has caused some difficulties in relation to resourcing, but I will go back to the States of Jersey Police and ask in relation to this matter because, as I said, I cannot recall whether I had an answer or not.