

2026.09.08

5.9 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Minister for Health and Social Services regarding the development of adult safeguarding legislation (OQ.76/2026).

Will the Minister advise the Government's position with regard to the development of adult safeguarding legislation and, if the intention is to proceed with such legislation, when is it anticipated this will be brought before the Assembly?

Senator T.J.A. Binet (The Minister for Health and Social Services):

Unfortunately, very little progress has been made in this area to date, but work is due to recommence early next year on the development of adult emergency protection orders. This work started in late 2025, but was delayed simply because resources had to be refocused on matters related to the prescribing of ketamine, medicinal cannabis and alongside advertising of medicines. The proposed emergency protection orders legislation, which will allow for relevant professionals to enter premises to conduct welfare assessments on adults suspected of being at risk of abuse or neglect, will also bring forward a number of statutory safeguarding duties on services, including a duty to operate, to carry out enquiries, to share information and to report safeguarding concerns. I hope that helps.

5.9.1 Deputy H.L. Jeune:

I thank the Minister for his answer. It is a shame that the Assembly was told in March 2025 that adult emergency protection orders would be prioritised and 18 months' later we hear that it has not been prioritised. There is of course a 2-stage approach that the Minister had set out back then. Can the Minister confirm what specific timetable related to the wider provision assessments for vulnerable adults that were supposed to follow these emergency protection orders and when that will be done?

Senator T.J.A. Binet:

Certainly. On this one I cannot say more than that work will commence again early next year. I shall try and produce a timetable for completion; I do not have that with me. I would need to consider that very carefully because I do not want to make promises here that we cannot stick to. I will say that we have got real resource problems in this area and we have had to move on to other things that have had a higher priority. That is very unfortunate but we will be back on to that early in the new year.

5.9.2 Deputy T.A. Coles of St. Helier South:

Just to pick up on the legislation itself, can the Minister confirm whether any instruction has been given to include in adult safeguarding about self-neglect?

Senator T.J.A. Binet:

I can make that enquiry but at this point in time I would not know.

5.9.3 Deputy L.M.C. Doublet of St. Saviour:

If and when this legislation is produced, are the services that would pair with that legislation up to scratch? Do they have enough funding and is that something the Minister will ensure happens alongside the development of any legislation?

Senator T.J.A. Binet:

As I say, this is going to be some time away but I am very happy to take that point on board and ensure that that is the case. Thank you.

5.9.4 Deputy H.L. Jeune:

Endorsing what Deputy Doublet said about the fact that this legislation is coming very late - we heard about it in 2024 and it is still not coming - what assurance can the Minister give that adults at risk in Jersey are not left relying solely on the Capacity and Self-Determination (Jersey) Law 2016 or the Mental Health (Jersey) Law 2016 because these are not designated as safeguarding frameworks? Could

the Minister assure us that there is a risk assessment being done and that there is support there for adults at risk to be within the safeguarding framework rather than those laws that are inadequate?

Senator T.J.A. Binet:

Well I can confirm that we will make every effort that we possibly can but I cannot bring that legislation forward any faster than we are doing, but we will do our best in the meantime.