

2025.05.13

2.7 Deputy L.M.C. Doublet of St. Saviour of the Minister for Children and Families regarding an update in relation to all current workstreams associated with same sex parental rights (OQ.113/2025):

Will the Minister please provide an update in relation to all current workstreams associated with same-sex parental rights?

Connétable R.P. Vibert of St. Peter (The Minister for Children and Families):

I thank the Deputy for that question. All impacted departments have been preparing to bring the Children and Civil Status Law into force. A comprehensive stakeholder map and comms plan have been prepared to ensure that clear information is provided to affected families and other parties. The Minister for Justice and Home Affairs plans to lodge the draft Abolition of Legitimacy Law shortly. After this, I plan to lodge the Appointed Day Act to bring this package of legislation into force this autumn. When I last spoke on this subject in February, I was only able to say that would bring this into force later this year; so there is further clarity that it will be in the autumn that we bring those Appointed Day Acts.

2.7.1 Deputy L.M.C. Doublet:

I thank the Minister for his answers. Could the Appointed Day Act for the same-sex parental rights not be lodged immediately without waiting for the legitimacy work?

The Connétable of St. Peter:

Staff have worked extremely hard to bring the Legitimacy Act forward and to bring it into force at the same time as the Children and Civil Status Law. I think it is very important that when bringing in the Children and Civil Status Law, we are also in a position where no child in this Island can be born and classed illegitimate in the future.

Deputy L.M.C. Doublet:

Sorry, Sir; the Minister did not answer my question. Is it possible for the Minister to lodge the Appointed Day Act for the same-sex parental rights separately? Is that something that is possible?

The Connétable of St. Peter:

I would say that we have no plans to do that and that we want to bring both together. Would it be possible? It might be possible, but you are then left with the position that a child could still be born illegitimate; I think that that is a crucial part of bringing both parts of the legislation together. Technically, probably it is possible; is it wise to do so? I do not think so.

2.7.2 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:

The States asked the Minister to take this forward in March last year. It has taken quite a long time to get to this point and, as the Minister said, maybe in autumn. What contact has the Minister had with stakeholders regarding this workstream, who has been contacted, and what outcomes have resulted from these engagements up until now?

The Connétable of St. Peter:

Right, up until now. I also answered this question back in February. We will only make communications when there is clarity and when there are things to report. A stakeholder mapping exercise has been completed, which has identified the ways in which officers will engage with groups, including operational departments, charities and community groups and the directly impacted families. The relevant heads of communication have been briefed by policy on the key changes, and a comprehensive plan has been developed. Changes to the Government web pages have been identified and officers will work with the web team to make the amendments when the Children and Civil Status Law comes into effect when the Appointed Day Act is agreed. At the moment, communications are

focused on operational departments that will be key partners in delivering the changes, such as the Family Court superintendent registrar. It is planned that clear and accurate communications - and I stress "accurate" because I do not believe in *ad hoc* communications where dates are uncertain and later you have to come back and say: "Actually, we cannot deliver it on that date" - will be rolled out to families and community groups once a coming-into-force date has been put before the States Assembly via the Appointed Day Act for both Acts. Once Members have debated this, we will be in a position to communicate to families with certainty.

2.7.3 Deputy H.L. Jeune:

This Government committed at the beginning to be open and transparent with citizens, and of course this legislation will affect a specific group of people who have been pushing Ministers and past Ministers to get this finally passed. Does the Minister not think that it would be a good idea to be continually communicating - as he does with the States Assembly, giving us some assurances - with those who specifically reached out to the Minister in the last 12 months, to give them some assurance that this will come before the end of the political term?

The Connétable of St. Peter:

Speaking to the States, that means that the information is in the public domain and is reported on. Once again, I stress that I believe in accurate communications. There is no attempt to hide anything. I was contacted only yesterday by one of the parties, and I am quite happy to send them a response in a very similar way to the way I am updating the States today. But as regards overall communication, I think it is important that the communications go to everybody at the same time. I will also stress that they need to be accurate. With the addition of the Legitimacy Law - and I have to thank staff for working so hard to get that done at the same time as the other Act - I think that it would ... to quote inaccurate dates, et cetera, I do not believe in that. So, that is where it is; there is no attempt to hide anything; that is my style of communication.

2.7.4 Deputy J. Renouf of St. Brelade:

The Minister says autumn; are there any risks that could derail that timetable?

[11:00]

The Connétable of St. Peter:

No, I do not believe there are. I can tell you where we are on certain of these sub-workstreams. Surrogacy guidance has already been drafted. Parental orders and recognition orders: process maps and draft forms have been developed for the parental order and recognition order. The Family Court has been briefed on these changes and is making preparations to hear applications. The superintendent registrar is working to design and order registers and put the new registration process into place. Further work is required on the Assisted Reproduction Unit to finalise guidance and relevant parental consent forms, but I do not believe that any of those will prevent us from meeting that autumn deadline.

2.7.5 Deputy J. Renouf:

Can I just confirm then that the Minister has 100 per cent certainty that the Appointed Day Act will be brought before the end of this political term, in the autumn?

The Connétable of St. Peter:

Well, is anything in this life 100 per cent sure? I do not think it is, so I will not say 100 per cent; I will say 99.9.

2.7.6 Deputy P.F.C. Ozouf of St. Saviour:

I just wondered whether or not, given the erring - I do not want to take any of the Assembly's time - would the Minister agree to meet, rather than just communicate via the Assembly, some of the parents that have been spoken about? Because it does sound rather distant. Would the Minister just agree to meet some of the parents concerned? They are a growing number of people, and they would be listening and thinking that we have got a remote government.

The Connétable of St. Peter:

It is interesting you say that, but I have not actually had contact from parents. If somebody wished to meet with me, then yes, I would meet with them. As of yet, I have not had contact from parents. I have had contact from organisations; I had one yesterday. As regards the parents, no I have not, but I would be quite happy to meet.

2.7.7 Deputy P.F.C. Ozouf:

I wonder whether the Minister could just say whether he has ever met a same-sex parent and discussed these issues with them. Has he done so in the last 6 months, raising these concerns?

The Connétable of St. Peter:

I certainly have met a same-sex parent, not necessarily in relation to this law. I have to say again, I think the staff have done an absolutely marvellous job in bringing this legislation together and I would like to thank them. Thank you very much.

2.7.8 Deputy I. Gardiner of St. Helier North:

The Minister indicated that he believes that it is wrong to bring the parental rights law before the Legitimacy Law. I would like to check with the Minister if he, with stakeholders - I have several in mind, including organisations - and if this is their view as well, that they would rather wait for the Legitimacy Law before the parental laws are brought forward.

The Connétable of St. Peter:

I do not think it would actually make a great deal of difference in the time. I think the 2 laws ...

Deputy I. Gardiner:

It was about the consultation. Has the consultation taken place or not?

The Connétable of St. Peter:

I would have to check whether the officers have actually consulted, but I would say that the news that the Legitimacy Law was to be brought in place at the same time as this law when we spoke about it in February was very well received. I cannot say whether the officers have consulted; I think they have done what I consider to be the very best for the families and children involved.

2.7.9 Deputy I. Gardiner:

I believe there is a pregnant couple right now that would welcome the parental laws coming in force. I would like to get a clarification from the Minister if during the last year the Minister had a meeting or meetings with any stakeholders connected to this law.

The Connétable of St. Peter:

Certainly, the officers involved - and I would expect it to be the officers involved - have met. As I said before, if somebody contacted me I would be quite happy to meet them. But I do not necessarily meet everybody involved with every law, and I do not think any other Minister does.

2.7.10 Connétable M.K. Jackson of St. Brelade:

Would the Minister be aware of how many families are involved with this situation?

The Connétable of St. Peter:

I do not have to hand the exact number of families involved; however, in a matter like this, whether it is one family involved or a number of families, I think it is as important, even if it was just one family, to bring this legislation.

2.7.11 The Connétable of St. Brelade:

I speak purely because, by the way the Minister describes the process, that the cost seems to be enormous. I am not disrespecting those families who are obviously seeking to resolve this, but there

has to be a point at which the money runs out. I think that we should be conscious of what these things cost to put into legislation ...

The Deputy Bailiff:

Do you have a question to put to the Minister?

The Connétable of St. Brelade:

Will the Minister consider the costs of putting this into legislation when he makes his decisions?

The Connétable of St. Peter:

Of course we consider the costs, but I come back to that these are fundamental rights for the children and families involved. I have difficulty in answering this because my view is that this is something that we have to put in place. You cannot say: "Oh, well the costs do not matter." But in this case, I am happy that the costs involved are reasonable for something that should have been part of our laws some time ago. As I have said, I would be doing this even if there was just one child and family involved.

2.7.12 Deputy L.M.C. Doublet:

Despite my disappointment in some of the lack of consultation, I am pleased to hear that the Minister is defending the need for this legislation. Could the Minister please check firstly on the communication? I am concerned that he may be inadvertently misleading the Assembly, because I am aware that there have been some communications that have gone unanswered. Could he please go back and check that? Secondly, a related issue; in terms of same-sex parents accessing these rights, the Minister for Health and Social Services has said that they will look into the cost for same-sex parents to access these rights. Currently, same-sex parents have to access the assisted reproduction clinic and the costs can be up to £8,000 just to achieve a pregnancy and access these laws. Families who do not have money to access the clinic still may not be able to access this legislation even once it is in force. Could the Minister commit to resolving that with the Minister for Health and Social Services please, preferably before the law comes into force so that nobody has to miss out on it?

The Connétable of St. Peter:

Thank you for that. I will look into the communication issue. Somebody did actually highlight this yesterday. I did look, and the matter had been answered - not by myself - and they had said that they would return to them, and I do not believe that that had happened. But I only became aware of that yesterday. On the matter of the Minister for Health and Social Services, that really is a matter for the Minister for Health and Social Services. It is not in my control to be able to force him to do that. I am certainly happy to talk to him. I would like to see progress on that - on the costs of using the reproductive unit. I am sure that between myself and the Minister, we can have a discussion and make some progress on that. I would rather get the law in place and pursue that matter separately, so I am not going to guarantee that anything can be done from by the time the law is in place, because that might be difficult. I certainly will take the matter up with the Minister for Health and Social Services.