

STATES OF JERSEY



PROSECUTION OF ILLEGAL TAXI SERVICES (P.52/2026): AMENDMENT

Lodged au Greffe on 13th March 2026
by the Minister for Infrastructure
Earliest date for debate: 24th March 2026

STATES GREFFE

PROSECUTION OF ILLEGAL TAXI SERVICES (P.52/2026):
AMENDMENT

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For the words “Minister for Infrastructure” substitute “Council of Ministers”.

For the words “to update” substitute “to consider either an update to”.

After the words “Motor Traffic (Jersey) Law 1935” insert “, or other new statutory offences in separate legislation,”.

For the words “allow for” substitute “further support”.

For the word “prosecution” substitute “investigation”.

After the words “illegal taxi services” insert “by the States of Jersey Police, with the aim to deter this practice by increasing the potential of successful prosecutions for unlawfully driving passengers for reward”.

For the words “31st March” substitute “30th June”.

MINISTER FOR INFRASTRUCTURE

Note: After this amendment, the proposition would read as follows –

THE STATES are asked to decide whether they are of opinion –

to request the Council of Ministers to consider either an update to the Motor Traffic (Jersey) Law 1935, or other new statutory offences in separate legislation, to further support the investigation of illegal taxi services by the States of Jersey Police, with the aim to deter this practice by increasing the potential of successful prosecutions for unlawfully driving passengers for reward, and to bring forward the necessary legislation before 30th June 2027 to give effect to this decision.

REPORT

Opening

I am supportive of the principle and purpose behind Deputy Catherine Curtis's proposition. As the Minister responsible for the regulation of public service vehicles, including the taxi service, it follows that I do not condone any activity which falls outside of the law, and I am open to proposals which seek to uphold the integrity of the regulated service.

This amendment seeks to enable the work which is being sought by Deputy Curtis and is intended to be helpful. It aims to ensure that the proposition is suitably flexible, so that it allows for proposals to be brought forward which are effective in further deterring illegal activity in this area and increasing the potential for successful prosecutions.

The Amendment

In the first instance, the amendment seeks to recognise that this is not solely a challenge that faces the Minister for Infrastructure. Indeed, whilst the Minister for Infrastructure has a clear role in the regulation of public service vehicles and the taxi service, the remit of the Minister does not extend to unregulated or illegal activity in this regard, and the Minister for Infrastructure does not have any associated investigative or enforcement powers. For that reason, this is a subject that requires broader consideration within the Council of Ministers, and especially with the Minister for Justice and Home Affairs, given the potential need for additional investigatory and law enforcement powers.

The amendment also broadens the scope of this work so that it is not restricted solely to a review of the Motor Traffic (Jersey) Law 1935 ("the 1935 Law"). Article 6 of the 1935 Law is, in fact, very clear in stating the requirement for a public service vehicle licence, and it is not immediately apparent that there is an issue of adequacy of regulation under the 1935 law, which is the primary purpose of that legislation. For ease of reference, Article 6 reads –

- (1) A person must not cause or permit a motor vehicle to be used on a road as an omnibus, a char-à-banc or a cab unless –
 - (a) the person is the holder of a public service vehicle licence for the vehicle that authorizes the vehicle to be used for that purpose; and
 - (b) the vehicle is being used and operated in accordance with the conditions set out in the licence.
- (2) A person who causes or permits a motor vehicle to be used or operated as a public service vehicle in contravention of this Article shall be guilty of an offence and is liable to a fine of level 3 on the standard scale.

It is, however, demonstrably the case that prosecutions for those acting outside of the Law have, to date, not been successful, and therefore additional statutory offences may be needed to address illegal activity. This needs to be considered separately, though, to regulated activity. Whilst it might be that this could be suitably covered within the 1935 Law, it is equally possible that it would be more appropriate to establish a new offence in separate legislation. This has been the approach, for example, in the United Kingdom where offences in the Criminal Justice and Public Order Act 1994 use definitions of a "public service vehicle" and PSV operator's licence" from the Public Passenger Vehicles Act 1981. Accordingly, the amendment allows for this possibility for a distinct piece of statute, should that be the direction that this work ultimately takes.

The amendment further seeks to distinguish between the investigatory role of the police, and the prosecutor role of the Attorney General. Taken alongside the role of Ministers and the Assembly in setting the legislative framework, this aims to encourage a collective approach in arriving at proposals that will better support the investigation of this activity and, it is hoped, increase the potential for successful prosecutions in future.

The final aspect of the amendment relates to the timeline for this work. Due to the proximity of the Election Period, which commences on 20th April, the progress of this work will inevitably be subject to interruption. Officers will be able to begin considering options and developing proposals during that time, but ministerial engagement and oversight will not re-commence until July at the earliest. It should also be kept in mind that the immediate priorities of a new Government will be the development of its Common Strategic Policy and lodging a Budget. It would therefore not be unrealistic for the work requested by this proposition to not be picked up with any momentum until the autumn.

Once proposals for responding to this proposition (should it be adopted) are agreed between Ministers, the police, the prosecutor, and consulted on with stakeholders, legislative drafting instructions will then need to be prepared and time allowed for drafting. Currently, there can be no certainty as to the legislative programme or priorities of the new Assembly, and consequentially the timeline for drafting. Equally, there can be no certainty as to the complexity of this project itself.

The amendment therefore proposes that some additional time is allowed for this project to conclude, and proposes that draft legislation be brought forward by the end of June 2027. That would allow for a debate on the principles to take place in September 2027.

Deputy Curtis's report

Deputy Curtis makes a number of points in her accompanying report which I found myself in agreement with. She clearly sets out the risks both to those operating outside of the law and to the public. There are, however, one or two points which I feel should be clarified or put in some context.

In 2024, 53 new taxi badges were issued, and 47 badges left the industry. In 2025, 33 new badges were issued, and 26 badges exited the industry. Whilst admittedly this is a modest growth of 13 drivers in the past two years, it is still growth and indicates that new drivers are being attracted into the industry. It should also be highlighted that the majority of new entrants are in fact young or middle aged (in most cases being individuals who are seeking to supplement their main income).

As a general point in this respect, it is important to be clear that there is a distinction between taxi licence plates (for which there is a ceiling of 310) and badge holders (for which there is no ceiling). There are currently 302 active taxi licence plates and 415 badge holders. There is a small waiting list of employed badge holders working for taxi companies who are looking to become self-employed and move onto their own plates (noting that at present a badge holder must have worked for a taxi company for 18 months before being able to make this move). It should also be noted that many badge holders work for companies and do not wish to have their own plate. At present therefore, the ceiling of 310 licence plates is not preventing eligible drivers from getting a plate.

This context is intended to be helpful and informative for Members.

Closing

In closing, it is appropriate to reflect on the service known as “Jersey Lifts.” This has been in operation for a number of years. There isn’t an issue with friends or family offering each other genuine lifts, or with a few pounds being offered to the driver to cover petrol costs. There is, however, an issue with individuals effectively setting themselves up as taxi drivers and mimicking a regulated service. This conduct is dishonest and dangerous. There are real risks to the public of getting into a vehicle with an unknown, unlicensed, unregulated person.

This has, though, as evidenced publicly, proved a very challenging problem to address. It is therefore to be hoped that this proposition, supported by this amendment, can be a meaningful step towards deterring and ultimately eradicating this illegal practice.

Financial and staffing implications

There are no additional resource implications that arise as a consequence of this amendment to the proposition. There may be resource implications that would arise from the adoption of new legislation, and these will need to be set out when the draft legislation is lodged “au Greffe”.

Children’s Rights Impact Assessment

I consider that this proposition has no direct or indirect impact on children and that the duty to have due regard to the UN Convention on the Rights of the Child does not arise. Accordingly, a Children's Rights Impact Assessment is not required under the Children (Convention Rights) (Jersey) Law 2022.