WRITTEN QUESTION TO THE MINISTER FOR JUSTICE AND HOME AFFAIRS
BY DEPUTY H.L. JEUNE OF ST. JOHN, ST. LAWRENCE AND TRINITY
QUESTION SUBMITTED ON MONDAY 16th NOVEMBER 2026
ANSWER TO BE TABLED ON MONDAY 23rd NOVEMBER 2026

Question

"In relation to calls in the UK for the age of consent to be reviewed after revelations of historical sexual abuse and of public figures using their power and status to engage in sexual activity with 16- and 17-year-olds, will the Minister –

(a) advise whether any assessment has been undertaken of whether the Sexual Offences (Jersey) Law 2018 adequately protects 16- and 17-year-olds, including how widely the 'positions of trust' offences apply;
(b) state whether she will review the age of consent including options such as close age provisions as part of the Government's work on Violence Against Women and Girls (VAWG), and if so –
    (i) will she give a timetable on that work; and
    (ii) advise if, and how, young people will be consulted; and
    if not, why not?"

Answer

(a) Part 6 of the Sexual Offences (Jersey) Law 2018 sets out the abuse of trust offences against persons aged 16- or 17-years-old. Under Article 18 of the Law, an adult commits an offence if they intentionally engage in a sexual act with a child aged 16 or 17 and they are in a position of trust in relation to the child.

Article 19 of the Law outlines a series of conditions wherein an adult would be considered to be in a position of trust in relation to a child. Adults who are regularly involved in caring for, teaching, training, supervising or being in sole charge of children are defined as being in a position of trust in relation to a child, as is an adult who looks after the specific child in question on an individual basis, regularly has unsupervised contact with the child, or is appointed as the guardian of the child.

At present, no specific assessment has been undertaken as to how adequately the Sexual Offences (Jersey) Law 2018 protects 16- and 17-year-olds or how widely the 'positions of trust' offences apply. However, the protection provided by this offence was evident in the recent AG v Falle [2026] JRC167 case, wherein the defendant pled guilty of 12 counts of abuse of trust by a sexual act against a person aged 16 or 17 under Article 18 of the Law. This case involved offences wherein the victim was 17 years old and the Defendant, aged between 28 and 29 years old, was her teacher.

A legislative gap analysis in relation to laws associated with violence against women and girls was undertaken by the Law Officer's Department in 2023 to assist the VAWG Taskforce in the development of their recommendations. This analysis, which resulted in a series of recommendations for legislative development, did not identify any specific gaps in our legislative framework in relation to protections afforded to 16- and 17-year-olds under the Sexual Offences (Jersey) Law 2018.

However, work to develop the legislation arising from the VAWG Taskforce recommendations did identify that provisions relating to the definition of indecent photographs of children under the Protection of Children (Jersey) Law 1994 needed to be updated so that, in proceedings relating to an indecent photograph of a child, a person is taken as having been a child if it appears from the evidence that they were under the age of 18 years – rather than 16 years – at the material time. This amendment to the legislation was adopted by States Members when they voted through the package of VAWG legislation in March 2026 and is scheduled to come into force in 2027.

(b) Following revelations of historic sexual abuse by public figures in the UK, there have been calls for the UK Government to introduce a "staggered" age of consent wherein adults over a certain age are prohibited from having sexual relationships with 16- and 17-year-olds.

The UK Government have committed to reviewing the age of consent in response to these calls.

Any changes to the age of consent would need careful consideration, scrutiny and consultation and do not currently form part of the VAWG work programme.

We will closely follow developments in the United Kingdom as they review this matter and consider any resulting findings.