

# STATES OF JERSEY



## RISK-BASED EXCLUSION POLICY FOR ELECTED MEMBERS OF THE STATES

---

Lodged au Greffe on 10th February 2026  
by the Privileges and Procedures Committee  
Earliest date for debate: 24th March 2026

---

STATES GREFFE

## **PROPOSITION**

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

to approve the Risk-Based Exclusion Policy for Elected Members of the States set out in Appendix 1 to the report accompanying the proposition, with immediately effect.

PRIVILEGES AND PROCEDURES COMMITTEE

## **REPORT**

The Risk-Based Exclusion Policy (Policy) outlines what procedures will be undertaken by the Bailiff, Privileges and Procedures Committee, and the States Greffe should a States Member be charged with a serious violent or sexual offence, as well as the conduct expected of the affected Member.

This Policy aims to ensure –

- (a) the safeguarding of States Members (Members), employees and volunteers when they are:
  - (i) working in the precincts of the States, Morier House and Hill Street Office;
  - (ii) attending in-person constituency drop-in sessions and meetings; and
- (b) that funding is not provided for any off-Island travel undertaken by a Member charged with a serious violent or sexual offence.

The exclusion of a Member is balanced against three important considerations:

- (1) Ensuring continued representation for constituents
- (2) Fairness to the individual under investigation
- (3) Respecting Members' privilege in taking part in States proceedings

Allowing Members to participate remotely in States Assembly business is a key aspect of the Policy.

### **Financial and staffing implications**

There are no financial and staffing implications arising from this proposition.

### **Children's Rights Impact Assessment**

We 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.

**Appendix – Risk-Based Exclusion Policy**



## Risk-Based Exclusion Policy

### Risk-Based Exclusion Policy

#### Introduction

This Risk-Based Exclusion Policy (Policy) outlines what procedures will be undertaken by the Bailiff, Privileges and Procedures Committee (PPC), and the States Greffe should a States Member be charged with a serious violent or sexual offence, as well as the conduct expected of the affected Member.

#### Purpose

This Policy aims to ensure –

- (a) the safeguarding of States Members (Members), employees and volunteers when they are:
  - (i) working in the precincts of the States<sup>1</sup>, Morier House and Hill Street Office;
  - (ii) attending in-person constituency drop-in sessions and meetings; and
- (b) that funding is not provided for any off-Island travel undertaken by a Member charged with a serious violent or sexual offence.

The exclusion of a Member must be balanced against three important considerations:

- (1) Ensuring continued representation for constituents
- (2) Fairness to the individual under investigation<sup>2</sup>
- (3) Respecting Members' privilege in taking part in States proceedings

Allowing Members to participate remotely in States Assembly business is a key aspect of the Policy.

#### Principles

The temporary exclusion of a Member from the precincts of the States, Morier House and Hill Street Offices will only occur if a Member is charged with a serious violent or sexual offence as defined in Appendix 1 of this policy.

The temporary exclusion applies whether –

---

<sup>1</sup> as defined in [States of Jersey Law 2005](#):

“precincts of the States” means –

- (a) the States' Chamber;
  - (b) any rooms whilst provided for the exclusive use or accommodation of members of the States;
  - (c) the galleries and places provided for the use or accommodation of strangers, members of the public and representatives of the press,
- and, while the States are meeting, includes those parts of the building giving direct access to the States' Chamber

<sup>2</sup> [Risk-based exclusion of MPs: Research Briefing](#) (House of Commons Library) 7 January 2025, p. 9

- (a) the alleged offence occurred before or after the Member became an elected Member of the States Assembly; and
- (b) the charge was brought inside or outside Jersey

The temporary exclusion of a Member who meets this criteria will normally be automatic, except when the charge is made overseas, in which case the Bailiff would consider the charge with the Chair of the PPC and the Greffier of the States, and they would need to reach a unanimous decision. The Member will be formally notified in writing by the Chair of PPC.

This Policy applies when a Member is charged with a relevant offence, not if they are arrested for an offence and not charged. If a Member is convicted of an offence the risk-based exclusion policy will cease to apply to the Member, as set out in the 'Duration of risk-based exclusion' section below. At this point, if a Member is convicted "whether in Jersey or elsewhere, of any offence and ordered to be imprisoned for a period of not less than 3 months, without the option of a fine" they are disqualified from being a Senator or Deputy ([States of Jersey Law 2005](#), Article 8) or a Connétable ([Connétables \(Jersey\) Law 2008](#), Article 4C).

## Procedure

### Notification of charges

As the Law Officers' Department (LOD) advises on criminal investigations, the LOD will be aware of any charges pending in relation to a Member. The LOD will have a duty to inform the Bailiff of charges laid in order to ensure compliance with Standing Orders. It will fall to the LOD to confirm that the offence is within the parameters of a serious violent or sexual offence (as set out in Appendix 1 of this document).

In relation to a charge(s) made outside of the Island, the Member charged must inform the Bailiff of the charges laid, as the LOD may not be aware of the charges pending.

The Bailiff is required to notify the Chair of PPC and the Greffier of the States within 24 hours of being made aware that a relevant charge has been made.

The Bailiff, Chair of PPC and Greffier of the States will consider the charge made (on or off Island) and whether this policy should be invoked.

### Notification of exclusion

On being informed that a Member has been charged with a serious violent or sexual offence, the Chair of PPC will send a letter (see Appendix 2 for letter template) to the Member informing them that they have been temporarily excluded and providing information on the terms of exclusion.

In order to safeguard members of the public, the letter will also request that the Member not meet privately in person with members of the public or constituents.

This letter will be provided to the Member, the Bailiff and the Greffier of the States within 24 hours of the Chair being informed of the charge. On receipt of the letter the Greffier of the States will immediately arrange to exclude the Member.

Should the Member be a Minister or Assistant Minister the letter will also be provided to the Chief Minister. It will then be the Chief Minister's role to assess matters in relation to that Member's Government functions and duties and to act accordingly.

### Parameters of risk-based exclusion

The Member will be excluded from:

- (a) entering the precincts of the States, Morier House and Hill Street Office;
- (b) undertaking any off-Island travel funded by the States of Jersey (via the States Greffe or Government of Jersey);
- (c) receiving support or funding from States Greffe/States Assembly to undertake visits or activities; and States of Jersey employees will not attend with the Member any other activities normally supported by the States Greffe or Government officers, including constituency drop-in sessions.

All other rights of the Member will be maintained, including receiving their pay.

Members will be able to participate remotely in any meetings of the States Assembly, Panels or Committees, as well as access services provided remotely by the States Greffe or States Digital Services. Members will be able to lodge propositions and amendments in their own right and submit oral and written questions. Members will also be able to continue to work in their constituency and undertake constituency drop-in sessions, but will be advised to not meet privately with members of the public.

Excluded Members will continue to be subject to Codes of Conduct and Standing Orders.

### Duration of risk-based exclusion

Once a decision has been made to exclude a Member, that exclusion will be in force from the date on the letter of exclusion provided to the Member until –

- (a) charges have been dropped;
- (b) the member is acquitted; or
- (c) the member is convicted and sentenced.

Should a Member be convicted of a relevant offence (see Appendix 1), that Member will:

- if a Senator, become a “disqualified person” – Disqualification for office as Senator of [States of Jersey Law 2005](#).
- if a Deputy, become a “disqualified person” under Article 8 – Disqualification for office as Deputy of [States of Jersey Law 2005](#).
- if a Connétable, become “disqualified for election” under Article 4C – Disqualification for election or office of [Connétables \(Jersey\) Law 2008](#).

### Enforcement of exclusion

It is the responsibility of the Viscount to enforce the physical exclusion of a Member from the precincts of the States (as set out in Standing Order 165), however, in practice the exclusion will be managed and monitored by the States Greffe. It is the responsibility of the Greffier of the States to enforce the exclusion from the Hill Street Office and Morier House.

### Ministerial duties

If the Member who is charged is a Minister or Assistant Minister the letter informing the Member they will be excluded will also be sent to the Chief Minister. It will be the Chief Minister’s role to assess matters in relation to that Member’s Government functions and duties and to act accordingly.

### Constituency work

Exclusion will not prevent a Member continuing to work in their constituency and undertaking constituency drop-in sessions, but the Member will be advised to not privately meet with

members of the public. The protection of a Member's ability to represent their constituents is key to democratic representation.

However, States Greffe staff will not provide in-person support to any excluded Member. Remote support will continue to be made available.

## Appendix 1

What constitutes a serious sexual or violent offence for the purposes of this policy is:

**“any offence against the person or any sexual offence which carries a maximum sentence of more than two years’ imprisonment.”**

The use of “a maximum sentence of more than two years’ imprisonment” ensures that relevant offences against the person or any sexual offences appearing in customary law or under enactment are linked to this policy. Certain customary law offences relating to assault have a sentence expressed to be ‘at large’ which means they can attract custodial sentences in excess of 2 years.

The serious sexual or violent offences covered by this policy includes:

- Murder, manslaughter
- Gross indecency and indecent assault
- Rape
- Sexual penetration without consent
- Sexual touching without consent
- Penile penetration, sexual penetration or sexual touching of a young child
- Causing or inciting a sexual act with a young child
- Unlawful sexual intercourse with sexual penetration of or sexual touching of an older child
- Causing or inciting a sexual act with an older child
- Causing a child to watch or be present during a sexual act
- Sexual grooming of a child
- Paying for sexual service by a child; and
  - Causing, inciting or controlling prostitution or pornography involving a child; and
  - Abuse of trust by a sexual act against a person aged 16 or 17
- Grave and criminal assault, for which sentence is at large
- Common assault, for which sentence is at large
- Domestic abuse
- Making threats to kill, rape or cause serious physical injury
- Riot and affray

## Appendix 2

Senator/Deputy/Connétable [name]

[Name of Chair]  
Chair of Privileges and Procedures Committee

[Date]

Dear [Member]

I am writing to inform you that due to the nature of the charge laid against you on [Date] you will be excluded from –

- (a) entering the precincts of the States (which includes the States' Chamber; any rooms provided for the exclusive use or accommodation of Members; the galleries and those parts of the building giving direct access to the States' Chamber), Morier House and Hill Street Office;
- (b) undertaking any off-Island travel funded by the States of Jersey (via the States Greffe or Government of Jersey);
- (c) receiving support or funding from States Greffe/States Assembly to undertake visits or activities; and in addition, States of Jersey employees will not attend with the Member any other activities normally supported by the States Greffe or Government officers.

**All your other rights as a Member are maintained including continuing to receive pay.**

You can participate remotely in any meetings of the States Assembly, Panels or Committees, as well as access services provided remotely by the States Greffe or States Digital Services.

This exclusion has been applied as a safeguarding measure for those Members, staff and volunteers working in the prescribed buildings or providing in-person support to you. Please note that –

- (a) this exclusion **places no restrictions on undertaking constituency work** in the community; and
- (b) you will continue to be subject to the [Code of Conduct for Elected Members](#) and [Standing Orders of the States of Jersey](#).

This is a **temporary exclusion** and takes effect from the date of this letter and will remain in place until the charge has been dropped, or you have been acquitted, or you have been convicted and sentenced.

Due to the nature of the charge laid against you and in order to safeguard members of the public I ask that you do not privately meet in person with members of the public or constituents.

If you have any questions or require further information, please contact me or the Greffier of the States.

Yours sincerely,

Chair of the Privileges and Procedures Committee

Cc: Bailiff of the States  
Greffier of the States