

Brexit 'No Deal' Planning Assumptions and Mitigations

The Government of Jersey has been working closely with the UK Government on Brexit planning since the result of the UK referendum in June 2016.

As well as making our own detailed contingency and emergency arrangements, since late 2018 the Government of Jersey has also been feeding into the UK Government's No Deal Brexit preparations and planning, an exercise known as Operation Yellowhammer.

As the Chancellor of the Duchy of Lancaster, Michael Gove, updated the House of Commons on 3 September 2019, the exercise aims to anticipate what a reasonable worst-case scenario might involve and explore how risks can be mitigated.

The Operation Yellowhammer document published in the House of Commons on 11 September 2019 sets out the UK's projections of what may happen in a reasonable worst-case scenario, based on the assumptions drawn up under the previous Prime Minister, including the impacts on travel, freight, borders and disruption of services. The UK Government has promised to publish updated assumptions shortly.

This document, from the Government of Jersey, provides further information on local assumptions and mitigations.

The UK's planning assumptions have and no doubt will continue to evolve. As the recently published UK Government document makes very clear, the focus is on the risks of a 'reasonable worst-case' scenario No Deal Brexit, an outcome the UK Government has stated its clear intention to avoid.

We will continue to work closely with UK Government, the other Crown Dependencies and local and regional partners to ensure Jersey is ready for Brexit, whatever form it takes.

Food Security

The majority of Jersey's food and essential goods needed to sustain the island and its community is imported from the UK, via Portsmouth. As such, delays to the arrival of ferries and disruption to overland freight movements into Portsmouth International Port would have a significant and swift impact on the availability of goods, particularly fresh food, in supermarkets and shops on the island.

Jersey has long-since relied on a 'just-in time' supply chain, and the majority of wholesalers and supermarkets do not possess extensive warehousing capacity.

Both Jersey and Guernsey are actively engaged with Portsmouth International Port and the Hampshire & Isle of Wight Local Resilience Forum to help mitigate potential disruption to the Port and maintain the free-flow of goods to Jersey.

The Government is also engaging with the Chamber of Commerce and local retailers. This work is in close co-operation with our Guernsey colleagues who share the same supply chain vulnerabilities.

Vulnerable People

A cross-government working group has been developed to ensure the Government can support vulnerable/near-vulnerable people who may be adversely impacted by a No-Deal Brexit, specifically in relation to food security and price inflation, and will introduce weekly food price monitoring to inform policy decisions. The group is also assessing potential impact on the care sector.

The group are also engaging with the parishes, third-sector and other organisations to identify and share information on how best to support vulnerable people in the event of a No Deal Brexit.

Health

As with food and goods, the majority of medicines and medicinal devices arrive in the island via ferry. Any disruption to this service could lead to significant implications for the availability of such items.

Jersey's medicines and medical supplies are provided by agreement with the UK Department for Health, and the Government have written to the UK Minister for Health to confirm that previous agreements remain extant.

We have established several business continuity measures to maintain our supply chain and therefore do not anticipate suffering shortages of medicines or medical supplies. Health and Community Services (HCS) have also developed additional stores of medical supplies, such as oxygen masks and surgical equipment, on top of our usual stocks. In the unlikely event our supply chain by ferry should become problematic, HCS have also established air freight contingencies to ensure we are able to maintain our stocks and services as usual.

Emergency Powers legislation with relation to the supply and distribution of medicines and medical supplies was approved unanimously by the States Assembly on 10 September 2019.

British citizens, which includes those holding Jersey variant British passports, can expect to be treated as third country nationals in the EU and will therefore need to access healthcare in different ways. They may need to demonstrate previous EU residency or employment, or purchase private insurance. EU States should treat those with urgent needs, but may make a subsequent charge.

Critical National Infrastructure (CNI)

Previous engagement with CNI providers has identified potentially critical areas, including: fuel holdings; chemical holdings for water; operation of the Energy from Waste plant; and recycling operations which may be disrupted in the event of a No Deal Brexit.

No disruption of fuel supplies to the Island is anticipated, and islanders are discouraged from building personal stores of fuel, for safety reasons.

Contingency plans have been implemented to ensure that additional stocks of other CNI supplies are built up in advance of a potential No Deal Brexit.

CNI providers are routinely represented at Brexit Strategic Co-ordination Groups to enable rapid resolution of critical issues that may occur outside of routine engagement with Brexit officers.

Security, Customs and Immigration

A No Deal Brexit may lead to increased security and customs measures for goods moving between the EU and Jersey, this may lead to delays for those not prepared for French customs requirements. Simplified customs procedures in Jersey will mean that commercial freight arriving from the EU is unlikely to be delayed. The UK Government policy published on 5 September 2019 means that EU nationals will continue to pass through Island ports when arriving from the EU as they do now, until the end of 2020.

Those holding Jersey variant British passports and those holding British passports issued in the UK are all British citizens and will be treated identically. As such they may be subject to increased immigration checks at EU border posts. Additionally in a No Deal scenario they can expect to lose their rights to live and work in the EU. EU countries have published their own legislative proposals and advice has been given by the Government of Jersey to British citizens resident in the EU to contact their local authority in order to regularise their stay as there is a mixed picture across the EU.

The Jersey-EU Settlement Scheme (JEUSS) has been implemented in line with the UK scheme to ensure that EU citizens currently living and working in Jersey can continue to do so.

There is also a minimal risk of civil disobedience in the event of a disruptive exit.

Jersey Security and Customs and Immigration officers are in close contact with their UK counterparts.

States of Jersey Police receive regular updates on potential security and community tension issues from UK colleagues and are continually reviewing plans for community safety.

Trade & Industry

Jersey's agricultural and fisheries industries rely on the ability to export Jersey produce to external markets, including the European Union. There is a possibility that they could face potentially prohibitive tariffs following a No Deal Brexit.

The Government of Jersey is also aware that there could be increased pressure on fishing in the Bay of Granville and will be monitoring the situation.

Work has been ongoing to secure the extension of the UK's WTO membership to Jersey, with colleagues in the UK Government working closely with Jersey and Guernsey to achieve agreement. We are hopeful that this process is near completion and will ensure Jersey is in a strong position in the event of a No-Deal Brexit.

Jersey is positioned outside of the EU for the purposes of financial services, which represent the Island's largest employment sector. Therefore, Brexit does not directly affect the way in which our financial services firms will interact with EU markets.

Jersey has been assessed by the European Commission as an adequate country for EU data protection purposes. As a result, it is lawful for data to flow freely between Jersey, and EU member state and any adequate third country. We do not anticipate any disruption to the flow of data for cross-border financial services.

In a No Deal scenario, there may be a period of time when the UK does not hold a position as an adequate third country. In order to preserve data flows between Jersey and the UK, amendments have been made to the Data Protection (Jersey) Law 2018 to preserve Jersey's treatment of the UK. Therefore, data flows between Jersey and the UK will be able to continue as normal.

Communications

Clear and timely communications will be needed in the event of a No Deal Brexit to provide information and reassurance to Islanders, especially those who are vulnerable/near-vulnerable.

The Government of Jersey provide a dedicated Brexit information section on gov.je and a public helpline. The Communications Directorate regularly engage with local media and future communications plans are being developed.

Officers from across Government also engage with representatives from the retail, wholesale, travel and tourism, fisheries, agriculture and financial services sectors.