

Considerations for Cannabis Reform in Jersey

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Introduction

The States Assembly is due to debate proposals on Jersey's approach to non-medicinal cannabis in early 2026, following the adoption of part b) of [P.31/2024 Cannabis: Decriminalisation of personal possession and recreational use](#) (as amended):

The States are asked to decide whether they are of opinion –

b) to request the Council of Ministers to bring forward proposals for consideration by the Assembly by November 2025, with the legislation to include (but not be limited to):

- potential approaches to the decriminalisation, legalisation and regulation of cannabis;
- use in the presence of minors;
- personal cultivation and preparation;
- social supply;
- restrictions on the sale to minors;
- approaches to minors or vulnerable people coerced into cannabis related activities;
- total acceptable gram allowance;
- restrictions on areas of consumption;
- restrictions on driving under the influence of cannabis;
- relevant roadside capacity tests;
- total acceptable cultivation allowance.

Parts b) and c) were [adopted by the Assembly in June 2024](#):

26 Pour / 19 Contre / 1 Abstention / 3 Absent.

How we approach cannabis in Jersey is essentially a question of where we draw the line between the aspects of cannabis that should be allowed and those that should remain the purview of the criminal justice system:

- What should be tolerated and regulated?
- What should be dealt with at Parish Hall Enquiry?
- What should be dealt with by the Magistrate's Court?

This discussion paper has been put together by [End Cannabis Prohibition Jersey](#) to help inform States Members about the options for cannabis reform in the Island, and to suggest approaches for how the boundaries between what is permissible and what is criminal could be redefined.

Our specific recommendations will be distributed following the publication of the proposition.

Context

Cannabis Use in Jersey

Some people in Jersey use cannabis.

Many of those people are in receipt of a prescription for medicinal cannabis.

Some use over-the-counter CBD products, which in the Channel Islands are [permitted to contain a small proportion of THC](#) (the primary psychoactive ingredient in cannabis).

Others consume cannabis obtained from the black market, for which they can be liable to a criminal record for possession.

Some patients enjoy the euphoria of cannabis use, while some of those using black market cannabis benefit from the medicinal effects.

A small minority of those who use cannabis can experience adverse consequences, which can be exacerbated in young people; the majority suffer no ill effects.

Some people think cannabis should be decriminalised and regulated, but others believe that cannabis should remain illegal.

Data relating to cannabis use in Jersey is sadly lacking.

We can, however, look at statistics from Guernsey for an approximation of the number of people who use cannabis here.

The results of the [2023 Guernsey and Alderney Wellbeing Survey](#) published in January 2025 states that “11.9% had used cannabis in the last 12 months (11.3% in 2018)”, of which “21.2% said the cannabis was prescribed to them”.

It is therefore reasonable to estimate that between 10-15% of Jersey’s population consumed cannabis at least once in the past year.

The [proportion of young people in Year 10 who have ever taken cannabis](#), as recorded by the Jersey Children and Young People’s Surveys, has fallen from a high of 36% in 2002 down to 8% in 2024.

The [Medicinal Cannabis Dispensing Audit Report](#) published last year estimated that there were 4,361 patients receiving a prescription for medicinal cannabis in Jersey in 2022, equating to about 5% of the Island's adult population. [Figures for 2024](#) estimate the number of patients to be “approximately 4,000”, who were dispensed 53,477 prescriptions from 20 prescribers.

Of the cannabis available on the black market in Jersey:

- some will have been imported in bulk by criminal groups;
- some will have been imported personally via the ports or the post from the dark web;
- some will have been cultivated illicitly on the Island; and
- some will have been diverted from medicinal cannabis patients.

Since 2001, Jersey Customs and Immigration Services has [seized approximately £27 million \(2,500kg+\) of cannabis](#), with additional seizures undertaken by the States of Jersey Police.

The introduction of medicinal cannabis prescribing combined with the travel restrictions emplaced during the COVID pandemic disrupted the black market for cannabis in the Channel Islands, resulting in [reduced seizure volumes and increased prices](#) compared to before 2020.

Meanwhile, medicinal cannabis patients in Jersey are collectively [prescribed in excess of 500kg of cannabis per year](#) at a cost of approximately a third of the price per gram of black market cannabis.

As an unlicensed medicine that is not available on the [Prescribed List](#), [medicinal cannabis is liable to GST](#), generating over £1.5 million in revenue for Government since 2020.

Cannabis Prohibition in Jersey

When we refer to cannabis as being illegal (or any drug for that matter), that is not semantically correct; it is an over-simplification.

In our Misuse of Drugs laws it is not the drug itself that is illegal, but the specific unlicensed actions of possession, cultivation/production, supply, import/export, etc., which are liable to penalty.

History of cannabis legislation:

- The import and export of cannabis first became illegal in Jersey with the [Dangerous Drugs \(Jersey\) Law 1954](#).
- The cultivation of cannabis became illegal following the adoption of the [Dangerous Drugs \(Amendment\) \(Jersey\) Law 1965](#).
- Cannabis possession and supply were prohibited the following year with the [Dangerous Drugs \(General Provisions\) \(Jersey\) Order 1966](#).
- The current criminal laws relating to cannabis in Jersey are the [Misuse of Drugs \(Jersey\) Law 1978](#) and the [Misuse of Drugs \(General Provisions\) \(Jersey\) Order 2009](#).

For reference:

- The UK prohibited the import and export of cannabis in [1925](#), and the supply and possession of cannabis in [1953](#). The cultivation of cannabis was criminalised in [1964](#).
- Guernsey prohibited the import, export, cultivation, supply and possession of cannabis in [1934](#).

[Data relating to drug convictions since 2017](#) shows that approximately two-thirds of such cases in a given year relate to cannabis.

Drug convictions for cannabis and prosecutions for cannabis possession fell by about a third following the prescribing of medicinal cannabis in the Island in 2020, down from approximately 120 to 80 cases per year on average.

A breakdown of all [drug convictions by age and gender from 2017-2021](#) showed that 94% of offenders were male, and 43% were under the age of 25.

Removal of Criminal Sanctions for Cannabis Possession

Time for Change

The primary concern of members of the cannabis community in Jersey is the possibility of receiving a criminal record for the personal possession of cannabis, which can [adversely effect employment, travel and other opportunities](#).

We believe that this is a disproportionate response that impinges upon the human rights of bodily autonomy and the right to a private life.

Six decades of criminalisation has not deterred the on-going consumption of illicit cannabis by a significant number of Islanders, despite thousands of arrests over the years.

Education and harm reduction measures are required to address cannabis consumption concerns, not punitive sanctions on individual users.

Cannabis Possession and the Law

Cannabis is defined in the [Misuse of Drugs \(Jersey\) Law 1978](#) as follows:

1. Interpretation

1) In this Law, unless the context otherwise requires –

“cannabis” (except in the expression “cannabis resin”) means any plant of the genus *Cannabis* or any part of any such plant, but does not include cannabis resin or any of the following products after separation from the rest of the plant, namely –

- a) mature stalk of any such plant;
- b) fibre produced from mature stalk of any such plant; and
- c) seed of any such plant;

“cannabis resin” means the separated resin, whether crude or purified, obtained from any plant of the genus *Cannabis*;

Meaning of certain expressions used in this schedule

“cannabinol derivatives” means the following substances, except where contained in cannabis or cannabis resin, namely tetrahydro derivatives of cannabinol and 3-alkyl homologues of cannabinol or of its tetrahydro derivatives;

The definition of cannabis in the Law [“does not extend to a particular requirement in relation to the chemical ingredients”](#). If identified to be cannabis or cannabis resin upon visual analysis, the Law applies regardless of whether or not it contains THC or any other psychoactive compounds.

Exemptions are provided in the [Misuse of Drugs \(General Provisions\) \(Jersey\) Order 2009](#) for cannabis-based products for medicinal use, the licensed cannabis medicine Sativex, and CBD products that contain a small proportion of cannabinol and cannabinol derivatives where no visible plant material is present.

The various forms of cannabis are classified as Schedule 1 controlled drugs unless prescribed, with cannabis and cannabis resin being Class B drugs. Cannabinol and cannabinol derivatives were formerly classified as Class A drugs but were recently [reclassified as Class B drugs](#), following the adoption of part c) of P.31/2024.

Amendments to the Law between 2009 and 2016 introduced the prohibition of a number of synthetic cannabinoids as Class B drugs, but others, such as [HHC](#), remain uncontrolled.

The possession of cannabis is prohibited under Article 8 (1) of the Law:

8. Restrictions on possession of controlled drugs

- 1) Subject to the provisions of any Order for the time being in force under Article 12, it is an offence for a person to have a controlled drug in his or her possession.

“Having possession of a controlled drug” is liable to a penalty of “5 years [imprisonment] or a fine, or both” for a Class B drug such as cannabis.

The [Magistrate’s Court of Jersey’s Sentencing Guidelines for Drug Offences](#) issued in April 2023 defines the following starting points for cannabis possession offences:

- Up to 50g of cannabis: a fine in the range of £300-£2,500.
- Up to 250g of cannabis: custody in the range of 2-4 months.

It has been many years since someone was imprisoned in Jersey solely for the offence of cannabis possession. Cases that reach the Magistrate’s Court are now generally dealt with by way of a fine, for which offenders also receive a criminal record.

While the [Rehabilitation of Offenders \(Jersey\) Law 2001](#) specifies rehabilitation periods for particular sentences, there are exceptions relating to the disclosure of spent convictions as defined in the [Rehabilitation of Offenders \(Exceptions\) \(Jersey\) Regulations 2002](#).

Provisions within the Law allow the Minister to make exemptions to Article 8 (1) in relation to the possession of cannabis, as well as other offences:

12. Authorization of activities otherwise unlawful under this Law

- 1) The Minister may by Order –
 - a) exempt from the provisions of Article 4 (2) (a) or 8 (1) such controlled drugs as may be specified in the Order;

13. Powers of Minister for preventing misuse of controlled drugs

- 1) Subject to the provisions of this Law, the Minister may by Order make such provision as appears to him or her necessary or expedient for preventing the misuse of controlled drugs.

23. Further power to make Orders

The Minister may by Order make further provision for excluding in such cases as may be prescribed –

- a) the application of any provision of this Law which creates an offence;

27. General provisions as to Orders

- 1) Any Order made by the Minister under any provision of this Law –
 - a) may make different provision in relation to different controlled drugs, different classes of persons, different provisions of this Law or other different cases or circumstances;
 - b) may make the opinion, consent or approval of such authority as may be prescribed, or of any person authorized in such manner as may be prescribed, material for the purposes of any provision of the Order;
 - c) may contain such supplementary, incidental and transitional provisions as appear expedient to the Minister.
- 2) No Order shall be made under this Law except after consultation with, or on the recommendation of, the [Misuse of Drugs Advisory] Council.

Attorney General Guidance on Drugs

A series of Attorney General Directives for the handling of drug possession offences at [Parish Hall Enquiries](#) introduced a form of de facto decriminalisation of cannabis possession in Jersey over twenty-five years ago.

[Attorney General Directive 1/98](#) began the trend towards decriminalisation by allowing first time offences of the possession of up to 7g of cannabis or cannabis resin (and also small amounts of other Class B and C drugs) to be dealt with by way of diversion to a Drug Awareness Course, instead of being referred to the Magistrate's Court.

In 2015, [Centenier Written Caution Guidelines](#) were issued that replaced previous guidance and specified that possession of up to 15g of herbal cannabis or cannabis resin (along with specified amounts for other drugs) could be dealt with by way of a [written caution at Parish Hall Enquiry](#) for first time offences. This was [extended to second offences in 2019](#), if more than a year had elapsed since the first offence.

The introduction of a [level 1 fine](#) for the possession of Class B and C drugs following the adoption of [P.97/2023 Draft Crime \(Public Order\) \(Jersey\) Law 202-](#) enabled the further relaxation of the approach to cannabis possession in October 2024, with [updated guidance permitting a third offence to be dealt with by way of a £200 fine](#):

28A. Power to impose fines summarily

- 1) If a person is charged with an offence under Article 8 (1) (restrictions on possession of controlled drugs) in relation to the possession of a Class B drug or a Class C drug and accepts the decision of a Centenier having jurisdiction in the matter, that Centenier may impose a fine of level 1 on the standard scale.

The 6th edition of the guidance published in September 2025 [permits the personal importation of controlled drugs to be dealt with in the same manner as possession](#) by way of written cautions and summary fines, effectively decriminalising the importation of small amounts of cannabis.

[Written cautions and fines can appear on enhanced DBS checks](#), where relevant to the role. In response to questions on this matter at the [Quarterly Hearing in October 2025](#), the Home Affairs Minister confirmed that this “is something we said that we would look at”.

Substance Use Strategy

The decriminalisation of cannabis possession aligns with several of the objectives of the new substance use strategy, [A Change of Direction – A Substance Use Strategy for Jersey 2023 to 2033](#):

Aim 5: Continue progress towards a sustainable health and social based approach

- Review how small quantities of controlled drugs are dealt with to ensure alignment with a health and social based approach. In addition, improve the Parish Hall Enquiry and Deferred Decision process to include elements of health and social based approaches. This includes a focus on identifying and responding to wider risk factors that influence substance use and offending behaviour.
- Conduct a review of the *Misuse of Drugs Law (Jersey) 1978* and *Misuse of Drugs (General Provisions) (Jersey) Order 2009*, to ensure they are fit for purpose. This will include ensuring the laws are workable within the current drug landscape, are based on sound scientific understanding, and are consistent with a health and social approach.
- Continue progression away from criminalisation by reviewing and adopting specific policy options that fall under decriminalisation and legalisation aims. This will include ensuring alignment to existing government commitments on improving health and protecting children.

Policing Considerations

If we accept the principle that Islanders should no longer receive a criminal record for the personal possession of cannabis, what level of control (if any) should we implement?

Should the police retain the power to search and detain people under Article 19 of the Law in relation to cannabis possession?

When police in Jersey encounter someone in possession of cannabis following its decriminalisation, how should they respond?

- Take no further action?
- Confiscate the cannabis?
- Refer the person to Parish Hall Enquiry?

If a person is referred to Parish Hall Enquiry, what should the procedure be?

- Signpost the person to health services?
- Provide words of advice?
- Issue a written caution?
- Issue a fine?

Should the potency of the cannabis be taken into account?

There will be many shades of grey depending on the particular circumstances of a situation, taking into consideration the person's age, the amount of cannabis found, etc.

It would be preferable for cannabis that contains negligible psychoactive content to be exempt from control. However, this could be difficult for police and prosecuting officers to ascertain in practice. The handling of these matters will likely fall under the remit of the Attorney General in determining what is appropriate for the public interest in the application of any legislation adopted by the Assembly.

Total Acceptable Gram Allowance

Under the decriminalisation of possession, large quantities of cannabis would continue to be considered possession with intent to supply, and dealt with accordingly.

Ideally, there should be no penalty for the possession of small amounts of cannabis, but what should the limit be to the amount of cannabis a person can legally possess in public?

- 15g as per the current Attorney General Guidelines?
- A lower or higher limit than 15g?
- No limit?
- Zero?

Should the same limit apply to the amount of cannabis possessed at home?

How should infractions of the limit be dealt with?

Determining the weight of cannabis may prove difficult for police officers to undertake in the field.

If limits are to be introduced, there would need to be higher bands of weight limits that could be dealt with at Parish Hall Enquiry, perhaps utilising those that already exist in the [Attorney General](#) and [Sentencing Guidelines](#) of 15g / 50g / 250g.

Beyond Possession: Use & Supply

Further Considerations

The decriminalisation of the possession of cannabis is the logical evolution of the Attorney General Directives that have enabled such offences to be dealt with at Parish Hall Enquiry since 1998.

There are, however, implications that arise from such a change of approach that relate to the use and supply of cannabis, as highlighted in P.31/2024, which require due consideration.

Cannabis Use Concerns

Restrictions on driving under the influence of cannabis

Driving while impaired by cannabis, or causing death or serious injury when driving under the influence of cannabis, are criminal acts under the [Road Traffic \(Jersey\) Law 1956](#):

26. Causing death by careless driving when under the influence of drink or drugs

- 1) If any person causes the death of another person by driving a motor vehicle on a road or other public place without due care and attention or without reasonable consideration for other persons using the road or place and –
 - a) the person is, at the time when driving, unfit to drive through drink or drugs;the person shall be guilty of an offence under this Article.
- 2) For the purposes of this Article, a person shall be taken to be unfit to drive if his or her ability to drive properly is for the time being impaired.
- 3) A person guilty of an offence under this Article shall be liable to a fine or to imprisonment for a term not exceeding 10 years or to both such fine and imprisonment.

26B. Causing serious injury by careless driving when under the influence of drink or drugs

- 1) A person who causes serious injury to another person by driving a motor vehicle on a road or other public place without due care and attention or without reasonable consideration for other persons using the road or place and –
 - a) the person is, at the time when driving, unfit to drive through drink or drugs;is guilty of an offence.
- 2) For the purposes of this Article, a person is taken to be unfit to drive if his or her ability to drive properly is for the time being impaired.
- 3) A person guilty of an offence under this Article is liable to imprisonment for a term of 4 years and to a fine.

27. Driving when under the influence of drink and drugs

- 1) Any person who, when driving or attempting to drive a vehicle (other than a wheelchair), or when riding, leading or driving or attempting to ride, lead or drive an animal, or when in charge of a vehicle (other than a wheelchair) or animal, on a road

or other public place, is unfit to drive, or is unfit to have control of the animal, through drink or drugs, shall be guilty of an offence under this Article...

- 2) A person guilty of an offence under this Article shall be liable to imprisonment for a term of 12 months and to a fine of level 3 on the standard scale.
- 4) For the purposes of this Article a person shall be taken to be unfit to drive or to be unfit to have control of an animal if his or her ability to drive properly or to have proper control of the animal is for the time being impaired.

While there are as yet no defined limits for the presence of controlled drugs in bodily fluids in the Law, the [prosecution in Jersey does take into account UK guidance](#) in determining impairment:

“...[Article] 27 of the *Road Traffic (Jersey) Law 1956*, is silent as to any de minimis levels of drugs that may be contained in the blood of a suspect and disregarded for the purpose of prosecution. However, the court learnt that the prosecuting authorities in Jersey had regard to guidance published in England and Wales on a non-statutory basis for the purpose of considering whether or not a person should be charged with an offence of driving whilst unfit through consumption of drugs.”

It is expected that legislation will be brought to the Assembly in 2026 to introduce limits for the presence of controlled drugs to define impairment, including cannabis, as part of the [Collision and Casualty Reduction Plan: 2025-2034](#).

Restrictions on areas of consumption

Under current legislation, the smoking of cannabis in the workplace and in public eating premises is captured under the definition of smoking in the [Restriction on Smoking \(Jersey\) Law 1973](#):

A1. Interpretation

“smoking” means –

- b) being in possession of a substance (or a mixture of substances) that is not tobacco nor anything that is customarily used as incense and the substance (or mixture) is ignited...

2. Offences, defences and penalties

- 1) Regulations under this Law may provide that a person who contravenes a specified provision of the Regulations shall be guilty of an offence and liable to either or both of the following –
 - a) imprisonment for a length of time specified in the Regulations not exceeding 2 years;
 - b) a fine (whether specified to be on the standard scale or otherwise).

The [Restriction on Smoking \(Workplaces\) \(Jersey\) Regulations 2006](#) does not specify the substance being smoked, and so would also apply to the smoking of cannabis.

The [Restriction on Smoking \(Motor Vehicles\) \(Jersey\) Regulations 2015](#), however, specifies the smoking of tobacco and so it will likely need amending to include other substances such as cannabis.

The simplest approach to address the smoking of cannabis in public would be to treat it in the same way as the smoking of tobacco, perhaps with the expansion of non-smoking areas.

Likewise, the use of cannabis in the presence of minors should be treated in the same way as tobacco and alcohol, i.e. by emphasising responsible use.

It may, however, be desirable for the police to retain the power to refer someone to Parish Hall Enquiry for their use of cannabis in public or in the presence of minors, in exceptional cases.

A limit on the amount of cannabis that can be possessed in public could also facilitate the policing of cannabis consumption.

Vaping is not regulated in Jersey law, whether for nicotine or any other substance.

Medicinal cannabis patients are directed to vape their prescribed cannabis flower as required for their condition, with protections provided by the [*Discrimination \(Jersey\) Law 2013*](#).

Being in receipt of a prescription for medicinal cannabis is likely to be considered protected information under the [*Data Protection \(Jersey\) Law 2018*](#).

Any restrictions on the vaping of cannabis will therefore require careful consideration to ensure that the rights of medicinal cannabis patients to medicate as required are respected.

Permitting the smoking of cannabis on one's premises is currently prohibited by the [*Misuse of Drugs \(Jersey\) Law 1978*](#):

11. Occupier of premises

A person commits an offence if, being the occupier or concerned in the management of any premises, the person knowingly permits or suffers any of the following activities to take place on those premises –

- c) smoking cannabis, cannabis resin or prepared opium.

“Being the occupier, or concerned in the management, of premises and permitting certain activities to take place there” is liable to a penalty of “14 years [imprisonment] or a fine, or both”.

Notably, the Article above does not apply to the vaping, eating or drinking of cannabis.

If we are to decriminalise the possession of cannabis, it does not seem appropriate to criminalise someone for smoking cannabis in their own home, especially given the human right to a private life.

Removal of the prohibition of the smoking of medicinal cannabis

The amendment to our drugs laws that introduced medicinal cannabis brought with it [*the only restriction on the use of cannabis in our legislation*](#) (other than that relating to the occupier of premises mentioned above):

20A. Prohibition of smoking of medicinal products related to cannabis

- 1) This Article applies to a controlled drug or medicinal product that is a Schedule 2 drug by virtue of paragraph 10 of that Schedule.

- 2) A person must not take the controlled drug or medicinal product by smoking it, or administer it by the smoking of it.

Under “miscellaneous offences”, this is liable to “2 years [imprisonment] or a fine, or both”.

Ironically, it is not illegal to smoke non-medicinal cannabis in Jersey, which makes this Article discriminatory to medicinal cannabis patients.

If a medicinal cannabis patient were also to be found in possession of cigarette papers or a pipe, they could technically be in breach of Article 10 of the Law on the prohibition on possession of utensils for the purpose of committing an offence, for which the penalty is “14 years [imprisonment] or a fine, or both”.

As with any other medication, prescription guidance should suffice to define appropriate use. Specific legislation to deter undesirable consumption practices is neither necessary nor proportionate.

The Article prohibiting the smoking of medicinal cannabis should be removed forthwith, especially if cannabis possession is to be decriminalised in Jersey.

Harm reduction

The imposition of a criminal record for cannabis possession is in itself a harm.

Decriminalising the possession of cannabis would arguably make it easier to provide harm reduction advice without it being construed as encouraging cannabis use.

For example, users could be encouraged to use dry-herb vaporisers instead of smoking their cannabis, which is preferable from a health perspective.

Stigma associated with cannabis use, often encountered by medicinal cannabis patients, could be reduced through greater public awareness and understanding.

Public information campaigns are needed to minimise potential harms, especially amongst young people and vulnerable groups, with support services made available to those who experience problems relating to their cannabis use.

The new ten-year substance use strategy provides a strong foundation for Government to address the use of cannabis in our society, whatever its legal status. Funding for Public Health to implement the strategy must be maintained to ensure its success.

Disrupting the Black Market

Supply and demand

The decriminalisation of the possession of cannabis does not in itself address the issue of supply, which would remain a criminal offence under the *Misuse of Drugs (Jersey) Law 1978*.

How, therefore, should we address the black market for cannabis in Jersey?

Home cultivation

A simple approach to the issue of supply is to permit Islanders to grow cannabis for their own personal/household use, as in [Luxembourg](#) and a number of [other jurisdictions](#).

This could be achieved by decriminalising limited personal cannabis cultivation, potentially utilising a licencing system to ensure protections for children, health and safety compliance, etc.

Under the [Misuse of Drugs \(General Provisions\) \(Jersey\) Order 2009](#), cannabis can be cultivated in Jersey under licence, as currently utilised by commercial growers of hemp and medicinal cannabis:

10. Cultivation of cannabis plant under licence

- 1) A person may be authorized by a licence issued by the Minister under this Article to cultivate plants of the genus *Cannabis*.
- 2) If a person is so authorized, it is not unlawful for the person to cultivate the plant –
 - a) in accordance with the terms of the licence; and
 - b) in compliance with any conditions attached to the licence.

Cultivation of cannabis without a licence is prohibited under the [Misuse of Drugs \(Jersey\) Law 1978](#):

5. Restrictions on production and supply of controlled drugs

Subject to the provisions of any Order for the time being in force under Article 12, it is an offence for a person –

- a) to produce or be concerned in the production of a controlled drug;

“Producing, supplying or being concerned in the production, supplying or offering to supply a controlled drug” is liable to a penalty of “14 years [imprisonment] or a fine, or both” for cannabis.

Permitting the production of cannabis on one’s premises is also prohibited:

11. Occupier of premises

A person commits an offence if, being the occupier or concerned in the management of any premises, the person knowingly permits or suffers any of the following activities to take place on those premises –

- a) producing or attempting to produce or supplying or attempting to supply a controlled drug in contravention of Article 5;

“Being the occupier, or concerned in the management, of premises and permitting certain activities to take place there” is liable to a penalty of “14 years [imprisonment] or a fine, or both” for cannabis.

The [Magistrate's Court of Jersey's Sentencing Guidelines for Drug Offences](#) defines the starting points for cannabis cultivation offences:

- Very small-scale cultivation for personal use only (1 to 4 plants): 1-5 months custody.
- Small scale cultivation for personal use and non-commercial supply to small circle of friends (5 to 10 plants): 6-12 months custody.
- Commercial cultivation (more than 10 plants): send to Royal Court.

If it were to be decriminalised, what constraints (if any) should be placed on the home cultivation of cannabis?

- Should the cultivation of cannabis for personal use be subject to licensing requirements?
- Should there be a [licence fee](#) for personal cannabis cultivation?
- Should outdoor cultivation be permitted, perhaps with the provision that it not be visible to the public?
- If cultivated indoors, should the use of growing equipment, such as grow lights and irrigation systems, be permitted?
- Should there be a limit for the total acceptable cultivation allowance that can be grown per person/household?

Any limit on the number of plants should apply specifically to flowering female plants in order to counter wastage, allow for a selection of cultivars, and facilitate phenotype selection and cuttings.

If personal cultivation is permitted, any weight limit on the amount of cannabis that may be possessed at home should be set appropriately to accommodate the overall volume of plant material.

Enabling people to grow their own would allow them to be self-sufficient, give them choice in which varieties they cultivate, and ensure that their cannabis is free from contaminants.

It is likely that only a minority of users would cultivate cannabis, most of whom would not possess any prior experience. As a result, their crops would be of a low to moderate potency.

Cannabis can take between 3-4 months to reach maturity, followed by several days/weeks of drying before it is ready for consumption. It is through the refinement of cultivation and curing techniques that high strength cannabis is produced, which takes skill and knowledge to achieve; cannabis potency being more a question of nurture than nature (genetics).

At the very least, consideration should be given to enabling cases of the small-scale cultivation of cannabis to be handled at Parish Hall Enquiry by way of a written caution or fine, instead of referral to the Magistrate's Court.

The decriminalisation of the production of hashish (resin) and other cannabis extracts and concentrates for personal use should also be considered alongside cultivation.

Options for decriminalising the supply of cannabis

For those who cannot or do not want to grow their own cannabis, provisions for the decriminalised supply of cannabis should be considered to reduce demand on the black market.

The supply of cannabis is prohibited under the [*Misuse of Drugs \(Jersey\) Law 1978*](#):

5. Restrictions on production and supply of controlled drugs

Subject to the provisions of any Order for the time being in force under Article 12, it is an offence for a person –

- b) to supply or offer to supply a controlled drug to any person; or
- c) to be concerned in the supplying of, or in the making of an offer to supply, a controlled drug to any person.

8. Restrictions on possession of controlled drugs

- 2) It is an offence for a person to have a controlled drug in his or her possession, whether lawfully or not, with intent to supply it to another person in contravention of Article 5(b).

20. Accessories and abettors

Any person who knowingly and wilfully aids, abets, counsels, causes, procures, conspires in or commands the commission of an offence punishable under this Law shall be liable to be dealt with, tried and punished as a principal offender.

“Producing, supplying or being concerned in the production, supplying or offering to supply a controlled drug” is liable to a penalty of “14 years [imprisonment] or a fine, or both” for cannabis.

The [*Magistrate’s Court of Jersey’s Sentencing Guidelines for Drug Offences*](#) defines the starting points for cannabis supply and intent to supply offences:

- Up to 100g of cannabis: a £1,000 fine – 2 months in custody.
- Up to 500g of cannabis: 2-10 months in custody.
- Up to 750g of cannabis: 10+ months in custody.
- More than the above: send to the Royal Court.

Given the existing cannabis culture of sharing, home cultivation of cannabis will inevitably lead to instances of low-level supply and procurement, whether that be by gifting, trading or social supply.

Providing there are no aggravating circumstances, any such supply should at most be dealt with by way of a Parish Hall Enquiry resulting in a written caution or fine, rather than the Magistrate’s Court.

Reducing instances of low-level supply could be achieved by permitting people to grow cannabis on behalf of others, and/or by allowing collective cultivation, whereby many people grow their cannabis together in centralised, controlled locations.

These approaches could be implemented by extending the definition of the decriminalisation of personal cultivation to allow people to tend to the plants of others, under appropriate conditions.

Collective grows could be further expanded in a non-profit social club model, where members could purchase cannabis grown by the club on their behalf from trained budtenders that provide harm reduction advice and support, as in [Malta](#).

If a social club model were to be adopted in Jersey, restrictions would be required on the sale of cannabis to minors, as well as assurances that minors or vulnerable people would not be coerced into cannabis related activities.

Consideration would need to be given as to whether tourists should be permitted to purchase cannabis from any such establishment, as in the coffeeshops in some parts of the [Netherlands](#), or if social clubs should only be accessible to Island residents.

Social clubs could also provide consumption spaces, as in [Spain](#), which would reduce instances of public use and, with it, the smell of cannabis in public.

There are, of course, many other details that would need to be considered in a social club model, such as the permitted number of members, whether to allow the sale of food or alcohol, restrictions on advertising, etc.

While a decriminalised social club model would be effective in reducing black market demand for cannabis, it would need careful planning and delicate implementation to ensure adherence to the [UN drug conventions](#) that Jersey is party to.

It should be noted that the import and export of cannabis would remain prohibited, as these activities are not permitted under the UN drug conventions, other than for hemp and medicinal cannabis.

The personal importation of small amounts of cannabis should remain under the remit of Parish Hall Enquiries for the time being, where [current guidance](#) allows Centeniers to “exercise their summary fining power for importations of personal amounts of drugs only”.

A pilot study on the regulated sale of cannabis

An alternative approach for the supply of non-medicinal cannabis in Jersey would be to undertake a time-limited pilot study in regulated sales, as currently being trialled under different models in several cantons in [Switzerland](#).

A pilot study would involve the recruitment of a limited number of existing cannabis users who would be permitted to obtain a defined amount of cannabis per month from a licensed non-profit vendor, e.g. a pharmacy, supplied by a licensed local cultivator.

Participants’ cannabis purchases and use would be monitored, with data collected and analysed to establish the effects of regulated sales on those enrolled in the trial compared to a control group, as well as the trial’s impact on the wider community.

Should the pilot study not be successful, it can simply be discontinued.

Ideally, such a trial would be undertaken in partnership with a university department that specialises in public health, substance use, or criminology.

Initial results from the pilot studies in Switzerland have been positive and suggest that [regulated sales reduce problematic consumption](#).

While a pilot study in cannabis sales based on the principles of public health and harm reduction is understood to be [compatible with the UN drug conventions](#), the blessing of the UK Home Office would be required as the representative signatory to the conventions.

Potential implications for the Common Travel Area would also need to be addressed, perhaps via the [British Irish Council](#), to ensure the support of our partners and avoid the suggestion of a hard border.

Notably, [Guernsey](#), the [Isle of Man](#) and [Ireland](#) have all made steps towards drug liberalisation in recent years, which may engender support for a pilot study in cannabis sales in Jersey.

As a small island jurisdiction, Jersey is well-placed to undertake a trial in the supply of cannabis, which could help inform the approach taken in Guernsey, the UK and elsewhere.

Of the various models of cannabis reform that have been implemented around the world to date, a pilot study in cannabis sales is the best approach available to minimise the potential harms of cannabis to both user and society.

Conclusion

There is a lot to think about when it comes to possible approaches to regulating cannabis in Jersey. We believe that there should no longer be criminal sanctions for the personal possession of cannabis. But where should we draw the line for the thousands of Islanders who consume cannabis every year? How can we best address legitimate concerns and minimise potential harms relating to cannabis use? What is the most effective and appropriate method to reduce the black market for cannabis? Fundamentally, what approach to cannabis is in the public interest of the people of Jersey?

We should also look beyond cannabis as being just a drug.

There is great potential in developing an agile knowledge-based economy around cannabis in Jersey. Decades of prohibition have stifled research into cannabis, whether that be in relation to medicinal benefits for particular conditions, the utilisation of hemp for soil remediation and carbon sequestration, or the effect of cannabis use on specific populations, to name a few.

We should utilise our asset of being a small nimble jurisdiction to develop an environment conducive to research and development into the use of cannabis, whether that be industrial, environmental, medicinal or recreational.

We should promote the use of hemp to remove excess nitrates and contaminants from our soil, including PFAS/PFOS, which could be sequestered in hempcrete and used in construction as a non-load-bearing, carbon-negative alternative to concrete.

We should strive for high standards in medicinal cannabis cultivation in the Island to ensure the long-term viability of the sector, focusing on the production of high-quality products that set us apart from other jurisdictions.

We should enhance our prescribing of medicinal cannabis to reduce the potential for abuse of the system, facilitate research, educate healthcare professionals, and integrate medicinal cannabis into primary and hospital care.

Each of these avenues present opportunities for Jersey, as well as solutions to resolve long-standing problems, should we wish to take full advantage of the advancements already made in this sector.

Let's take a practical and informed approach to cannabis in Jersey, one that builds and expands upon the experiences of other jurisdictions.

Prohibition has not deterred cannabis use in the Island.

It's time we tried a different approach.

Appendix

Further Reading

- [The time has come to discuss Jersey's approach to cannabis](#)
Jersey Evening Post, 2024.
- [A recreational cannabis pilot project for Jersey to consider](#)
Jersey Evening Post, 2024.
- [With the right approach, Jersey can emerge as a beacon of excellence in the global cannabis marketplace](#)
Jersey Evening Post, 2024.
- [Could the Crown Dependencies be the key to UK cannabis reform?](#)
Volteface, 2022.
- [How to Regulate Cannabis – A Practical Guide](#)
Transform Drugs Policy Foundation, 2022.
- [Recommendations for Reform](#)
End Cannabis Prohibition Jersey, 2022.
- [Glossary of Cannabis Terms](#)
End Cannabis Prohibition Jersey, 2024.
- [Cannevi – Cannabis in Jersey](#)

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- Version 1.4 – 30th July 2025
 - Shared with States Members 31/07/25.
- Version 1.5 – 29th October 2025
 - Addition of Article 13 to [Cannabis Possession and the Law](#).
 - Addition of reference to the 6th edition of the [Attorney General Guidance on Drugs](#).
 - Addition of reference to the approach to prosecution to [Restrictions on driving under the influence of cannabis](#).
 - Addition of reference to the 2024 prescribing figures to [Cannabis Use in Jersey](#).
- Version 1.6 – 11th December 2025
 - Addition of reference to the reclassification of cannabinal and cannabinal derivatives as Class B drugs to [Cannabis Possession and the Law](#).
 - Update of the [Attorney General Guidance on Drugs](#).