

STATES OF JERSEY

OFFICIAL REPORT

TUESDAY, 25th NOVEMBER 2025

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[9:30]

The Roll was called and the Dean led the Assembly in Prayer.

Deputy A. Howell of St. John, St. Lawrence and Trinity

Please may I raise the défaut on Deputy Jeune?

The Bailiff:

Yes, the défaut is raised.

Deputy M.E. Millar of St. John, St. Lawrence and Trinity:

I would like to ask that my statement, which is scheduled to be read after Questions without notice be taken as the first item of business. I have emailed States Members about this yesterday. I think there are some questions about it already. I think it would reduce duplication, repetition and possible confusion if I was able to do that statement before we get on to questions. Clearly, if having heard the statement Members still have questions they will of course be able to continue with them but I think it would be helpful if that statement could come first, if Members are agreeable.

[9:45]

The Bailiff:

So the proposition is that the Minister for Treasury and Resources will make her statement regarding Blue Islands as the first item of business. Is that proposition seconded? **[Seconded]** Does anyone wish to speak on that proposition? Are Members content in proceeding in that fashion? Thank you.

STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

1. The Minister for Treasury and Resources will make a Statement regarding Blue Islands

1.1 Deputy M.E. Millar of St. John, St. Lawrence and Trinity (The Minister for Treasury and Resources):

I thank Members for agreeing for this to come first. I am sure all Members will join me in expressing regret that Blue Islands, which had served the Channel Islands for 26 years, entered liquidation on Monday, 17th November, following a decision by their board of directors to cease operations. I am acutely aware of the impact this will have had on the employees of the business, their families and all others who have been affected. Despite this difficult news, I am grateful to Loganair for the work done to improve contingency proposals and for answering the Island's call to make an accelerated entry into the Jersey market, which saw services being stood up in just 36 hours from notice being given to them. I would also like to thank the officials from Government and the Ports of Jersey, who have worked for several months and intensively in recent weeks, to ensure a sustainable future for the Island's regional connectivity. The Government response has been decisive, reassuring for the public, and supportive of those employees affected by the outcome. Members and the public will appreciate that our priority this past week has been to support Blue Islands+ staff and to ensure that our air links were secure. The purpose of today's statement is to provide more detailed information about the circumstances surrounding Blue Islands' decision to cease trading and the work undertaken by the Government to safeguard our regional air links. Our aim was to support Blue Islands where possible, to ensure regional air links and medical flights were maintained, and to minimise disruption to the public. In doing so, we have had to make difficult decisions after carefully considering all available options. Government financial support for Blue Islands has been twofold. First, during COVID to keep essential lifeline air links open and, second, to support them more recently while they sought to find a new

shareholder through a sales process or to find an alternative long-term solution for their viability. It is, of course, not the role of Government to sustain a private business which may be facing financial difficulties. It is, however, the job of Government to ensure that essential air connectivity is maintained, and that has been at the forefront of our minds throughout this time. The social and economic impacts, including on transport for people needing medical treatment in England, have been considered carefully in reaching every decision. As Members will be aware, Government's involvement with Blue Islands began during the pandemic. In order to ensure the airline could continue trading and to maintain essential regional air services during the pandemic Government provided funding to Blue Islands through a £10 million loan facility, of which £8.5 million was drawn down. This support, provided in the middle of 2020, secured lifeline connectivity during a period of unprecedented disruption and allowed Blue Islands to establish itself as an independent airline operating from Jersey. In the intervening 5 years, Blue Islands has: provided lifeline transport for medical patients to Southampton; carried 650,000 passengers, providing important connectivity that has generated revenues for our visitor economy, as well as continued regional connections that have added value to the wider economy; made interest and capital repayments to Government of £3.2 million. The COVID loan met its principal objective; sustaining the Island's regional air links at a time when, due to the pandemic, no other airline would have started providing services to the Island. In so doing, Blue Islands made a significant contribution to the recovery of the Island's visitor economy, and we must thank them for their service to our Island during this time. Turning to more recent events, the COVID loan formed part of the ongoing discussions with Blue Islands on their viability and funding needs. From late 2024, we were asked to defer amounts owed to Government while Blue Islands explored a sale or an alternative solution. We agreed on the basis that we were supporting them to find a solution and to minimise disruption for the public and severe impacts on the economy. We have worked closely with Ports of Jersey during this time to ensure that vital connectivity is maintained. Following this statement, Members will be provided with a detailed timeline of Government's work over this period and a full account of funding provided to Blue Islands since the pandemic. I would hope that Members would, if that has not already been delivered, be happy for me to go through those at the end of this statement, although they do not technically form part of the statement. I will refer to that at the end. In summary, to allow time for a potential sale to be explored, the Government agreed to defer repayments of the pandemic loan and asked Ports of Jersey to provide working capital support by extending credit terms for airport charges. In June this year, Blue Islands approached Government as a key stakeholder regarding options for future ownership and, since then, the Government and Ports of Jersey have been assessing and negotiating those options. Further Government support for Blue Islands remained a continuing option throughout this process, while Loganair provided the most compelling proposal submitted by any alternative airline. An options analysis undertaken during the summer demonstrated that, if Ministers chose to provide financial support for a transition to an alternative airline, Loganair represented the lowest-cost and best route to securing the Island's regional air links. This was due to its scale, operational resilience, opportunities for future expansion, financial sustainability and commitments to provide both consumer guarantees and a replacement aircraft within 4 hours of any technical delay. Accordingly, Government discounted an alternative proposal from Aurigny, which also carried a risk that further financial support would be required in the future. To develop the remaining options, further detailed work was required. Accordingly, over the last few months, Loganair undertook due diligence to finalise its proposal to Government. During this period, it was necessary for the Government to provide additional financial support to Blue Islands to ensure that it could continue operating. It was apparent that, without such support, Blue Islands may have ceased trading earlier in the summer, when there were no effective contingency arrangements in place; this would not have been acceptable. Throughout the process, the Government has been clear that it was essential to avoid any sustained period where Jersey would be without the regional air connectivity upon which Islanders and our visitor economy rely. Funding of £1.2 million and then a further £0.5 million

were therefore provided to Blue Islands to avert this outcome while a long-term outcome could be confirmed. This was prudent and sensible planning and financial management. Had we not provided support when we did, the disruption to the public in the busy summer and early autumn months would have been far greater than the comparatively small amount of disruption that we have experienced. I must also add that Government is a secured creditor of Blue Islands. As such, we will expect that the majority of these recent funds will be able to be reclaimed, and we will submit a claim to the liquidators in due course. In terms of recent weeks, work to refine options intensified and by the evening on Wednesday, 12th November, it became clear that Loganair could commence replacement services very quickly in the event that Blue Islands could not continue trading. With Government support of up to £1.5 million to support the mobilisation of its fleet and services, Loganair committed to accelerate its mobilisation from an original estimate of 30 to 60 days to within 48 hours. Although the remaining alternative options were, on the face of it, credible and offered a potential prospect of recovering some of the Government's COVID loan, they required significant upfront taxpayer money and carried considerable financial risk. There was also no guarantee that we would not be asked for further funds in the future and any form of loan repayment would have taken many years, which reduces its present value. In short, we were not prepared to continue using taxpayer money in this way, given the alternative available to us. Again, this was both prudent and sensible financial management. I need not remind Members that finding these additional upfront costs would not have been an inconsequential matter and would have required the diversion of funds meant for other purposes, in particular Government capital schemes. Taking these considerations into account, the Council of Ministers agreed with me that the Government should not pursue the potential options that would require Government to provide further financial support for Blue Islands. They also agreed that we should activate business continuity arrangements with Loganair to protect air connectivity if the Blue Islands' directors concluded that the company had to cease operations. While the loss of Blue Islands is regrettable, and a matter of great sadness to many of us, Government acted decisively to protect the Island's transport links and the wider long-term interests of Islanders. The contingency arrangements put in place have ensured the continuity of services and teams from Ports of Jersey and Government acted swiftly to minimise disruption on the ground for passengers. The feedback that I have heard about the Loganair services has been very positive. The new partnership we have established with them provides a strong foundation for the future of our regional connectivity that should enable us to look ahead with confidence. That concludes the statement. If Members would find it helpful, I am happy to spend a little more time going through the timeline in more detail and the amount of funding that has been provided by Government.

The Bailiff:

I do not think you can because the Standing Order is quite strict. You shall give the text of what you propose to say to the Greffier and then to Members, so you cannot supplement it.

Deputy M.E. Millar:

Okay, thank you, Sir.

The Bailiff:

Perhaps in supplemental answers you might get a chance to deal with some of that material, but the Standing Orders are clear on that. The first question is from Deputy Tadier.

1.1.1 Deputy M. Tadier of St. Brelade:

The first question is: why did Government advance a further loan to Blue Islands on the day before its collapse?

Deputy M.E. Millar:

I am sorry, sir, I did not ... could the Deputy repeat his question?

Deputy M. Tadier:

The question is: why did the Government give a further loan to Blue Islands on the day before its collapse?

Deputy M.E. Millar:

We did not give a further loan to Blue Islands on the day before its collapse.

1.1.2 Deputy M. Tadier:

I will clarify then. The last loan that was given to Blue Islands of, we believe, £500,000, so whenever that was given if not the day before, in very close proximity to the collapse of Blue Islands, why would Government have given that loan probably in the knowledge that Blue Islands was on very shaky ground and likely to collapse at any moment?

Deputy M.E. Millar:

The loan that the Deputy is referring to of £500,000 I think was authorised on 7th November and I believe was made on that day. I think that was a Friday or possibly the next working day. At that stage we agreed to provide that loan because at that stage Loganair were not able to start contingency services within a period of shorter than 7 days, and we concluded that a 7-day gap in service was prohibitive. At that time we were, even then, still looking at an alternative solution which involved a transitional option with Loganair or additional investment in Blue Islands. At that point, we still thought there were other options on the table, and that is why we agreed the alternative funding to keep Blue Islands flying for a further period.

1.1.3 Connétable K.C. Lewis of St. Saviour

While I am sure that all of the Blue Islands' aircraft will be on a leasehold basis, would the Minister outline where she thinks that Jersey may have a claim against anything, either in Jersey or in the U.K. (United Kingdom), that would bring funds in? Will the Minister also be pursuing a claim on behalf of the Jersey Blue Islands' staff?

Deputy M.E. Millar:

I think the Deputy is right ... sorry, Constable. I apologise. I think the Constable is right. I believe the aircraft are leased. Government does have security over certain of the assets and we will certainly be making a claim to enforce our security over those assets.

[10:00]

Government will not technically make a claim on behalf of the employees, but the employees, to the extent that they are owed unpaid wages, unpaid holiday pay and redundancy, will be able to make a claim, I believe, through Income Support for the insolvency benefit. Certainly in my time as Minister for Social Security, I was very clear to the team at Social Security that, to the extent that we pay out on insolvency benefit, we then stand in shoes of the employees. I am sure that the E.S.S.H. (Employment, Social Security and Housing) will also be putting a claim into the liquidators. But the management is now in the hands of the liquidators, and I cannot really say a great deal more about that.

Deputy D.J. Warr of St. Helier South:

May I first raise the défaut on Deputy Moore, please?

The Bailiff:

Are Members content to raise the défaut on Deputy Moore? The défaut is raised.

1.1.4 Deputy D.J. Warr of St. Helier South:

I am going to quote the C.E.O. (chief executive officer) of Blue Islands. He said, “This was not an outcome we expected.” Clearly, he was not aware that the funding was removed. Can the Minister explain what was the turnaround plan for Blue Islands before it was abandoned?

Deputy M.E. Millar:

As I indicated in my statement, from June we were considering multiple options. The first one obviously, which was Blue Islands’ own strategy, was to find a purchaser, to find another airline that would come in and take over Blue Islands. As a small airline with some amount of debt, that was always going to be difficult and purchasers are often ... well, generally, unlikely to take over significant liabilities. We also considered a transitional arrangement where the service would move to Loganair, and we also did consider ... further funding to Blue Islands remained on the table throughout. But there came a point where we simply could no longer sustain that as an option. I was slightly surprised by that comment from the Blue Islands’ directors because we were aware much earlier, in perhaps early autumn/late summer, that they had taken insolvency advice and that without further funding they would have ceased trading at an earlier date. So I can only assume that Blue Islands thought we were going to continue giving them money until such time as ... I recognise that it may have come as a surprise to them, but the notion that they had not considered a position where they might have to cease trading through insolvency is not something that they had considered. That is a matter for them clearly, but I did not believe that was the case.

1.1.5 Deputy D.J. Warr:

First, in terms of sustainability of regional airlines, I just noticed on the figures for Aurigny, Aurigny in 2024 made a £6.5 million operating loss last year. We have seen Blue Islands suffer financial consequences of all this. Why will Loganair be different? What is more sustainable about Loganair? Do we have a fundamental problem with regional airlines?

Deputy M.E. Millar:

I think the issue is scale. It is one of scale. There is also an issue at the moment, as I understand it, with basically the global supply chain in terms of things like aircraft parts and engines. I do not remember the figures, but I have been told at some point that, in previous days, if an engine went technical, it could be fixed in a matter of weeks. At the moment, if an aircraft is broken, it can take a matter of months. If you only have 4 or 5 operating aircraft and you lose 2 aircraft to technical issues, you lose income and cash flow very quickly. If your fleet is down to 2, you lose money very quickly. That is certainly true of Blue Islands. Eastern Airways I think also went into administration more recently on the south coast of England. That may be true of them. Loganair does seem to be a different kettle of fish. It has a much bigger scale. It has almost 40 aircraft. It has aircraft of a wide range of shapes and sizes. They serve numerous airports. They go to airports that I think have reasonably big runways and infrastructure and they also go to islands where you land on the beach literally. So they have a range of aircraft available to them and the scale of their operations; they have said very proudly they have no debt. They have managed to operate very successfully. So I certainly have every confidence in their ability to run the routes themselves. We are satisfied that the routes themselves are profitable if you have an aircraft running on them regularly. When we have the issue of scale that Loganair will offer, we should see a profitable airline continuing to serve Jersey for the long term.

1.1.6 Deputy J. Renouf of St. Brelade:

Shifting the attention a little earlier, it is clear that the Government ramped up its activities around June-time, by the sound of it, with the first financial support, but the Comptroller and Auditor General drew attention to the fact that there was not sufficient, in her view, analysis of information coming back from Blue Islands in relation to the loan that had been given, and said: “There is no evidence within Government to demonstrate that information about the K.P.I.s (key performance

indicators) has been systematically collated, evaluated and reported on during the period of the loan.” Does the Minister regret the fact that the Government did not pay more attention to the performance of the loan earlier?

Deputy M.E. Millar:

If I could correct the Deputy’s opening remarks. Government clearly did not wrap up its activities in June. As far as I am personally concerned, June was only the start. We agreed to defer the COVID loan at the end of last year, and from June we entered into extensive discussions and negotiations regarding the online future of Blue Islands, which included giving them further funding later this year. I am sorry about those comments from the C. and A.G. (Comptroller and Auditor General) because the loan was very much monitored. It was monitored regularly as representatives of both Ports of Jersey and Treasury representatives attended all Blue Islands board meetings as board observers. This started in 2020 when the COVID loan was made and they attended all board meetings, so we knew very much what was happening with Blue Islands, and the C. and A.G. did refer to that in her report. She mentioned that we had representatives at all board meetings. In terms of K.P.I.s, the main purpose of the COVID loan, and I am trying to find some details of COVID which are not leaping out at me. The main purpose of the COVID loan was to keep the airline operating during the pandemic and anybody here who had relatives, who had to fly to Southampton for medical treatment during that period ... in fact, any Islander who had to fly to Southampton or who had to leave the Island for any urgent matter during that period will be, I am sure, grateful for the fact that we made that loan and kept Blue Islands flying. There were other K.P.I.s, which were not ... as I cannot find my notes, the K.P.I.s from memory were, firstly, that they kept flying and that they maintained regional air links. They did that. They maintained links to Southampton and, either then or later, to Exeter and Bristol and various other airports. So they did do what they were asked to do. They carried I think some 650,000 passengers in the time since 2020. They have operated as an airline for this Island. I think there are another 2 K.P.I.s, but I am sorry I just cannot put my hands on them right at the moment. But we did not ignore the K.P.I.s; they were there. Do we want to sit down every month and tick boxes or do we just want to get on with things? I think sometimes getting on with things is the best thing. But the main purpose of the loan that was made ... and they did pay back. It drew down £8.5 million, they have paid back £3.2 million in capital repayments and interest. We agreed to defer to keep it afloat. I think that we could easily ... I would be quite comfortable ... I am sure that anybody who was part of this Assembly during the pandemic would not have made any other decision than to provide Blue Islands with that funding. Those of you who were there would have made that same decision. It served its purpose and I think we can consider that loan as any other COVID cost in the same way that we spent £14 million building the Nightingale Hospital. That is no longer there.

The Bailiff:

Your answer has now been almost 3 minutes, Minister.

The Minister for Treasury and Resources:

Sorry, Sir.

1.1.7 Deputy J. Renouf:

With respect, the question was not about box ticking, it was not about whether the loan was the right thing to do at the time, and nor was it actually about whether the loan was monitored. It is about what was done with the information coming back. The C. and A.G. was very, very specific. She said that there was no evidence that the information coming back had been systematically collated, evaluated, and reported on. In other words, the information may have been there but there was not much done with it. That is the point, because there might have been early warnings if that information had been properly analysed. I ask the question again: does the Minister regret

the fact that more attention was not paid to the performance of the company after that loan had been given, given that the C. and A.G. has made that judgment?

Deputy M.E. Millar:

Again, I can only say that the loan was made in 2020 and Blue Islands made repayments of capital and interest from the requisite time. They were asked to repay from 2023, and it was at the end of 2024 that the board of directors came and said that we needed to defer because they could no longer repay. They needed help to continue. There are other things in the background. We did monitor and we were aware of what was happening. We also have to bear in mind that Blue Islands, at the time the loan was made, was owned by an individual who was a source of funding for that airline. When he died, Blue Islands has been owned by trustees of a Will Trust. That has meant that further investment from shareholders has not been available, so Government had no option but to step in. We have been aware of Blue Islands. I think it is about box ticking, if you send 2 people to board meetings and they are aware of what is happening. They were paying interest and capital repayment, and it was not until the end of 2024 that they came to us and said that they needed further support.

The Bailiff:

Are Members content to extend for another 15 minutes? There are other Members who wish to speak, so the time is extended.

Deputy B.B. de S.V.M. Porée of St. Helier South:

Can I just raise the défaut on Deputy Kovacs, please?

The Bailiff:

Are Members content to raise the défaut? The défaut is raised. Do you have a question as well? No.

1.1.8 Deputy K.M. Wilson of St. Clement:

Could the Minister explain when and how the arrangements for the £500,000 loan came about? Was this something that Government offered or was this something that Blue Islands requested?

Deputy M.E. Millar:

No, it was not something that the Government offered. It was something that Blue Islands requested. As I have explained, we spent a considerable amount of time - this will be clear in the timeline when that is circulated, if it has not been already - looking at all the options available. We were continuing to work on proposals with Loganair, we were continuing to think about Blue Islands further support. I believe that Blue Islands came to us in early November. I note they asked for additional funding on 24th October. We considered that on the basis of all other options. On 7th November, the small group of Ministers that really handled this agreed to provide further funding on 7th November, as I have mentioned already. We agreed to provide £1.5 million, which was what Blue Islands had requested, but because we were trying to manage that carefully, we agreed that we would pay that in tranches of £500,000 to be drawn at least 5 working days apart. We made the first payment, and by the time it came round to the second payment, it was clear to us that we had better contingency agreements with Loganair, that Loganair could step up, and that we could not continue putting money in that we had very little ... we thought we had less of a chance of returning. So we made the decision not to make further payments and also to cease the deferral. The deferral arrangement expired, I think, on 21st November and we concluded that we should stop the deferral of loan repayments.

1.1.9 Deputy K.M. Wilson:

There seems to be some misunderstanding between the Government and Blue Islands as to what was discussed around the loan agreements. Did Government give Blue Islands a clear plan as to how that money should be spent and in what way?

Deputy M.E. Millar:

There is a clearly stated loan agreement, of course, but it is not for Government ... Government is not there to interfere in the conduct of an airline. We are not experts in running an airline. Blue Islands asked for funding.

[10:15]

We provided them with that funding and it was clear that it would not be paid in a single element, it would not be paid in a single amount, that we would pay it in 3 separate amounts. Part of that was to ensure that it was not all gobbled up into an overdraft or whatever, and that it was used wisely by the Blue Islands' directors, but the way in which that funding was spent was decided by Blue Islands.

1.1.10 Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter:

In line with my question at the last sitting, could the Minister please explain why no price protection for passengers has been sought through the agreement with Loganair?

Deputy M.E. Millar:

If we had said to Loganair: "We would love you to come and operate in the Island but you have got to do it at this price", they may not have come. Like everything else, airlines are very expensive and very specialist operations, and we have to leave them to operate in a way that they think is best. Loganair will provide ... I think some of the irony about this is that, early in the year, there was a huge amount of complaint and questions in the Assembly about Blue Islands' reliability. We will see better reliability from Loganair; I am quite certain of that, because of its scale. Loganair will also offer consumer guarantees, which Blue Islands did not, in line with the EU (European Union) UK 261 standard. That is a huge benefit for consumers going forward, but it is not the job of Government and, indeed, I think it would constitute either ... without asking the question of anybody asking Loganair, trying to fix Loganair's prices, I think we would probably fall foul of the Competition Law and we have to have an open skies policy, and I do not think we can interfere in pricing or how Logan Air operates its airline.

1.1.11 Deputy K.L. Moore:

I thank the Minister for her extensive answer, yet my question did not refer to price setting but price protection. If the Minister, like many other Islanders recalls, after the COVID grant was given to Blue Islands their fares increased considerably. My question is simply to ask what protection is there to Islanders who rely on these lifelines and also Government who are considerable purchasers of these fares for health purposes? So what protection is there to Islanders' private and public purses in terms of seeing the potential for exorbitant fare increases?

Deputy M.E. Millar:

I am not entirely sure what kind of price protection she wants unless we tell Loganair what they can charge, which I do not think will be acceptable to them on a commercial basis. I would expect that Blue Islands' prices increased after we made the loan because all airline prices increased after the loan, because the vast majority of them ... if anybody travelled during the pandemic; I did. I was fortunate that I was able to fly a few times during the pandemic period. Prices did go up, and part of that was because airports were half empty and airplanes were half empty. Airlines cannot operate an airline that is half empty and continue to operate. At the end of the day, the public will have a degree of choice. If they cannot afford to pay, then they will have to not travel and go through alternative routes. Loganair will offer a service that they can afford to run. I think it will

be more reliable and it offers consumer guarantees, but we cannot fix or set limits on what they can charge.

1.1.12 Deputy I. Gardiner of St. Helier North:

K.P.I.s were part of the contract and to remind what were KPIs; visitor numbers, route resilience, G.V.A. (gross value added) contribution, loan repayment performance. Now we all understand that it was almost a year, maybe just under a year, that loan repayment performance was problematic. The Government responded to the Public Accounts Committee a month prior to the airline liquidation, that no action required. Why all this did not trigger actually corrective action from the Government back in June, for example, and might save to the public purse in excess of £2.5 million loan and £1.5 million to Loganair, if it would be acted back in June?

Deputy M.E. Millar:

I can only say again, Blue Islands have made £3.2 million in repayments of capital and interest. We have not just sat there and watched it go under. We have taken efforts to maintain an airline and to maintain links. I very much doubt that anybody in this Assembly, presented with the information that I was presented with, would have taken a different decision, because the implication of not providing funding was that Blue Islands would have ceased trading in June or July, right before the summer period, with no contingency whatsoever for medical flights, which would have meant passengers needing emergency treatment having to fly to Gatwick and get buses and taxis to get to Southampton or to their hospital. I cannot put a price on people getting to hospital for medical treatment. I have now found my details about the K.P.I.s. Increasing number of visitors; they have flown more than 600,000 passengers since 2020. They restored regional connectivity to Southampton, Exeter, Bristol and others. A long-term base carrier deal was signed and they employed 65 to 70 employees at any one time in Jersey. They have paid millions in landing fees and charges to Ports of Jersey between 2020 and in 2024. The loan was serviced for over a year, and the Ports attended board meetings and have done further work with Blue Islands, looking at options to ensure its financial sustainability or other ways to ensure connectivity. That is why we now have Loganair operating in the Island and why they were operating 36 hours after Blue Islands' last flight arrived on the Island.

1.1.13 Deputy I. Gardiner:

The point of the question was that the transition could be prepared 60 days in advance and avoid £1.5 million. Actually Loganair, well done on them and well done the Government, we did not have a disruption. It is about the planning. The question is Loganair have received up to £1.5 million and they step in in 48 hours, which is great. What due diligence has been conducted to confirm that Loganair could sustainably maintain long-term operations and not just emergency?

Deputy M.E. Millar:

Loganair has not yet received the £1.5 million. I believe that we are still discussing with them the basis on which that funding is provided. It will help them to lease additional aircraft so that, by coming to Jersey, they do not interrupt services in other islands and in other airports. As I say, they have almost 40 aircrafts. All our routes to Jersey and Southampton are profitable. There is no reason why, with a degree of scale, they should not operate on a profitable and long-term basis. They also announced, I think in July of this year, that they intended to open competition on the Jersey-Southampton route. They were planning on coming into Jersey in any event. They intended, I believe, to start that from January because it would have taken them some time to set up operations here, and they were able to accelerate that very much more quickly. They have clearly shown a degree of commitment to Jersey and I am confident that given the profitability and the likely sustainability of these routes, that they will be a long-term partner for this island.

1.1.14 Deputy M. Tadier:

Was the Minister anticipating that Guernsey would welcome Loganair with open arms and allow them to fly between Jersey and Guernsey and between Guernsey and Southampton? If not, at what point was that probability of Loganair not getting the so-called golden triangle in those 3 airports considered as a negative factor for the future viability of Loganair in the Channel Islands?

Deputy E. Millar:

Our discussions with Loganair related to Jersey, particularly the Southampton and south of England routes; but particularly Southampton. Loganair had some quite exciting thoughts about the Jersey-Guernsey route. They use an aircraft called the Twin Otter, which is the one that they also land on the beach, and is used for servicing small islands in the U.K. They had a very interesting proposal where they would use 2 Twin Otters and they would run a very regular service between Jersey and Guernsey. That is what people have been asking for and Loganair were keen to provide that. They will have to discuss with Guernsey. We will have to discuss with Guernsey how that moves forward. But our interest as a Government was the Jersey-Southampton route. We did not discuss what Loganair was going to do with Guernsey. That is a matter for Loganair to discuss with the Government of Guernsey. We have been in touch with the Government of Guernsey and we will be arranging meetings with them to discuss the subject of ongoing inter-Island connectivity and how we work together in terms of maintaining regional routes. But Guernsey, I do not believe that Guernsey was necessarily a factor beyond the Jersey-Guernsey route, it was a factor for Loganair to come to Jersey. They have come to Jersey because they are interested in the routes from Jersey to the U.K. That was what we discussed with them.

1.1.15 Deputy M. Tadier:

I think it is certainly likely to impact on their profitability. We will wait and see. I was concerned by the Minister to hear that, although one of the arguments for bringing in Loganair was that they would have resilience and that they have many dozens of planes, I think, in the British Isles, that they are still going to need to lease further planes in order to service the Channel Islands or the Jersey route. Is that not an alarm bell for the Minister, given the history that we know about leasing, whether it is boats or planes, that they are in this position?

Deputy M.E. Millar:

I do not believe that it is an alarm bell. If anybody wants to look at the map of Loganair's existing network, it operates almost 40 flights. It flies all around the U.K. It flies to destinations in Norway. I think it may also fly to Iceland. It supports the oil industry, so it will be well-placed to support our financial services industry.

The Bailiff:

You have got 10 seconds left, Minister.

Deputy M.E. Millar:

I have lost my train of thought.

The Bailiff:

Sorry, about that. It is my fault.

Deputy M.E. Millar:

You cannot put a new route without stopping another, so it is not an alarm bell that they need to lease an additional aircraft to put on additional routes.

The Bailiff:

That brings that time for questions to an end. I will now move back to Oral Questions on notice.

QUESTIONS

2. Written Questions

2.1 Deputy M.B. Andrews of St. Helier North of the Chair of the States Employment Board regarding the public sector headcount (WQ.423/2025):

Question

Will the Chair state the public sector headcount at the time the States Employment Board (SEB) reconstituted in 2024 and the headcount to date; and will he advise what evidence, if any, he has to demonstrate whether the actions taken by the SEB have influenced curbing public sector growth?

Answer

Public Sector*	Jan-24	Oct-25	Change
Cabinet Office	213	165	-48
Children, Young People, Education & Skills	2,763	2,954	191
Department for the Economy	80	75	-5
Department of External Relations	13	16	3
Digital Services	204	185	-19
Employment, Social Security and Housing	292	288	-4
Health and Care Jersey	2,662	2,944	282
Infrastructure and Environment	698	729	31
Justice and Home Affairs	711	732	21
Non-executives and legislature	284	320	36
Bailiff's Chambers	11	18	7
Estab. of H.E. Lt. Governor	14	13	-1
Judicial Greffe	50	55	5
Law Officers' Department	92	102	10
Probation Service	37	36	-1
States Greffe	54	64	10
Viscount's Department	26	32	6
People Services	162	135	-27
Treasury and Exchequer	362	383	21
Total*	8,425	8,903	478

We have increased permanent staffing in health and education, improved service delivery and reduced reliance on temporary resources. By prioritising permanent staffing, we have reduced consultancy and agency spend, which has achieved £29 million in savings.

The recruitment freeze, introduced in **August 2024**, prevented an additional projected increase of **325 roles**, avoiding **£23 million in extra costs**.

The recruitment freeze demonstrates the effectiveness of the States Employment Board's early intervention in balancing service needs with financial responsibility. This approach has delivered measurable financial benefits in non-front-line services to maintain and strengthen frontline services.

***Note:**

- Departmental figures count the employee once for each department they work in.
- Total only counts the employee once, regardless of how many departments they work in.

2.2 Deputy C.D. Curtis of St. Helier Central of the Minister for Justice and Home Affairs regarding the policing of e-scooters (WQ.424/2025):

Question

Further to the [guidance](#) issued by H.M. Attorney General in February 2025 in relation to road traffic offences involving electric scooters (e-scooters), will the Minister advise what changes, if any, have been implemented in the policing of e-scooters on public roads and footpaths, and if none, explain why not?

Answer

Since the Attorney General's guidance in February 2025, the legislative framework and enforcement procedures remain the same, and any substantive changes to policy or law would fall under the remit of the Minister for Infrastructure.

As outlined in a previous response to a similar question in July 2024, the enforcement process remains unchanged. Scooters contravening the law can be impounded under Article 77(k)(ii) of the Road Traffic (Jersey) Law 1956.

The States of Jersey Police continue to enforce existing legislation relating to e-scooters, specifically Article 77(3)(b) of the Road Traffic (Jersey) Law 1956. This article pertains to the use, cause, or permission of a motor vehicle that does not comply with requirements. Enforcement actions since 1 March 2025 include several cases where individuals were charged under this provision, with outcomes ranging from fines and probation orders to cases withdrawn or awaiting further reports from Driver and Vehicle Standards (DVS). For example, one recent case resulted in a fine of £300 or one week's imprisonment, while another led to a probation order and disqualification from driving for 36 months.

There have been no recorded e-scooter road traffic collisions (RTCs) since March 2025, although there was one serious injury RTC involving a car and an e-scooter in January 2025.

2.3 Deputy I. Gardiner of St. Helier North of the Minister for Education and Lifelong Learning regarding the Expenditure Growth Allocation to extend the provision of 15 hours per week of funded childcare to 2 – 3 year-olds (WQ.425/2025):

Question

In relation to the £3 million Expenditure Growth Allocation to extend the provision of 15 hours per week of funded childcare to 2-3 year-olds, as referenced on page 44 of the Proposed Budget (Government Plan) 2026 to 2029, will the Minister advise –

- (a) how many children aged two to three years are projected to benefit in 2026 from this funding, broken down between January to July 2026 and from September to December 2026;
- (b) how much of the growth will be directed specifically to funding additional childcare hours, compared with the proportion allocated to other associated costs such as administrative support, workforce development, quality improvement, or capital investment, together with an explanation of what each cost category comprises;
- (c) the proposed hourly rate that the Government intends to pay childcare providers and whether the rate is intended to cover full delivery costs;
- (d) whether all providers will receive the same hourly rate;
- (e) if a variable or tiered rate structure was considered, and why a single rate was ultimately selected; and
- (f) what additional funding is available to those who provide Special Educational Needs or Disability (SEND) support and, if none, why not?

Answer

- (a) It is a universal offer for all children of eligible age. Population predictions, using birth data and forecasting methodology, anticipate that 813 children will be eligible to benefit from January to July 2026. 748 children will become eligible from September to December 2026.
- (b) 100% of the revenue growth will be specifically directed to funding childcare hours.
- (c) The Government of Jersey's economics team worked with representatives from Jersey Early Years Association (JEYA) to develop and agree a model of the costs of childcare in a private nursery setting. From this model, the cost of providing childcare for 2-3 year olds was estimated at £10.24 per hour. After allowing for inflation and also applying a sustainability and resilience uplift, the proposed hourly rate was increased to £11 per hour.
- (d) All registered early years providers and registered childminders will be included in the scheme.
- (e) Yes a variable rate was considered. It was rejected in favour of a more streamlined and consistent funding mechanism with a reduced administrative burden.
- (f) This offer is part of a wider package of investment in early childhood development which includes:
 - £1.5 million targeted support for children with additional needs
 - £0.7m for Speech and Language Therapy following a successful pilot co-delivered with Every Child Our Future
 - £0.6m to continue successful pilot programmes in schools

2.4 Deputy M.B. Andrews of St. Helier North of the Minister for Children and Families regarding the number of children and young people in the Minister's care (WQ.426/2025):

Question

Will the Minister advise the number of children and young people that are currently in the Minister's care, providing a breakdown of those housed in accommodation in the Island or the UK, and outline the main reasons for those located in the UK?

Answer

In order to protect the children from being identifiable, we are unable to provide any specific data. As of 17 November 2025, there are 57 children in the care of the Minister, of which 17 children are placed off island outside of Jersey in the following placement arrangements.

Placement type	Jersey	Off Island	Total
Residential care home	14	11	25
Family Settings (Foster Care, Connected Care or Placed with Parents)	23	6	29
Other (includes Secure Unit, YOI, Parent & Child, Hospital & Supported Living etc)	<5		<5
Total	40	17	57

Of the 17 children placed off island, the majority are cared for by providers who offer specialist care or therapeutic programmes for children with either special educational needs, children who require specialist treatment such as for sexual harm, attachment disorders, etc or other specialist needs. Specialist therapeutic programmes provide children with help to process their trauma experiences, develop their resilience and develop protective factors.

Where children are accessing specialist residential school provision these schools provide a structured environment, and evidence-based approaches to deliver a practical and sensory approach to learning, which develops the children's awareness of, and interest in themselves and others in the world around them.

A total of six children are living with a foster carer, connected carers, etc, in a family type setting.

There are proactive plans in place for children placed off island to return to Jersey when their care plan dictates that the time is ready for them to return.

A small number of children have a plan to remain in the UK into adulthood, either through staying put arrangements with their carers, or within their wider family network, or because it is the young person's wishes that they want to remain in the UK as they see this as their home, or due to personal circumstances do not wish to return to the island.

2.5 Deputy M.B. Andrews of St. Helier North of the Minister for Health and Social Services regarding consideration of privatising or outsourcing sections of the health service (WQ.427/2025):

Question

Will the Minister advise whether he has considered, or plans to consider, the privatisation or outsourcing of any sections of the health service and, if so, provide details of the specific sections and the reasoning behind such consideration?

Answer

There are no plans to privatise the health service.

In terms of ‘outsourcing’, HCJ is, and has been for many years, reliant on a range of different providers to deliver publicly funded services, whether they are on-island (e.g. Family Nursing & Home Care) or off-island (specialist centres). As part of the ongoing commitment to improving patient safety, service quality and Island system long-term sustainability I am actively engaged in a process of reviewing the UK-based providers we use to deliver specialist services that cannot be delivered in Jersey. These are, and will remain, publicly funded.

2.6 Deputy M.B. Andrews of St. Helier North of the Minister for the Environment regarding communications with the developer of the project known as Les Sablons (WQ.428/2025):

Question

Further to his response to [WQ.274/2025](#), will the Minister advise whether he has undertaken any recent communications with the developer of the project known as Les Sablons, and if he is aware of any reasons that may lead to the development not being completed?

Answer

Since my response to WQ.274/2025, I have still not undertaken any recent communications with the developer of the Les Sablons development and am unaware of any reasons that may lead to the development not being completed.

2.7 Deputy L.M.C. Doublet of St. Saviour of the Chief Minister regarding the Equality Impact Assessment template (WQ.429/2025):

Question

Further to his response to Oral Question 255/2025 in relation to the Equality Impact Assessment template that Officers are required to use when developing policy and legislation, will the Chief Minister agree to publish this template and if not explain why?

Answer

Further to OQ.255/2025, the Equality Impact guidance document, relating to the Policy Ministerial Submission template, has been published on the Government website:

[Equality Impact Evaluation Guidance.pdf](#)

2.8 Deputy L.M.C. Doublet of St. Saviour of the Minister for Health and Social Services regarding Reciprocal In Vitro Fertilisation (WQ.430/2025):

Question

In relation to Reciprocal In Vitro Fertilisation (IVF), will the Minister provide details on what plans, if any, he has to review areas of the process not funded for same-sex female couples, in particular the funding of donor eggs; and will he further provide details on the average cost of donor eggs?

Answer

A number of changes were made to IVF access criteria on 1 October 2025 in order to allow more couples to access funded IVF, including couples where one partner already has a child from a previous relationship.

The criteria were further amended to provide that the infertility criteria no longer applied to same-sex female couples, meaning that same-sex female couples no longer need to demonstrate infertility through self-funded intrauterine insemination (IUI).

In addition, we provided for funded IVF to be available for reciprocal IVF (also called shared motherhood). Reciprocal IVF is where a same-sex female couple elect for one partner to provide the eggs, to be fertilized by donor sperm, and for those eggs to be implanted into the other partner who will then carry the pregnancy.

Reciprocal IVF incurs additional costs, including those associated with donor sperm (e.g. purchase of sperm and viability checks) and additional medication to prepare for the harvesting of eggs from the partner who is donating the eggs to be fertilised and implanted in the other partner. In addition, there may be costs associated with third party donor eggs, if required. Same-sex female couples are required to self-fund the additional costs, as is the case for opposite sex couples who require donor sperm, donor eggs or additional medication. There are currently no plans to review these requirements.

All of the above costs vary but, the cost of a third-party donor egg is approximately £1,000.

2.9 Deputy L.M.C. Doublet of St. Saviour of the Minister for Justice and Home Affairs regarding issues identified within the Violence Against Women and Girls report relating to coercive and controlling behaviour (WQ.431/2025):

Question

In relation to issues identified within the [Violence Against Women and Girls \(VAWG\) report](#) relating to coercive and controlling behaviour, will the Minister provide an update on what actions have been undertaken, and what work, if any, has been completed?

Answer

The issues identified within the VAWG report relating to coercive and controlling behaviour were wide-ranging. A short summary of the key findings, followed by the actions that we have taken in response, is outlined below.

Before delving into the detail of the work that has been undertaken however, it is important to note that, at the time the Taskforce research was undertaken, the Domestic Abuse (Jersey) Law 2022

was not yet in force. This means that the offence of domestic abuse (under which coercive and controlling behaviour is captured) was not yet established. This new piece of legislation has enhanced both public and professional awareness of coercive and controlling behaviour. At time of reporting:

- There have been 26 prosecutions since the law came into force
- 20 crimes have proceeded to court so far
- 16 of those prosecutions have resulted in convictions so far¹

Key finding: Coercive and controlling behaviour is an extremely common feature of domestic abuse and there is a need for further training for a range of professionals

The VAWG Taskforce report highlighted how coercive and controlling behaviour often occurs alongside other forms of domestic abuse, with more than 85% of the domestic abuse victim-survivors surveyed by Taskforce researchers reporting that they had experienced emotional or psychological abuse and jealous and/or controlling behaviour. Worryingly, some of these victim-survivors also described encounters with support professionals who they felt were uninterested in their experience of coercive and controlling behaviour or did not recognise how this behaviour is often an indicator that abuse will escalate to physical violence. These research findings led the Taskforce to conclude that, whilst coercive and controlling behaviour seems to make up a strong component of victim-survivor's experiences of VAWG in Jersey, this form of abuse is not well understood by the professional community.

Since the publication of the Taskforce report, much work has been undertaken to improve professional knowledge in this area:

- In the past 12 months, Safeguarding Partnership Jersey has delivered training on coercive and controlling behaviour within the context of domestic abuse for 62 individuals across the Jersey Youth Service, Health and Care, Andium, the Children and Families Hub, States of Jersey Police, Schools, Jersey Domestic and Sexual Abuse Support, Mind Jersey, Brighter Futures and the Office of the Children's Commissioner.
- In January 2024, a new requirement was included in the Jersey Quality Improvement Framework that 70% of General Practitioners in each GP Surgery must complete IRIS training on domestic abuse. To date, approximately 91% of GPs have received the training across the Island.
- Links Group were commissioned to deliver training in September 2025 to veterinary practices across the Island on the link between animal abuse and domestic abuse, and how to safely respond to instances of suspected domestic abuse.
- The Jersey Customs and Immigration Service received training from Safe Lives, a leading UK organisation specialising in domestic abuse training, in April 2024. Since this time targeted enquiry procedures have been incorporated within their work.
- An organisation "Alpha Vesta" was commissioned to provide perpetrator awareness training for a range of public services, including professionals working within the Jersey Family Court Advisory Service. This training was completed in October 2025.

¹ Data provided by States of Jersey Police 20.11.2025

- A working group has been established within Health and Care to progress the recommendations relating to the introduction of VAWG training and routine enquiry in health care settings, alongside the development of a medical pathway for responding to instances of non-fatal strangulation.
- A new Domestic Abuse and Sexual Harms group has been established under the Building a Safer Community Framework. This group is scheduled to conduct a training needs analysis for support services in the new year.

A significant amount of work relating to improve Islander's awareness of coercive and controlling behaviour has also taken place, including:

- The delivery of a Government campaign to raise awareness of coercive and controlling behaviour
- The delivery of a States of Jersey Police campaign to increase awareness of the Domestic Abuse Disclosure Scheme known as "Clare's Law"
- The provision of information on online and technology-facilitated abuse, a common component coercive and controlling behaviour, on gov.je.

I intend to lodge several new pieces of legislation by the end of the year which will provide new legislative tools for the prosecution of perpetrators, and protection of victims, of coercive and controlling behaviour. This includes:

- Amendments to the Domestic Abuse (Jersey) Law 2022 which will create additional protections for victim-survivors
- The introduction of a new Harassment and Stalking Law which will capture behaviours that take place online or using digital technology, alongside behaviours taking place in the physical world
- The introduction of a new offence of non-fatal strangulation
- The introduction of a range of new intimate image abuse offences

Key finding: Economic abuse is a common component of the coercive and controlling behaviour that victim-survivors are experiencing in Jersey

The Taskforce highlighted that economic abuse is a very common form of coercive and controlling behaviour. Many victim-survivors of domestic abuse told the Taskforce that economic abuse was a significant component of the methods used by their abusers to control and restrict them. These women told researchers that professionals very rarely asked them questions about economic abuse, which indicated a need for professionals on the island to better understand economic abuse.

Since the publication of the Taskforce report, the following work has been undertaken to improve support for victim-survivors and increase professional knowledge in this area:

- The Government has commissioned the UK organisation 'Refuge' to deliver training on economic abuse and online and technology-facilitated abuse to a range of professionals across Safeguarding Partnership Jersey, States of Jersey Police, Health and Social Care,

and a range of specialist support services. Delivery of this training began in September 2025 and is ongoing. In addition to the provision of this training, Refuge are also developing bespoke guidance and hosting Q&A sessions aimed at assisting professionals to manage complex cases involving economic, online and technology-facilitated abuse.

- The introduction of 13-weeks of financial support for victims of domestic abuse with less than 5 years residency to help remove the financial barriers that many individuals face when trying to leave an abusive relationship. I understand this has already created significant and meaningful changes to the lives of a number of victim-survivors.

I have also directed officers to undertake a review of the Domestic Abuse (Jersey) Law 2022 in respect of whether economic abuse is sufficiently captured within the offence of domestic abuse. This review will not be initiated until 2028, at which time the law will have been in place for a number of years and officers will be able to effectively assess the impact it has had before considering whether further reform is necessary.

Key finding 3: Family Court System

The Taskforce report highlighted that, across jurisdictions, research has found that family court systems are failing to prevent perpetrators of domestic abuse from using the family court system to continue the abuse of their former partners and their children. The experiences that some women shared with the VAWG Taskforce researchers indicated that the key issues identified in the family court systems of other jurisdictions may also be present in Jersey. Some of the experiences shared with the Taskforce included feeling that their allegations of domestic abuse had been dismissed in child residency cases and that their former partner was able to manipulate the family court process to continue to intimidate and exert control over them.

Since the publication of the Taskforce report, work has been undertaken to improve professional knowledge in this area, including:

- The provision of training on domestic abuse by a UK specialist in children's law for members of the Family Justice Council and members of their teams, alongside lawyers specialising in family work in November 2024.

The delivery of training on the strategies commonly used by perpetrators of domestic abuse and how to respond appropriately for professionals working within the Jersey Family Court Advisory Service (JFCAS) in October 2025.

2.10 Deputy K.M. Wilson of St. Clement of the Minister for Health and Social Services regarding the costs of any health services transformation initiatives (WQ.432/2025):

Question

Will the Minister advise the costs of any health services transformation initiatives that have recently taken place, and any savings delivered, and workforce changes implemented in 2024-2025 to date?

Answer

In 2023, HCJ commenced a significant 'Change Programme'. Its objective was to develop and deliver an integrated approach to improving the quality of care, operational performance, and financial recovery of HCJ. To support this, the Financial Recovery Plan (FRP) was established;

combining financial discipline with clinical engagement and staff involvement, and inclusive leadership to deliver sustainable improvements.

The FRP consists of initiatives including clinical productivity, demand management, procurement efficiencies and workforce optimisation. In 2024, these delivered £6.74m of recurrent savings with £10.85 forecast in 2025, the full-year effect of which is £14.56m in 2026.

Workstream	2023 Recurrent Savings £000	2024 Recurrent Savings £000	2025 Forecast Savings (Part Year Effect) £000	2025 Forecast Savings (Full Year Effect) £000	Additional savings in 2026 from FYE £000	% of total 2025 savings
Workforce	340	3,776	5,113	6,567	1,453	45%
Non-Pay and Procurement	650	1,559	1,836	2,980	1,144	20%
Income	405	1,402	3,020	4,060	1,040	28%
Clinical Productivity	0	0	881	956	75	7%
Grand Total	1,395	6,737	10,851	14,563	3,712	

Figure 1 - Summary of FRP savings

Most initiatives have been delivered by existing resources, with a limited number of fixed term, invest-to-save, posts.

a. Transformation Initiatives

a. Grip & Control

- i. **Workforce** - efficiency measures, including improved rostering, stronger management of overtime and clinical staff deployment have strengthened operational grip, helping to control resources and expenditure.
- ii. A weekly Establishment and Vacancy Control Panel (EVCP) reviews requests for workforce recruitment and expenditure on the balance of patient safety and available funding.
- iii. **Tertiary Care** demand management, with improved referral pathways, greater scrutiny of provider activity and billing data, which has strengthened the control of off-island activity. This work included investment of £222k, which delivered a measurable return on investment.
- iv. Embedding forecasting as routine practice has provided early identification of emerging financial pressures and trend changes.

b. Patient Flow and Clinical Productivity - HCJ has implemented improvements to elective care, including increased theatre utilisation and day-case activity. This is in addition to;

- i. **Rightsizing the bed base** - Investment of £2.5m supported the opening of Bartlett Ward in 2025, enabling Medical patients to be cared for within the medical bed base and protecting surgical capacity - including private patient surgical beds (necessary for the delivery of the private patient strategy). It also supported more effective patient flow throughout the general hospital.

ii. **Establishing a Clinical Productivity and Flow Programme Oversight Group (POG)**, identifying and overseeing improvements across:

1. Elective (theatres and outpatients)
2. Community
3. Urgent/Emergency care

Improvements include a Falls Response Service, Discharge to Assess Pilot and Patient Initiated Follow-up (PIFU). Length of stay reductions are being realised and delays to transfer of care reduced, which improves patient care and generates both cashable and non-cashable benefits.

c. **Workforce Productivity** - Workforce schemes represent 43% of FRP savings delivery and have been achieved without reducing clinical resources. These include:

- i. Recruitment into critical clinical posts to stabilise services and reduce reliance on premium cost agency and locum staff.
- ii. Realignment of administrative and corporate roles, which has improved financial control, e.g. improve private patient billing and income capture.

d. **Non-Pay Transformation** – Significant benefits have been realised in procurement and medicines optimisation, including through:

- i. **The Centralised Purchasing Scheme:** A £308k invest-to-save project, funded from reserves, enabling ward stock control support and consolidation of purchasing through the NHS supply chain, which secures improved value for money and reduced wastage.
- ii. **Pharmacy invest-to-save:** With investment of £700k funded by the anticipated savings, this has funded the high-cost drugs and formulary pharmacists, leading to biosimilar switches, improved procurement, medicines optimisation and reduced patient-safety incidents.

e. **Private Patients & Income Generation**

- i. A Private Patient Income Strategy is being implemented with a £328k investment in 2025. delivering demonstratable savings and ROI envisaged by aligning teams, improving operational processes and increasing income.
- ii. Other Income: through enhanced commercial support and discussions, opportunities are being progressed, including optimisation of HCJ assets such as laundry services.

f. **System Wide Transformation**, including the development of end-of-life services including the 'Living Well' team, educational services and an on-call service.

g. **Structural Transformation**

Throughout 2025 HCJ has progressed its integration ambitions through the appointment of key substantive roles, Director of Workforce and a Director of Finance and Commercial, with corresponding transfer of staff from central Government departments to consolidate capability. In addition, Digital Health, Strategic Planning & Projects, the Health Policy Team, Medical Officer of Health, Public Health and Ambulance Services have also been integrated into HCJ. These changes were delivered with no additional cost, supporting improved planning and delivery of Island-wide health and care services.

The FRP Programme and enhanced executive grip and control are embedding a financially accountable culture, demonstrating that improved quality and efficiency in clinical care directly support improved financial sustainability. A continued focus will help enable HCJ to live within its means, but this alone will not solve the structural deficit challenges HCJ faces. Accordingly, the proposed Government Budget 2026-2029 recognises the structural deficit and increasing health inflation, with respectively £12m and £3.6m additional funding.

2.11 Deputy K.M. Wilson of St. Clement of the Minister for Health and Social Services regarding advice from the Jersey Office of the Information Commissioner in relation to access by private medical cannabis clinics to patients' confidential medical records (WQ.433/2025):

Question

Will the Minister outline what advice, if any, was sought from and provided by the Jersey Office of the Information Commissioner regarding access by private medicinal cannabis clinics to patients' confidential medical records; and will the Minister explain how patient privacy and data security are safeguarded under these circumstances?

Answer

Advice has, to date, not been sought from the Jersey Office of the Information Commissioner. The refinement of the process to provide private medicinal cannabis clinics with patients' relevant medical records is still ongoing.

GPs are the data controllers for patient's GP records, and I have been and will continue to work with the Primary Care Governance Board and the Primary Care Systems Board, to ensure patient privacy and data security.

2.12 Deputy K.M. Wilson of St. Clement of the Chief Minister regarding the delivery status of each of the Budget (government Plan) 2025-20278 priorities (WQ.434/2025):

Question

Will the Chief Minister detail the delivery status of each of the [Budget \(Government Plan\) 2025-2028](#) priorities, to include but not be limited to –

- (a) the original planned completion date and budget;
- (b) the current RAG rated progress against timescales and costs;
- (c) the outcomes that have been delivered to date; and
- (d) where delivery has slipped or outcomes have changed, provide the specific reasons for this and the updated timeline for delivery?

Answer

Clarification had been requested from the Deputy and additional time will now be required to prepare a full response, which is expected to be submitted on Monday, 1 December.

2.13 Deputy D.J. Warr of St. Helier South of the Minister for Sustainable Economic Development regarding contact with Loganair to take over routes operated by Blue Islands (WQ.435/2025):

Question

Will the Minister advise when Loganair were first contacted with the intent that they would take over routes that were being operated by Blue Islands; and will he advise to what extent Blue Islands were involved in discussions, and if they were not part of such conversations, why not?

Answer

The island operates an “Open Skies” policy and does not control any airline. This was a commercial activity between two privately owned airlines that the government had a valid interest in.

In June 2025 Ministers met with representatives of Loganair, at their request, following the airlines’ participation in the Blue Islands sale process, Ministers were at that time informed of Loganair’s intention to also begin operating a Jersey-Southampton route (which was subsequently announced in July 2025) and their broader interest in the Channel Islands market. The negotiations between Loganair and Blue Islands continued between two commercial parties.

In light of concerns regarding Blue Islands’ ongoing sustainability and following the Council of Ministers decision, on 14th November, not to continue funding Blue Islands, Ports of Jersey contacted Loganair to ensure a contingency solution would be available should the directors of Blue Islands decide to cease trading and / or declare an insolvency event. This contingency arrangement ensured that Loganair could step-in quickly (from Sunday 16th November) to sustain Jersey connectivity.

2.14 Deputy D.J. Warr of St. Helier South of the Minister for Infrastructure regarding the charity status if ‘Love Our Lido’ (WQ.436/2025):

Question

Further to the publication of “[Love Our Lido. A statement by the Jersey Charity Commissioner, John Mills CBE](#)”, will the Minister advise what plans, if any, he has to alter the statement within [R.158/2025](#) regarding Love our Lido “being unable to secure Jersey Charity status”?

Answer

Love Our Lido is not a registered Jersey charity.

The independent panel, which reviewed and scored the expressions of interests received, scored Love Our Lido higher than Firstpoint, but noted that several matters still required resolution in order to enact an agreement. This included the formation of Love Our Lido as a registered charity.

I have had no communication with the Charity Commissioner at any stage of this process (as I believe was appropriate), and I received no prior notice of the statement he issued on 11th November 2025. I note from the statement that there is no regulatory impediment to the charity being formed, and the necessary arrangements for registration have been agreed.

It remains the case, however, that Love Our Lido could not agree terms with the public for a lease before the deadline of 26th September. This includes in respect of the level of annual public funding that would be available as part of a lease. If Love Our Lido have not registered as a charity, because they have been unable to agree to the terms of a lease agreement, including how much public money would be received as part of that agreement, then the statement made in R.158/2025 remains valid.

I would also note, for additional clarity and without prejudice to my earlier remarks, that R.158/2025 was presented to the States on 3rd November, in advance of the Commissioner's statement. Accordingly, the statement was in any respect made in good faith and reflected the position as I understood it to be.

Accordingly, I do not have any plans to alter R.158/2025 and intend to allow the independent review of the expressions of interest process to take its course.

2.15 Deputy J. Renouf of St. Brelade of the Minister for Health and Social Services regarding overspending in his Department (WQ.437/2025):

Question

In relation to expenditure within the Health and Social Services Department during the last 2 years, will the Minister detail which areas have overspent in each year and by how much?

Answer

The below figures are based on Health and Care Jersey internal reporting. The States of Jersey Annual Accounts for each year reflect central allocations that are applied to offset departmental overspends; therefore, internal financial reporting provides a clearer picture of where overspends occurred.

Net Expenditure by Service Level (all figures in £ '000)

Service Level outturn by year

	2023			2024		
Service Areas	Budget	Spend	Variance	Budget	Spend	Variance
Medical Services	56,719	68,076	(11,357)	61,837	70,093	(8,256)
Surgical Services	41,921	50,265	(8,344)	45,077	51,922	(6,845)
Mental Health	32,882	36,175	(3,293)	37,255	40,507	(3,252)
Social Care	21,089	23,003	(1,914)	23,217	27,455	(4,238)
Women & Children	18,822	20,368	(1,546)	20,593	22,450	(1,857)
Tertiary Care	12,799	13,831	(1,032)	13,064	15,492	(2,428)
Estates & Hard FM	10,720	11,579	(859)	11,878	13,224	(1,346)
Patient Access & Clinical Administration	0	0	0	8,103	8,986	(883)
Other	75,350	79,495	(4,145)	83,527	83,233	294
Total	270,302	302,792	(32,490)	304,551	333,362	(28,811)

Healthcare expenditure in Jersey has been and continues to be influenced by a range of factors, many of which mirror pressures seen across comparable jurisdictions including the UK. Rising demand driven by an ageing population, higher prevalence of chronic conditions, such as diabetes, cardiovascular disease and dementia, and increasing levels of frailty and complexity are placing sustained pressure on services. These demographic and population health trends combined with global workforce shortages, inflation in high-cost drugs and clinical consumables, as well as the increasing prices within Tertiary care create significant upward cost pressures. Social care inflation, alongside heightened demand and acuity for mental health placements further add to this challenge, alongside supply-side cost volatility. Together these factors have created structural financial pressures, some of which sit outside HCJ's direct control and form the context for the variances and analysis set out below.

Summary of Spend Patterns at Service level :

- Overspends were recorded across all clinical service areas in both years.
- 2024 shows reduction in overall overspend (£28.8m vs £32.5m) related to higher budget growth (13%) relative to expenditure growth (10%)

Across the two years, the largest cost pressures were concentrated in:

- Social Care, rising 19%
- Mental Health, up 12%
- Tertiary Care (UK referrals), increasing 12%
- Estates & Hard Facilities Management, increasing 14%

These reflect both service demand pressures and external market and inflation impacts.

Analysis by expenditure category (all figures in £ '000)

The analysis below details broad categories of expenditure. Please note that where indicated in brackets for example "Social Care (packages)" this indicates the predominant element of spend but may not represent the full value of the spend.

		2023			2024		
Subjective Category	Subjective Detail	Budget	Spend	Variance	Budget	Spend	Variance
Staff Costs	Substantive Staff Costs	196,267	179,738	16,529	217,468	208,378	9,090
Staff Costs	Agency Staff Costs	2,810	30,396	(27,586)	6,862	21,722	(14,860)
Staff Costs	Total	199,077	210,134	(11,057)	224,330	230,100	(5,770)
Non-Pay	Social Care (Packages)	13,296	15,294	(1,998)	15,203	19,629	(4,426)
Non-Pay	Drugs & Vaccinations	18,488	18,854	(366)	17,290	19,111	(1,821)

Non-Pay	Tertiary Care (UK Acute Referrals)	12,949	13,999	(1,050)	13,238	15,629	(2,391)
Non-Pay	Mental Health (Placements)	6,098	10,083	(3,985)	9,413	11,411	(1,998)
Non-Pay	Surgical Services (Consumables)	6,861	8,484	(1,623)	6,473	7,054	(581)
Non-Pay	Premises & Maintenance	5,954	6,235	(281)	6,138	6,553	(415)
Non-Pay	Medical Services (Pathology, Clinical Investigations, Diabetes)	5,254	5,895	(641)	4,959	6,417	(1,458)
Non-Pay	Patient Access & Clinical Admin (Patient Travel)*				2,564	3,145	(581)
Non-Pay	Medical Director (Various)	974	1,443	(469)	1,400	2,563	(1,163)
Non-Pay	Estates & Hard FM (Maintenance)	872	2,035	(1,163)	1,645	2,251	(606)
Non-Pay	Clinical Supplies	1,662	2,130	(468)	1,677	2,166	(489)
Non-Pay	Administrative Expenses	274	848	(574)	355	607	(252)
Non-Pay	"Budget Pressure"	(4,117)	3,693	(7,810)	(5,456)	28	(5,484)
Non-Pay	Non-Clinical Support Services (Patient Travel)	4,764	5,908	(1,144)	0	0	
Non-Pay	Other	24,102	25,607	(1,505)	34,297	34,131	166
Non-Pay	Total	97,432	120,508	(23,076)	109,196	130,695	(21,499)
Income	Total	(26,207)	(27,851)	1,644	(28,975)	(27,43)	(1,542)
	Total	270,302	302,791	(32,489)	304,551	333,362	(28,811)

During 2023 and 2024, the financial recovery programme was established. This developed a quality-led Financial Recovery Plan (FRP), combining financial discipline with patient-centred considerations, clinical engagement and staff involvement, and inclusive leadership to deliver sustainable improvements. The work conducted in 2023, which underpinned the establishment of the FRP, categorised the drivers of the HCJ deficit in 3 categories:

- Operational – relating to efficient ways of working
- Strategic – relating to service delivery models and organisation or logistical matters
- Structural – relating to challenges outside HCJ control, driven by issues such as Island factors, demographics, market forces (e.g. workforce) and policy

The FRP focusses on factors that are within the control of HCJ and consists of initiatives including clinical productivity, demand management, procurement efficiencies and workforce optimisation. In 2023 and 2024, these supported the realisation of recurrent savings of £3.2m and £6.74m respectively, with additional one-off savings also delivered. The aim of the programme is to deliver savings of £25m over a 4-year period between 2023 and 2026.

Drivers of Overspend and examples of FRP actions:

Substantive staffing: In both years, substantive staffing underspends were offset by significant overspends on agency staffing. A key driver of this overspend was structural vacancy levels. This is not a recent issue but rather a trend which evolved and escalated between 2018–2022. Recruitment to substantive roles in 2023–2024 has begun to reduce reliance on premium-cost agency and locum staff, and substantive staff budgets increased in-line with pay awards and workforce investments.

Expenditure on purchase of healthcare has continued to increase over a sustained period. Much of Healthcare activity and purchasing is need-driven not discretionary or budget driven. Small shifts in patient need can create large swings in cost, especially in a small island system, where volatility is amplified due to unavoidable reliance on off-island providers.

- The largest elements of growth are in domiciliary care packages, mental health and social care placements (UK), along with HCJ liability for on Island “top up” care costs over beyond Long Term Care Benefit. These packages are typically life-long, and their growing volume and price represent a sustained cost pressure HCJ year on year.
- Mental Health and Social Care UK placements have varied in number over recent years and peaked in 2024 (with 27 placements). Average day rates have increased, e.g. from £533 in 2017 to £761 per day in 2024. Cases exceeding £1,000 per day, have occurred in 2023 and 2024. On-Island Mental Health care has also seen a growth, reaching c. £1.9m in 2023 and c. £1.6m in 2024 (with 22 placements).
- Tertiary care contracts, via UK Healthcare and NHS providers, were showing significant overspends in 2024, £2.4m above budget. Case mix and acuity can be highly variable. High-cost cases (e.g., neurosurgery, oncology, paediatric cardiology) can add hundreds of thousands in unplanned expenditure.

Drugs Costs continue to rise significantly; due to price and volume increases. Approximately 90% of drug spend is account for by high-cost drugs. Historical analysis has shown that there was a significant increase between 2020-2022 of some 30%+. A dedicated high-cost drugs pharmacist has been appointed to support medicines optimisation, e.g. through a focus on contract management, formulary control and switching to biosimilars, which is starting to deliver demonstratable savings.

Clinical supplies and consumables have seen a sharp rise in expenditure in this category over recent years, in 2023 and 2024 consistent spend of around £9-10.5m. The rise appears to relate to inflationary impacts on the price of consumables. As this is impacted by global supply chain issues, historical spend may not adequately predictor of future costs.

Initially, the lack of quality data made it difficult to identify exact details to inform a targeted action plan. However, the FRP non-pay transformation initiatives are now making inroads through the Centralised Purchasing Scheme, e.g. enabling ward stock control support and consolidation of purchasing through the NHS supply chain, securing improved value for money and reducing wastage.

Patient Travel included both scheduled and unscheduled travel costs, which have risen significantly over this period. In addition to increases in referrals, changes to the travel policy to include companions was introduced in 2023.

Premises (including Estates & FM) costs have seen sustained increases over recent years, in particular for utility costs which had above-inflation increases. This will be exacerbated by an aging estate, which is increasingly energy inefficient.

Income

Private Patient activity has steadily declined from pre-covid levels, mainly due to lack of bed availability and lower than average theatre productivity when benchmarked against comparable peers. Although private patient charges have increased, this is more than offset by a significant reduction in activity. In 2024, Surgical Services underachieved its budgeted income target, of which the majority relates to Private Patient Accommodation and Main Theatre Charges.

The under-achievement of private patient income was also driven by an increased focus on public activity in order to manage growing waiting lists, and a change in clinical practice of converting in-patient procedures to day cases as recommended by the British Association of Day Case Surgeons (BADs). The FRP clinical productivity workstream aims to deliver additional private patient income through increased theatres utilisation and higher throughput of procedures, increasing theatres' utilisation from a previous level of 64%-72% to a target of 85%.

However, the key enabler is bed capacity. During 2023 and 2024 there were challenges in releasing inpatient beds, for example due to discharge capacity to care homes or home packages. In 2025, initiatives in patient flow and clinical productivity are gaining transaction, reducing the length of stay, and capacity for private patients is also improving due to ringfencing of a small number of beds for this activity.

The FRP Programme and enhanced executive grip and control are embedding a financially accountable culture, demonstrating that improved quality and efficiency in clinical care which directly supports improved financial sustainability. A continued focus will help enable HCJ to live within its means, but this alone will not solve the structural deficit challenges that HCJ faces, which are common in other jurisdictions.

2.16 Deputy J. Renouf of St. Brelade of the Minister for Treasury and Resources regarding redundancies in JT Group Limited (WQ.428/2025):

Question

Will the Minister, as shareholder representative, advise the total number of redundancies at JT Group Limited for each year since 2020 to date, broken down by how many of these were voluntary and how many were compulsory, and the number of non-disclosure agreements entered into by those made redundant?

Answer

Over the period from 2020 to date, a total of 97 individuals in Jersey and 60 individuals outside Jersey left the business following their roles being made redundant, as JT continues to invest, evolve, and transform its operations to remain competitive and efficient. The split was as follows:

Year	Jersey	Outside Jersey
2020	11	22
2021	9	1
2022	7	3
2023	17 (12 of which were voluntary)	4
2024	26	16
2025	27	14

None of the employees whose roles became redundant during this period were asked to sign Non-Disclosure Agreements. However, six individuals signed compromise agreements due to the highly commercially sensitive nature of their roles and as would be expected, the six of these agreements included confidentiality and disclosure restrictions.

These changes reflect the company's ongoing programme of modernisation to ensure its secure and reliable networks and services remain up-to-date and able to meet customer demand – for example, through the recruitment of personnel to grow and support JT's internet-based cloud and managed services. The redundancies also reflect the need to adapt the JT workforce to deal with ever-increasing security and regulatory obligations, such as compliance with the requirements unanimously approved by the States Assembly in P.47/2024, and the conclusion of major programmes of work, including the Island-wide fibre rollout and the cessation of copper-based network services.

2.17 Deputy J. Renouf of St. Brelade of the Minister for Sustainable Economic Development regarding figures relating to the Planning Obligation Agreement and related Service Level Agreement signed by Jersey Sports Academy (Strive) (WQ.439/2025):

Question

Further to responses given to [Written Questions 348/2025](#), [380/3035](#) and [405/2025](#) and during Questions Without Notice on 11th November 2025, will the Minister provide a full and final set of figures relating to the [Planning Obligation Agreement](#) and related [Service Level Agreement](#) signed by Jersey Sports Academy (Strive) detailing how many of the 4044 hours set aside for school and community use were taken up in each year since 2021, and provide an explanation for any differences in the figures provided to date?

Answer

A full and final set of figures to the extent that they are available from Strive was provided in Written Question 405/2025.

Any differences in figures are attributable to:

- Differences in reporting periods and categorisation (for example usage figures provided by Strive in WQ 348/2025 part (b) did not reference a calendar year)
- Further scrutiny of data provided by Strive

A small number of initial errors when transposing the data provided by the owner

2.18 Deputy I. Gardiner of St. Helier North of the Minister for Treasury and Resources regarding the calculations for allocations to the Central Reserve Fund (WQ.440/2025):

Question

Will the Minister detail how the allocations to the Central Reserve Fund in the respective budgets from 2022 to 2026 were calculated; and will she advise what the outstanding balance of the Fund was for each of the years 2022, 2023 and 2024?

Answer

The Central Reserve is not established as a States Fund under the Public Finances (Jersey) Law 2019. The Central Reserve is a reserve head of expenditure proposed in the Budget, which includes:

- **Inflation Provisions:** The Central Reserve typically holds inflation provisions until sufficient information is available to allow them to be allocated. These are based on forecast assumptions of inflation as measured by the Jersey Retail Prices Index (RPI), provided by the Fiscal Policy Panel, and budgeted pay and non-pay costs.
- **Specific Items:** The Central Reserve may hold amounts for specific purposes, either specified in the Budget, or through an in-year decision. This includes unallocated growth items and smoothing reserves for areas where expenditure fluctuates between years.
- **Contingency:** The Central Reserve provides flexibility to respond to unforeseen expenditure needs that may arise during the year. Typically, a provision of £5 million is held, based on previous history and affordability. A further £2m has been provided for in previous years for tax funded social benefits payments.

Allocations from the Central Reserve in year are made in line with the [Procedure for allocations from the Central Reserve \(R-163-2025\)](#). Under Article 19 of the Public Finances (Jersey) Law 2019, the Minister has the power to carry forward unspent budgets for a head of expenditure in one financial year into a reserve head of expenditure for the following financial year. The Central Reserve was first included in Government Plan 2024 – 2027, when the General Reserve and Reserve for Centrally Held Items were combined into a single reserve head of expenditure renamed as the Central Reserve. To ensure comparability, previous years figures have been combined.

The table below details the amounts allocated to the Reserve in the Budget, amounts carried forward (either from the reserve or other underspends) and allocations made in the year. The amount unused at the end of the year is also shown.

Revenue reserve head of expenditure £'000	2022	2023	2024	2025	2026
Budget allocations;					
Contingency	8,762	12,000	7,000	7,000	5,000
Inflation	21,198	41,979	50,286	25,092	30,500
Specific items - other	18,187	1,264	4,902	2,105	14,525
Specific items - covid	52,085	5,000	-	-	-
Total budget allocation	100,232	60,243	62,188	34,197	50,025
Transfers from prior year	75,261	55,047	37,723		
Allocations in year;					
Pay awards	(18,745)	(41,635)	(51,442)		
Year end	(24,065)	(713)	(20,637)		
Other	(44,688)	(50,931)	(25,268)		
Budget remaining at year end	87,995	22,011	2,564		

2.19 Deputy I. Gardiner of St. Helier North of the Minister for Education and Lifelong Learning regarding apprenticeship funding by the Government (WQ.441/2025):

Question

In relation to apprenticeship funding by Government will the Minister advise –

- (a) whether the annual funding remains at £1,600 per individual;
- (b) whether consideration has been given to increasing this amount by inflation;
- (c) how many apprentices applied for the funding in 2024 and 2025 to date;
- (d) how many apprentices had their applications refused in 2024 and 2025 to date; and
- (e) what was the total funding paid in 2024 and 2025 to date?

Answer

- (a) The annual £1,600 per-individual subsidy has been uplifted in line with inflation where providers requested an increase and where the budget allowed, up to a current maximum of £1,852 per individual.
- (b) Increases to the £1,600 subsidy have been applied in line with inflation where requested and where budget permitted to a maximum value £1,852.

(c)

Subsidised Apprentices	2024	2025 as at October
Highlands College	361	332
Other training providers	34	38

(d) Every apprentice who requested the subsidy and met the required criteria at application was successfully funded.

(e)

	2024	2025 forecast
Standard budget subsidy spend	£396,267	£443,200
Investment for Electrical AM2	£193,600	£232,700

3. Oral Questions

3.1 Deputy J. Renouf of St. Brelade of the Minister for Treasury and Resources regarding Pillar 2 revenues not being used to fund recurring expenditure (OQ.261/2025):

Will the Minister explain the reasons behind the Government's decision to change the decision that Pillar Two revenues would not be used to fund recurring expenditure, as outlined in the Budget (Government Plan) 2025-2028?

Deputy M.E. Millar of St. John, St. Lawrence and Trinity (The Minister for Treasury and Resources):

As explained in the proposed Budget document, the Budget was prepared in a challenging economic environment. Forecast growth in income was reduced. Inflation was forecast to remain higher for longer, increasing expenditure pressures. These changes meant that tough decisions were needed. That included removing the transfers to the Stabilisation Fund planned from the base forecast to Pillar Two, which in effect allows us to meet ongoing expenditure without raising taxes and making additional cuts to services without proper planning before doing so. However, part of the base case is still being used to enable the new healthcare facilities through funding financing costs and to invest in competitiveness. If receipts are in excess of the prudent forecast for Pillar Two, we will be maintaining our policy of using those receipts to strengthen our reserves, invest further in competitiveness and invest in our infrastructure.

3.1.1 Deputy J. Renouf:

In their recent report, the F.P.P. (Fiscal Policy Panel) said: "The commitment made in Budget 2025 to use relatively certain Pillar Two revenues to replenish the Stabilisation Fund has been abandoned." So the money that was going to go into the Stabilisation Fund is now going to go on general expenditure even though that money is relatively uncertain still. In line with that, we are of course taking money from the Government grant to the Social Security Fund. Is it fair to say that the Government has raided every single pot that it possibly can just to keep current expenditure ongoing, rather than tackle expenditure itself?

Deputy M.E. Millar:

No; we would like of course to put more money into the stabilisation reserve and the Strategic Reserve. We are very clear that that is a sensible desire, and we would like to do that. We will aim to do that with what we get from Pillar Two.

[10:30]

But, as I said in my original answer, we have a spending. We do not want to increase taxes, nor do we want to cut services. If I could just make the point now about spending; I think that we are up to 34 amendments to the Budget, and I believe that not a single one asks us to cut spending.

3.2 Deputy M. Tadier of St. Brelade of the Minister for Sustainable Economic Development regarding meetings he attended in June 2025 to discuss matters relating to Blue Islands (OQ.258/2025):

I am just caught without my Order Paper, so I am just going to borrow Deputy Kovacs's laptop. It is good to have such an organised colleague. Will the Minister detail what meetings, if any, he attended in June 2025 to discuss matters relating to Blue Islands and, if any meetings took place, will he advise when these took place, who chaired such meetings, and the key subjects that were discussed?

Deputy K.F. Morel of St. John, St. Lawrence and Trinity (The Minister for Sustainable Economic Development):

Because the Treasury Minister was unavailable, I chaired a meeting with representatives of Blue Islands on 12th June to receive an update on the airline's sales process and the steps it had taken to mitigate the disruption to its service, following the widely reported technical difficulties it had experienced earlier in the year. I also attended an internal meeting chaired by the Treasury Minister to discuss Blue Islands' financial position on 13th June.

3.2.1 Deputy M. Tadier:

Can the Minister confirm what options were considered at this meeting and, for example, whether options relating to the sale of Blue Islands to, for example, either Loganair or Aurigny were considered and what other options were considered, and what the Minister's reaction was to the suggestions that were put forward during that meeting?

Deputy K.F. Morel:

Assuming the Deputy is referring to the meeting on 12th June, going from memory we met Blue Islands' representatives and they discussed their attempts to acquire a sale of the company. Then I believe it is the financial performance and the forward look from their perspective possibly with some options. I am going off memory, so I do not entirely recall. I believe that was it, it was discussing Blue Islands in a situation around Blue Islands and with Blue Islands.

3.2.2 Deputy J. Renouf of St. Brelade:

Was the matter of subsidies for new routes discussed at any of these meetings, given that that indeed was something that the Minister eventually put in place?

Deputy K.F. Morel:

No, we have not. I think it is important, again, we have agreed to pay for costs and contingency. We had no discussion on subsidies for new routes. There are no subsidies for new routes, to my knowledge, with this Loganair situation and there was not particularly, except maybe on the Paris Charles de Gaulle but that was not directly by our Government. There was not really any subsidies for new routes on the Blue Islands side either.

3.2.3 Deputy J. Renouf:

I am trying to get at whether there were discussions around new routes with the airline at the time when they were clearly in financial difficulties. The point being that an airline that is in financial difficulties, questions might be asked about whether or not new routes are appropriate in that situation. Could I ask the question again? Were new routes discussed at all with the airline and did the Government take any view about whether it was wise for the airline to be proposing new routes at a time when it was clearly in such distress?

Deputy K.F. Morel:

I do not recall whether new routes were discussed. It would seem an odd thing to discuss in that meeting because that meeting was very much about Blue Islands and its position with regard to acquiring a sale and so forth. I do not recall discussing new routes, though it is possible that was discussed. It would not have been the natural within the subject of that meeting.

3.2.4 Deputy K.M. Wilson of St. Clement:

Of the options discussed, could the Minister explain if there were any that he felt were unacceptable or not agreed to by Government and, if so, why?

Deputy K.F. Morel:

If the Deputy could repeat that question, please.

Deputy K.M. Wilson:

I was just asking whether the Minister, in terms of the discussion around what options were available to Government and Blue Islands, whether there were any options that he discounted and, if so, why?

Deputy K.F. Morel:

It depends where in the timeframe the Deputy is referring. If we are talking about June, as that was the premise of the question from Deputy Tadier, I do not think any things were discounted at that stage. This was very much the beginning of the process. As I said, we were discussing with Blue Islands, so we would not have had a discussion about what do Ministers think in front of Blue Islands. That would have happened at a different time.

3.2.5 Deputy K.M. Wilson:

Could the Minister just explain the process he went through to come to his own conclusions about what the best option would be for Government to undertake in relation to Blue Islands' fate?

Deputy K.F. Morel:

From my perspective, as Minister for Sustainable Economic Development, I want to ensure that we have resilient connectivity to the Island. From my perspective, that was the main aim that I wanted to ensure. If that, ultimately, ended up with Blue Islands not being able to continue to have a smoother transition from one operator to another was the other concern. Those are the 2 main concerns that I have had. I was relatively neutral on how that should be provided, who would provide that? But, as the Minister for Treasury and Resources spoke previously, not necessarily in these meetings in June but, ultimately, in the analysis Loganair because of its scale would appear to be a much more resilient provider. From that perspective, ultimately, I am very pleased that we have Loganair serving these routes.

3.2.6 Deputy R.S. Kovacs of St. Saviour:

I believe it is important to also acknowledge the swift and effective work by the Government and Ports in managing this transition, supporting both customers and affected staff from later in the weekend when this was announced and ongoing. But my question is: what specific safeguards has the Minister and the Government discussed, either in these meetings or elsewhere, to ensure that any

future airline support schemes do not expose us to a similar level of risk as with the loss of Blue Islands?

Deputy K.F. Morel:

I do not know if those discussions have taken place. I am not aware of them particularly if they had. I do think we need to come back to - and I think this is something the Minister for Treasury and Resources may have been trying to express earlier - a previous Government during COVID provided support in order to maintain an airline and vital connectivity to the Island during an extraordinary pandemic. After that, any additional support that came within the last year, and that was very much about trying to ensure connectivity while the airline itself had troubles and, ultimately, seeking to find a smooth solution out of that. This is support during extraordinary periods of that airline's existence. This is not support during the ordinary run of the mill. It is very different to providing support to an air link just to support that route. This is very much about maintaining the airline's survival to provide connectivity itself.

3.2.7 Deputy R.S. Kovacs:

Given the lessons learnt from the Blue Islands' experience, how will the Government ensure stronger financial oversight than earlier intervention if a similar risk begins to emerge with any future airline partners?

Deputy K.F. Morel:

Government will always seek to maintain good financial oversight. But, ultimately, that financial oversight is undertaken by the Treasury Department and questions about financial oversight are best expressed to the Minister for Treasury and Resources.

3.2.8 Deputy I. Gardiner of St. Helier North:

P.A.C. (Public Accounts Committee) raised concerns about the Paris route affecting critical routes and the sustainability for Blue Islands. Would the Minister tell if he has been involved in supporting the Paris route and what sustainability assessment was presented to when the route was created for 2025?

Deputy K.F. Morel:

I must admit we have gone a very, very long way from the original question.

The Bailiff:

Yes, that is right.

Deputy I. Gardiner:

I can rephrase the question.

The Bailiff:

Yes, all right.

Deputy I. Gardiner:

The sustainability of Blue Islands was questionable from 2024. Was the Minister part of the conversation for the introduction of a discretionary new route when the financial sustainability of the company was questionable?

Deputy K.F. Morel:

Honestly, I do not entirely recall. At some point it was said to me that Blue Islands were happy to do a Paris Charles de Gaulle route. From the top of my mind I think there is some financial support

provided, though very little. But I was not involved in any big conversations about it. If I remember rightly, it was much more presented as a Blue Islands are happy to do this and I said: “That is great.”

3.2.9 Deputy M. Tadier:

Without the timeline it is difficult to know whether we are talking about the same meetings. But our Scrutiny Panel has been given information that there was a meeting in June, it may not have been 12th June, at which a proposal was tabled for further discussion with Aurigny, with whom Blue Islands had identified substantial synergies through a merger to create a larger pan-Island airline. It was suggested that the Minister here dismissed that notion out of hand. Could the Minister confirm whether that was his recollection of that meeting and whether in fact that proposal was ever on the table? If so, can he try and remember maybe what his reaction might have been to that suggestion?

Deputy K.F. Morel:

I do not recall a proposal from Blue Islands about merging with Aurigny. I do not recall that. They may well have said that there is the possibility that they can. When I say I do not recall a proposal, I do not remember anyone sitting down and saying: “This is how a merger with Aurigny would work. This is how it would operate.” I think Blue Islands said that that is possible that that could be done but I do not remember anything in detail around how that would happen. From that perspective ...

Deputy M. Tadier:

I was not asking about whether there was detail, I was asking whether it was proposed and what the reaction was?

Deputy K.F. Morel:

From my perspective, I have only ever been concerned about the resilience and so I can imagine that if that was put to me I would have expressed concern about the possible resilience, given the lack of scale about a merged or renewed Blue Islands’ situation. That to me is very likely to have been a reaction from me because that is how I feel today, is Aurigny and Blue Islands merged would have been a very small airline suffering exactly the same issues around resilience that Blue Islands suffered.

3.3 Deputy K.M. Wilson of St. Clement of the Minister for Sustainable Economic Development regarding the economic impact of a 15.5% rise in water charges (OQ.259/2025):

I will try not to do this through chattering teeth; it is rather cold. Further to the announcement by Jersey Water that water charges will rise by 15.5 per cent from January, will the Minister advise what analysis, if any, has been undertaken to understand the economic impact the increase may have?

Deputy K.F. Morel of St. John, St. Lawrence and Trinity (The Minister for Sustainable Economic Development):

No specific analysis on the impact to the increase in Jersey Water’s charges has been made so far. However, the Cost of Living Group sees regular updates and analyses of the cost-of-living pressures faced by Islanders. The next step will include an assessment of the impact of any price rises announced by utility companies serving Jersey.

3.3.1 Deputy K.M. Wilson:

Could the Minister give some indication of what kind of concern he has for those who will be affected by this increase? Some may be pushed into financial hardship and if he has considered any mitigations to support this?

Deputy K.F. Morel:

We will discuss these in the Cost of Living Group. The price rises were not, to my knowledge, specifically announced to me or other Ministers in advance. I do not think there has been any time to really assess that but other Ministers may have had a different experience.

3.4 Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter of the Minister for Health and Social Services regarding the reintroduction of the home birth service (OQ.257/2025):

Will the Minister provide an update on the reintroduction of the home birth service and advise when this will be operational again?

Deputy T.J.A. Binet of St. Saviour (The Minister for Health and Social Services):

I wonder if the Deputy would be kind enough to allow the Assistant Minister to answer that question, Sir.

The Bailiff:

All right. Yes.

Deputy A. Howell (Assistant Minister for Health and Social Services - rapporteur):

The home birth service, initially paused in November 2024, will remain suspended while the Jersey Maternity Unit undertakes a comprehensive and systemic review of its safety, governance and operational arrangements.

[10:45]

This continued pause is a direct consequence of the Prevention of Future Death Order issued at the start of November following the inquest into the recent tragic home birth case in Manchester where both mother and baby died.

3.4.1 Deputy L.K.F. Stephenson:

Sorry, I am just taking that information in and perhaps my question would change slightly. Could I ask the Assistant Minister to just explain that a little bit more please? Is that a new review on top of the review that has just happened and concluded a number of months ago? We seem to be in a bit of a limbo with where that service was going. Anyway, is there something that is being carried out by trusts across the U.K. as a result of that? I would just like a bit more information please.

Deputy A. Howell:

This report was released on 5th November, so it is very recent. But because of the tragic death of the mother and the baby it is now the Coroner has decreed that this has to be a nationwide look at home births and safety. Until all of the review is carried out by Jersey in relation to this, we cannot restart the service.

3.4.2 Deputy J. Renouf of St. Brelade:

I wonder if the Minister would be prepared to put some timeline on that. I think the concern that Members have, certainly that I have, is that we have been reviewing the home birth service for a very long time. There have been problems raised around one set of things to do with the qualifications of nurses, then there were qualifications to do with ambulance staff. I just feel like it would be helpful to know when the Minister thinks this will be resolved.

Deputy A. Howell:

I very much regret that I cannot give a date. This is on top of the work that has been carried out and this is really serious. We have to have a safe service. I cannot give any date at all, I am afraid to say.

3.4.3 Deputy J. Renouf:

I completely accept the need for safe service but the language is different to that which is used to do with other things, which the Minister for Health and Social Services is doing. The Minister for Health and Social Services is committed to assisted dying and has made absolutely sure that that is pushed through within a timeframe that he is comfortable with. He is also committed to a Partnership Board and he has been determined to push that through. I wonder if the Minister would say whether there is exactly the level of determination to reinstate a home birth service as there is to do with those other favoured activity.

Deputy A. Howell:

Any service that is provided has to be safe, and that is the only consideration that I am able to give. It will be a clinically-led decision and I am just a mere politician; I cannot give a timeframe.

3.4.4 Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter:

The Assistant Minister suggested in an earlier answer that the decision to not restart the home birth service was taken as a result of a Coroner's indication to all health services across the British Isles. Could the Assistant Minister outline to the Assembly whether every jurisdiction and area across the British Isles has taken the same action to withdraw a home birth service as a result of this Coroner's report?

Deputy A. Howell:

I am afraid I cannot answer for every jurisdiction in the U.K. But I can answer for Jersey, and Jersey will be absolutely following what the Coroner has recommended. I can give the report that I have printed out this morning to the Deputy, if she would like to, and anybody else.

3.4.5 Deputy K.L. Moore:

It would be helpful if the Assistant Minister would share the report with Members, I think. But also perhaps the advice that has been issued to health services across the British Isles proposing action as a result of that report.

Deputy A. Howell:

I am very happy to do that.

Deputy M. Tadier:

My question has been asked, Sir.

3.4.6 Deputy L.M.C. Doublet of St. Saviour:

Please, could the Assistant Minister advise who is it, individual or body in Jersey, who, ultimately, determines whether a service is safe at the point of delivery?

Deputy A. Howell:

I believe it is the director of midwifery and the chief nurse of the hospital and the chief officer.

3.4.7 Deputy L.M.C. Doublet:

I thank the Assistant Minister for her response. Given the fact that there has been a lengthy ongoing review into the safety of this service, should Jersey not be further ahead in this process in terms of assuring that safety? Could the Minister look into this and come back to the Assembly with a date whereby that service will be reinstated, please?

Deputy A. Howell:

I very much regret that I cannot give a date.

3.4.8 Deputy L.K.F. Stephenson:

Women in Jersey have now been denied access to home birth for over a year. This prolonged suspension does not align with the Nursing and Midwifery Council's published principles to support person-centred care for women and babies. That guidance specifically outlines that women's views, choices and preferences are at the heart of maternity care and says that home birth options should be provided. Does the Minister consider the current situation to be good enough and, if not, what is the Minister and the team doing to prioritise the reintroduction of this important service?

Deputy A. Howell:

I do think we have a really excellent maternity service. I agree that perhaps women at the moment are not given every choice. But my priority is safety for our mothers and our babies.

3.5 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Minister for Housing regarding a dedicated strategy of affordable housing for Islanders under 25 years of age (OQ.263/2025):

Further to Oral Question 14/2024 and Written Question 361/2025, will the Minister provide an update on any progress made in the development of a dedicated strategy to address the challenge of affordable housing for Islanders under 25 years of age?

Deputy S.Y. Mézec of St. Helier South (The Minister for Housing):

I do not recall in the specific questions the Deputy has highlighted reference to a dedicated strategy per se. But I would hope it can be taken as axiomatic that the broad agenda that I am pursuing as Minister for Housing has large elements in there which are specifically targeted at Islanders under the age of 25. The adoption of the Residential Tenancy Law will have been a big step forward for young Islanders looking to get independence and leave their family homes but into a rental sector which provides some greater security and stability. The quantum of new homes provided by Andium will enable more young Islanders to get on the housing ladder. It is the case that Islanders under the age of 25 have benefited from the first-home buyer schemes that Andium has led on. But on top of that I would like to say to the Deputy and to States Members that in the next few weeks I am preparing to make an announcement on what will be the next steps in widening eligibility for social housing. I am very much looking forward to doing that, and there will be things in there for the age group that the Deputy has referenced.

3.5.1 Deputy H.L. Jeune:

I thank the Minister for his answer. I am wondering if the Minister could advise whether his widening of the eligibility that will be announced in the next few weeks, if he is consulting with different housing providers to ensure that this support for under 25s is not developed in isolation and it comes in a number of other elements as well.

Deputy S.Y. Mézec:

That will of course be part of the package. What I will be announcing in a few weeks will not be the immediate turning on of new eligibility rules, but it will be announcing the pathway towards getting that. Within that process we will be able to build in whatever consultations that we need to do to make sure that it is not just a knee-jerk reaction but that it is done at the right time and the right moment with all the right support in place.

3.5.2 Deputy J. Renouf of St. Brelade:

Beyond the question of the widening of access, I wonder if the Minister does have in mind a strategy that would knit together various aspects of policy to address the issue that Deputy Jeune has raised.

Deputy S.Y. Mézec:

I believe I answered that in my first question. I think it is axiomatic that the entirety of the agenda that I am promoting as Minister for Housing has specific elements in it which are clearly applicable

to young Islanders. I use that term rather than referring to a specific age group because lots of this will appeal to 26 year-olds as well. It is a big part of a narrative that I have pursued in advocating for my agenda as Minister for Housing that one of the key aims ought to be to restore hope among young people that they can have a decent and prosperous future in Jersey without being held back by the housing difficulties that the housing crisis has faced up until this point.

3.5.3 Deputy J. Renouf:

Could the Minister then pick out one or 2 of the things that he is planning to do or has in mind as part of that comprehensive response?

Deputy S.Y. Mézec:

I believe I pointed out 3 of those in my opening question. That was the thankful adoption of the Residential Tenancy Law and next it is enactment, that will be key to providing younger Islanders with confidence that the rental sector will be one in which they will have better odds than they have had under the old law; providing more first-home buyer opportunities has been a part of that. I hope that in the near future we will be able to trial new first-home buyer products that are not exactly like the ones we have had until this point, so that they might appeal to more people in different sorts of situations and of course the social housing eligibility that I referred to as well.

3.5.4 Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter:

Will the Minister share with me the pleasure that affordable homes are now being delivered on sites in St. Peter that his party voted against in the Bridging Island Plan?

Deputy S.Y. Mézec:

If you are going to take a shot at least aim properly because my party voted in favour of the Bridging Island Plan and we voted in support of Deputy Moore, as Senator Moore as she was at the time, when she brought amendments outside of the Island Plan process for those sites in St. Peter. I am pleased to correct the record.

3.5.5 Deputy K.L. Moore:

Without wanting to engage in a debate, I do believe that they voted against the green zone sites for affordable housing. But I am grateful and pleased to hear that the Minister is encouraging greater supply in the market of affordable homes.

The Bailiff:

Do you want to respond, Deputy?

Deputy S.Y. Mézec:

When you are in a hole stop digging.

3.5.6 Deputy I. Gardiner of St. Helier North:

As a previous Minister for Children and Families in the previous term and the current Minister for Housing, would the Minister advise what action has been taken to ensure there is all the transition for the care leavers into the secure housing?

Deputy S.Y. Mézec:

This is something I feel very strongly about. I was Minister for Children and Families when some of the preparation work on corporate parenting legislation was done. It is something I am very much personally committed to. As it stands, we have what is called the Partnership Pathway within the Housing Gateway. That has basically different eligibility criteria in that people below the age of 25 can access that, and they access it with the support and referrals from other agencies because it is a

more involved process to help those people get into homes, rather than just giving someone a set of keys and then forgetting about them after that; that is a key element of that.

3.5.7 Deputy I. Gardiner:

Thank you for that, Minister. I am sure the Minister is aware that we still do not have proper housing for the care leavers under 25. Would the Minister advise what work he has done with the Minister for Children and Families, himself and his team to increase proper housing for the care leavers during his last 2 years?

Deputy S.Y. Mézec:

I am unsure what the Deputy means by “proper housing”; could she elaborate on that?

Deputy I. Gardiner:

To have adequate housing for the care leavers.

Deputy S.Y. Mézec:

I am still unsure what she means. Does she mean designated buildings or does she mean a framework within all of our buildings that mean they could be appropriate?

Deputy I. Gardiner:

I am sure that the Minister knows that not 100 per cent of the care leavers are housed in their own flat after they have left the Minister’s care. Because of various conditions, some of them are not ready to live independently and some of them do not have available housing on the market to move in. My question, what work is underway and how much work was done between the children and housing to ensure that we are raising a number of care leavers housing in their own flats and making sure that they can hold the tenancy?

[11:00]

Deputy S.Y. Mézec:

I attend Corporate Parenting Board meetings, which are chaired by the Minister for Children and Families. He chaired one of those meetings yesterday and creating stable and loving homes is a frequent agenda item on those meetings. If the Deputy would like a further update on that I am more than happy to do so for her.

3.5.8 Deputy H.L. Jeune:

It is welcome that the Minister has confirmed that he will announce a pathway to expand the eligibility for social housing for those below the current limit, which is 25 years of age. Can the Minister advise if Andium has the right housing mix currently to provide homes for those young Islanders or would Andium need to be building more to provide for young Islanders, and does the housing mix involve young Islanders?

Deputy S.Y. Mézec:

I kind of struggle with that question because Andium has an extremely extensive building programme as it currently stands. They are on site delivering between 700 and 800 homes at the moment. That is just a general part of their agenda that they are increasing the number and the mix of homes. It is because of the opportunities that that provides that we are in the fortunate position of being able to consider widening social housing eligibility. I think that is something that they are already doing.

3.6 Deputy M.B. Andrews of St. Helier North of the Chief Minister regarding expenditure savings made within the Cabinet Office (OQ.256/2025):

Further to the adoption of P.8/2024, will the Chief Minister advise the amount of expenditure savings made to date within the Cabinet Office?

Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter (The Chief Minister):

To date the Cabinet Office has saved over £3.6 million in total. These savings have been achieved largely through reductions in staff, the external recruitment freeze, the decision not to backfill posts of staff who left the department and a reduction in external consultants. On a like-for-like comparison, Cabinet Office has reduced by 32.6 full-time equivalent staff to a new total of 174; that is a 16 per cent reduction.

3.6.1 Deputy M.B. Andrews:

Can the Chief Minister confirm whether there will be future savings and, if so, will that be made in the forthcoming Government budget?

Deputy L.J. Farnham:

Yes, the future savings planned for the forthcoming Budget I believe are £1.6 million and, to date, the department has £1.3 million underspend.

3.6.2 Deputy I. Gardiner of St. Helier North:

Would the Chief Minister advise that the Communication Unit that was previously at the Cabinet Office was separated and the expenditure moved from the Cabinet Office into the department expenditures?

Deputy L.J. Farnham:

The Communications Department is still listed as part of the Cabinet Office, although the department has reduced by 11 staff.

3.6.3 Deputy I. Gardiner:

Can the Minister confirm if the 11 staff left the Government or now they are counted as the communication officers within the departments like Education, Health and others?

Deputy L.J. Farnham:

The 11 that left were through redundancy; 7 voluntary and 4 compulsory. It is a net reduction of 11; they have not been redistributed.

Deputy I. Gardiner:

My ...

The Bailiff:

You have had your 2 questions.

Deputy I. Gardiner:

No, my question was that from 11 people, are some of them now working as communication officers? I did not get the answer to my question.

Deputy L.J. Farnham:

Apologies, I thought I did answer it. Of the 11 reduction, all were redundancies and they were not redistributed.

3.7 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Minister for the Environment regarding the new animal welfare legislation (OQ.264/2025):

Will the Minister advise what consideration, if any, took place during the development of the new animal welfare legislation in combining existing animal welfare laws?

Deputy S.G. Luce of Grouville and St. Martin (The Minister for the Environment):

I am happy to advise the Deputy that considerable consideration took place during the development of the draft animal welfare legislation to look at how the existing animal welfare laws could be combined. As a result, some legislation is to be repealed and some to be saved by the proposed Animal Welfare Law.

3.7.1 Deputy H.L. Jeune:

That is a welcome answer from the Minister. Could the Minister advise if that consolidation of the various animal-related laws would result in cost savings or efficiencies for enforcement, administration or public understanding in the future?

Deputy S.G. Luce:

I would hope that any consolidation would result in better understanding for the public. I would like to think that it would also result in less work for officers. The whole idea of repealing laws, amalgamating it together, is to make life easier for both the public and for people who have to administer the laws themselves.

3.8 Deputy K.M. Wilson of St. Clement of the Chief Minister regarding the risks to public funds in relation to the Government's financial support of Blue Islands (OQ.260/2025):

Will the Chief Minister advise why the Assembly was not informed earlier of the risks to public funds in relation to the Government's financial support of Blue Islands?

Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter (The Chief Minister):

As Members heard this morning from Deputy Millar's statement, financial support was provided to Blue Islands to safeguard essential air links, especially - and I underline the word - for medical appointments, often lifesaving medical appointments that Islanders need to Southampton and to protect the half-term holidays and other important parts of the tourism season, while the company explored longer-term solutions to its financial challenges. Making that financial support public at an earlier stage would have compromised the company's efforts to save the airline, enhancing an already difficult situation. If the airline had failed without a plan in place for rapid transfer to another carrier, there would have been an extended period without service and a far greater disruption for passengers, especially those in need of medical treatment. The Government supported Blue Islands for as long as possible until the extent of its financial position, ultimately, became clear. The Minister for Treasury and Resources and her team provided high-level confidential briefings to the Corporate Services Scrutiny Panel in July and September, and we are grateful to them for respecting that confidentiality. Within 24 hours of the decision not to continue to provide funding to Blue Islands, States Members were informed at a briefing at 2.00 p.m. on Saturday, 15th November. It would have been unacceptable to accept an option that disrupted our essential medical air link to Southampton, and I just wanted to reinforce that point.

3.8.1 Deputy K.M. Wilson:

Thank you to the Chief Minister for his response. The question is really about how Islanders can have confidence in the Government's stewardship of the funds when significant risks were known internally but were kept from the Assembly until after their collapse. I wonder if he would like to answer how he can assure Islanders that there is appropriate public stewardship.

Deputy L.J. Farnham:

I would like to reassure Members and Islanders that by taking the decision that we have taken in the course of the 12 months we have saved taxpayers many, many millions of pounds moving forward,

perhaps tens of millions of pounds. I am reminded of the headline not so long ago just before COVID: “Guernsey bails out Aurigny from the brink of liquidation.” Since 2015 the States of Guernsey have had to subsidise Aurigny to the tune of somewhere approaching £75 million. They are, I understand, a 5-fleet airline the same size as Blue Islands. While we have invested money and loaned money to Blue Islands in the past, I believe we had to do that to keep them moving. The last thing we were going to do during a difficult tourism season was disrupt their service. What we have done is we have carefully considered the situation. As the financial difficulties became worse, we took what we believed to be the relevant action. I want to thank officials, Ports of Jersey and all that have worked hard together to make sure a new service was stood up in a very short period of time.

3.8.2 Deputy J. Renouf of St. Brelade:

If I may test the limits of relevance in the question here, on the assumption that this is about consultation and about who was informed and who was not informed and when, would the Minister comment on the decision not to involve Guernsey in any of the discussions around this and ask whether he anticipated or whether anybody in the Government anticipated that Guernsey, because they were not involved in discussions, might take retaliatory action in the form of designating routes to protect Aurigny’s position?

The Bailiff:

This is about why the Assembly was not informed earlier, not about discussions with Guernsey.

Deputy J. Renouf:

Sir, I am justifying it on the basis that it is about who was informed and who was not informed and the question of whether Guernsey was informed or not is another branch of that.

The Bailiff:

This is about the Assembly not being informed, not about discussions with Guernsey. I do not allow that question.

Deputy J. Renouf:

In which case, can I ask a different question?

The Bailiff:

Yes, you can ask a different question.

3.8.3 Deputy J. Renouf:

No, I am not reframing, it is a different question. The question around the Assembly being informed has focused on what has happened since June. But the questions I asked earlier of the Minister for Treasury and Resources were about the knowledge of events before that and the seriousness of the situation once a company stops paying the airport and asks for its loans not to be repaid anymore. Why was the decision taken not to discuss that with the Assembly?

Deputy L.J. Farnham:

First of all, I would like to refer the Deputy to the detail provided in the Minister for Treasury and Resources’ statements. I refer to my original answer, the Government often when it is dealing with highly sensitive and commercially sensitive issues has to be mindful of how public that should be made. Bringing a statement or an update to the Assembly in this public forum would have compromised the Blue Islands’ ability to continue to trade. What the Minister rightly did was confidentially briefed the Scrutiny Panel, that is the way, I think, Government operates. As soon as we were in a position that we could share the information, as soon as the decision was made, we briefed Members in under 24 hours on a Saturday. Because we were very keen to ensure States Members were properly briefed and understood the pathway we had to take to get to that position.

3.8.4 Deputy K.M. Wilson:

Given that we now know what has happened, would the Chief Minister commit to publishing the risk assessments and internal briefings that were heard in relation to how the loans were organised and any analysis to suggest that the loan was unlikely to be recovered?

Deputy L.J. Farnham:

I am not sure I can commit to that. There is a liquidation process underway. There is an element of commercially confidential information. There are other airlines that this information could be useful to sell or not. I cannot make a commitment. Obviously we would like to be as transparent as possible but we can only act in the realms of what is sensible and appropriate.

3.8.5 Deputy K.M. Wilson:

Could the Minister perhaps clarify what he is prepared to disclose?

Deputy L.J. Farnham:

I think so far we have disclosed about everything, I think, that is relevant to the decisions we have made. I do not think there would be any problem in sharing any confidential information with Scrutiny or perhaps Members on a confidential basis. But that is something we will consider moving forward. I think we have given a clear and rational explanation of the actions that led to the decision made. Now we must step back and let the liquidators do what they have to do.

3.9 Deputy J. Renouf of St. Brelade of the Minister for Sustainable Economic Development regarding the micro arts development unit (OQ.262/2025):

Will the Minister advise what work, if any, has been undertaken in relation to the establishment and operation of the “micro arts development unit” as referenced in An Arts Strategy for Jersey 2022-27?

Deputy K.F. Morel of St. John, St. Lawrence and Trinity (The Minister for Sustainable Economic Development):

The department created a micro arts unit aligned with our Arts and Heritage Strategies in 2023. At this time sport was moved to a dedicated role and the Arts, Culture and Heritage team was reorganised around strategic outcomes, empowered to manage partnerships and supported with targeted funding. This team built ecosystem relationships, measures outcomes transparently and leverages external resources to sustain our art and heritage strategies and maintain the creative Island partnership.

3.9.1 Deputy J. Renouf:

I noticed that when the review of the Arts Strategy was published in September there was no mention of the micro arts development unit. I just ask, why was that? Does it still exist and indeed is it still micro?

[11:15]

The Bailiff:

Maybe it is very small. Sorry. [Laughter]

Deputy K.F. Morel:

Sir, I am tempted to say if the Deputy looks at the very small print. But, no, I believe and I understand it is more a question of labelling. I think. My understanding is that, effectively, that micro arts unit does operate and you see that through the small grants that they are given. But I will check that there is still something we refer to as the micro arts unit because I am not convinced we necessarily do, but I will have to confirm.

3.9.2 Deputy A.F. Curtis of St. Clement:

The Arts Strategy when it defines or suggests introducing a micro arts development unit proposes that this unit will need to be no more than 2 to 3 posts. Could the Minister advise currently the staffing levels provided either through full-time employees or the total capacity of the arts development unit?

Deputy K.F. Morel:

Similar to my previous question, I would have to get back to the Deputy on that.

3.9.3 Deputy A.F. Curtis:

Does he believe though that the scope of work falls within the original remit of 2 to 3 posts being sufficient to deliver the remit he wants from that function within Government?

Deputy K.F. Morel:

Given the size of the arts team full stop, the Arts, Culture and Heritage team full stop, I would be surprised if one unit within that team had 2 to 3 posts because I do not think the team is big enough for that to be the case. But I will have to get details about this and I will circulate them to all Members quite happily.

3.9.4 Deputy J. Renouf:

I think the issue here might be around mission creep and the extension of the arts development unit to do a job that arguably ArtHouse Jersey was set up to do. I wonder whether the Minister could comment on why he does not feel ArtHouse Jersey is an appropriate body to disperse the funds that he has talked about and whether this might not be an example of what the chief executive has talked about where Government expands into new spaces almost without realising it.

Deputy K.F. Morel:

No, and I believe I have discussed this before. Setting aside micro arts units or not, it has been my view that in arts and culture particularly we have a number of organisations that we fund. Some of them disperse grants onwards, some of them do not. But one of the issues in art is that you want as wide a range of arts to be seen and put on in Jersey as possible. Different organisations have different approaches and, therefore, exclude other types of art. The idea is that there would always be a small pot held in Government so that different community arts, organisations that are seeking to do small things, Lullaby Choir is one that comes to mind, are able to access grants very easily. Where it is just a case of showing an element of value for money and the money is pushed through, the view of the art itself is not taken into account. That way we have been able to disperse significant numbers of low-value grants to a wide range of community organisations. It is in no way a slight on any of the other organisations, including ArtHouse Jersey, who I value enormously. It is just about saying we wanted a way to just provide money to community organisations without having a view on the quality or type of art that they are doing but whether they are reaching a certain number of people within that community organisation; that is all it is.

The Bailiff:

Thank you, Minister. That brings that period of questions to an end.

4. Questions to Ministers without notice - The Minister for Children and Families

The Bailiff:

We now move on to questions to Ministers without notice and the first period of questions is the Minister for Children and Families. The first question is from Deputy Jeune.

4.1 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:

The Minister has been clear about his ambition to recruit more on-Island foster carers but could he advise whether he believes this fostering push is meeting its targets and delivering the results intended?

Connétable R.P. Vibert of St. Peter (The Minister for Children and Families):

I thank you for that question. The ambition is to create more foster carers. We have had some successful campaigns. I think I have spoken about this before in the Assembly, the conversion rate is low and that is also reflected in campaigns that take place in the U.K. I find that disappointing. However, for 2026 we have a new approach where in the U.K. ... I am trying to think of the name of it. However, it is where you have a number of foster carers who support each other. We are hoping through that approach to encourage more foster carers. We have got campaigns starting. I believe we have got one campaign that will target Government employees.

4.1.1 Deputy H.L. Jeune:

As the Minister has highlighted that conversion rate is low, at the moment I believe meaning that fostering is not being increased in Jersey, does that mean that the Minister is falling back on greater reliance on residential homes, rather than family-based fostering placements? If not, how does he intend to reverse this current trajectory?

The Connétable of St. Peter:

Hopefully, the trajectory can be reversed via the measures I have already spoken about. Inevitably where there are fewer foster carers we have to look at residential homes, they are not as good as a foster carer. However, we make every effort to make those homes as homely as possible. We are looking at the Loving Homes project where we are increasing the number of homes. However, foster carers are the better option, and I maintain my commitment to try and increase the number of foster carers in Jersey.

4.2 Deputy C.D. Curtis of St. Helier Central:

Following a publication of the online harms report, will the Minister explain what steps he has taken to address the findings and the recommendations of the review or any steps that he is about to take?

The Connétable of St. Peter:

Thank you for that question. Yes, I have been taking immediate action. Of course I have had to read the report myself, and I think I am going to have to read it a second time because I think it is around 160 pages long. However, I have looked in particular at the recommendations that concern myself, and in that I think the most important recommendation is that the Minister for Children and Families should co-ordinate work to assess the risks and impact. What have I done so far? I have had discussions with the officers at the Sustainable Economic Development Department as to their progress so far. I am pleased to see the work that they have done on the legislation, although I do probably see that as phase one of the legislation and that we will have to look at further legislation in the future. I have spoken with the head of the N.S.P.C.C. (National Society for the Prevention of Cruelty to Children), who myself and the Assistant Minister have met with before as they have got online safety campaigns. Perhaps we have suggested that we might have a joint campaign, particularly looking at online harms. I have made some initial inroads into looking at connections with the team in Westminster responsible for the online harms legislation and the impact so far. I did some research on V.P.N.s (virtual private networks) and established that the V.P.N. companies are very clever because although the companies are trying to block them, they very quickly make changes to the servers and ways in which they recognise, so that they can be actively used again to circumvent the legislation. That is the progress I have made so far.

Deputy C.D. Curtis:

Yes. I thank the Minister for his answer and look forward to his response to the recommendations.

Deputy D.J. Warr of St. Helier South:

I have been told my questions should be directed towards the Minister for Education and Lifelong Learning, so I will withdraw my question for now.

4.3 Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter:

Is the Minister satisfied that the communication between the Children's Social Care Panel and the families that are caring for those children meet the statutory guidelines?

The Connétable of St. Peter:

I have no reason to believe that is not the case. If there is a specific instance to believe this is not the case, if that can be relayed to me, then I would be pleased to look into it.

4.3.1 Deputy K.L. Moore:

How does the Minister take his duties, which are to ensure that he provides oversight and accountability to decision-makers, if he could perhaps outline that? I agree that he might meet with families who have concerns.

The Connétable of St. Peter:

I have no problem with meeting with families that are concerned, and I would make every effort to do so. I am not sure in what area ... perhaps if you could elaborate on which decision-makers that I should be communicating with.

Deputy K.L. Moore:

I was referring to those that sit within his area of responsibility. Part of his role and duty is to ensure oversight and accountability.

The Connétable of St. Peter:

Yes, right. How do I ensure oversight and accountability? Of course we have various forums to do that. We have the Corporate Parenting Board. We have various other boards that look at the children's plan. Of course we do delegate this; officers meet regularly with people like the foster carers and various other bodies. I think that I am doing that. If there is a specific instance, as I have said, I am happy to look into that and meet with anybody who wishes to meet with me.

4.4 Deputy J. Renouf of St. Brelade:

Perhaps building a little bit on that one, what assessments would the Minister give about the current state of care for vulnerable children in the Island and what evidence would he give to support his view?

The Connétable of St. Peter:

Sorry, I missed part of that question.

Deputy J. Renouf:

What assessments would he give about the current state of care for vulnerable children in the Island and what evidence would he give to support his view?

The Connétable of St. Peter:

I think every effort is made to have the best possible outcomes for our children. There are many vulnerable children in our Island. I think, unfortunately, the lack of housing and in fact foster carers means that there are some children that perhaps should be brought into care that we are unable to do so at the moment. That is a situation that does worry me and hence why in the Budget we have asked for funding to rectify that. But I must say where there are undue concerns, then we would immediately act in respect of vulnerable children.

4.4.1 Deputy J. Renouf:

I wonder if the Minister could say whether he thinks the situation is improving or not.

The Connétable of St. Peter:

Yes, I would say that I do believe the situation is improving. I think that the last inspection we had clearly said that there was progress in all areas. I think we are much more aware of the need for early intervention. I am certainly happy with the progress that we have made in the last 2 years.

4.5 Deputy K.L. Moore:

What timeframe does the Minister believe that families should have when planning respite; their access to respite care for children with complex needs who require regular periods of respite?

The Connétable of St. Peter:

I think this is an area I have touched on in the recent Scrutiny hearing. It is an area where I believe we need to review the current arrangements. I do have concerns that respite is not always available. I was quite frank with the Scrutiny Panel about my concerns. I believe that this is an area where we need improvement.

4.5.1 Deputy K.L. Moore:

I am grateful to the Minister or his answer. We would like to understand what his plan is for delivering that improvement.

[11:30]

The Connétable of St. Peter:

First of all, I think I need to be guided by a review. We do intend to review that part of the service. I will look to that review for guidance.

4.6 Deputy I. Gardiner of St. Helier North:

I looked at the nomination speech for the Minister and he said: "Two new care homes have been operating during the last year to remove the need for emergency accommodation but there is currently a lack of planning. If elected as a Minister, I would immediately begin with work with the new Minister for Planning to rectify the planning issues related to the care homes." Would the Minister confirm if these 2 care homes have stopped working and if any other new care homes for children on the Island were opened during the last 2 years?

The Connétable of St. Peter:

Neither of those 2 homes are in operation. No, one of them is still in operation but it has to be returned to the hospital as part of the hospital project. The other is no longer in operation, as we did not get the necessary planning permission for that. Although I considered an appeal, I decided in the end that it was probably not worth pursuing that appeal. We are opening new homes. We have one new home that is opening in the next week; that is down in the Georgetown area. We have another one in St. Helier owning, and these are permanent homes. These are homes, unlike the others where we had short-term leases from the Government, these will be permanent homes and a much more stable situation.

4.6.1 Deputy I. Gardiner:

In the same speech, the Minister said that we are securing our first therapeutic children home for Jersey. We know that this was halted by the Minister within a month. Does the Minister consider that we still need a therapeutic home for children in Jersey, or they are better served in the U.K. as it currently stands?

The Connétable of St. Peter:

Not all therapeutic activity takes part in the U.K. The reason that we did not continue with the therapeutic home was that on advice it was considered that, firstly, we were unlikely to be able to recruit the necessary expertise in that people in that field would not come to Jersey because of the small number of children involved. Also, there was the high cost of the home. In effect, it would have been 3 places with an initial cost, I believe, of over £3 million for that premises and the conversion. That is better served by offering a therapeutic package across all our homes, and where absolutely necessary, seeking expert therapeutic care in the U.K.

4.7 Deputy H.L. Jeune:

The Minister said that the conversion rate was low for fostering families, and we have just heard his answer around the care homes. A few were opening, but we heard that there needs to be more. What is happening with children who are needing homes currently?

The Connétable of St. Peter:

We have been quite open about the fact that there is, in effect, a crisis in the number of beds. We are managing that situation. Where absolutely necessary, and I say “absolutely necessary” because it is not something we wish to do, we will place a child in the U.K., and I would hope that is on a temporary basis where there is an absolute need to bring that child into care.

The Bailiff:

We move on to the second period of Questions without notice, and these are questions for the Minister for Education and Lifelong Learning.

5. Questions to Ministers without notice - The Minister for Education and Lifelong Learning

5.1 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:

Can the Minister advise whether Jersey is considering the introduction of T-level qualifications here, and if not, why not?

Deputy R.J. Ward of St. Helier Central (The Minister for Education and Lifelong Learning):

T-levels are an English qualification. They only exist in England. We are not looking at introducing T-levels here for a number of reasons. One is that there will be a challenge in providing a range of T-levels given the level of work experience associated with them and the limits in the number of industries here, to be quite frank. Also, we are not included in that qualification here, so it is a challenge.

5.1.1 Deputy H.L. Jeune:

How does the Minister plan to ensure that vocational pathways for 16 to 19 year-olds remain relevant and high quality in the coming years as changes in the U.K. solidify and go towards these T-levels?

Deputy R.J. Ward:

That is a very good question. Work has already started. We recently, in Curriculum Council, had a report back from Highlands and Hautlieu on exactly this issue. The main challenges that we face are what happens with B.T.E.C.s (Business and Technology Education Council) in the long term, the implementation of things called V-levels. I can really quite unexcitingly talk the Deputy through those if she wants to spend some time, the future range of qualifications that are available to us. But we are anticipating that and we are doing the work early on. I do see there is both an opportunity and a challenge with post-16 qualifications into the future, but I am sure that it is one that we can deal with because we do have the flexibility and freedom here to do what is best for our Island.

5.2 Deputy S.M. Ahier of St. Helier North:

What actions is the Minister taking to increase the number of male teachers in schools to give boys suitable role models?

Deputy R.J. Ward:

I do not think we have gender quotas in our schools and I think that role models can be provided by male teachers across the school, if that is what needed. I certainly hope that I provided exactly the type of role model that young men needed. I am sure that is true. But I do not think gender targets are really applicable in those terms.

5.2.1 Deputy S.M. Ahier:

What is the percentage of male teachers in our schools compared to the 35 per cent in English schools, and does the Minister believe that this can be raised in the near future?

Deputy R.J. Ward:

I have a lot of numbers in my head. I do numbers well. I do not have that number in my head. I am quite happy to find it for the Deputy. It is an interesting question, something I have never really thought about, but I will do. There is a higher percentage of female staff, particularly in primary schools. I think it is true in secondary schools as well. But I think we need to be very careful before we look at gender quotas in that way. Role models are role models, whoever they are provided by.

5.3 Deputy I. Gardiner of St. Helier North:

Would the Minister advise when, if he does remember, he had a meeting with the Jersey Early Years' Association in 2025; himself, not the officers?

Deputy R.J. Ward:

There is a narrative being produced here in terms of the way in which we interact with the Jersey Early Years' Association. I had 3 meetings with them. In this year, there were, up to June, 21 meetings with officers. I task officers with very clear action to take to develop and, for the first time, deliver on 2 to 3 nursery hours. My door is always open to a meeting with organisations if they want to come and speak to me, that is fine, but the negotiations are way more important. I will just make the point that I work across my officers and across other departments, which certainly goes against the narrative of us silo working, because we do not. Therefore, the work of officers who are very qualified, very skilled and very experienced is equally as important and they feed back to me on a regular basis. My door is always open to meetings as long as they are constructive and useful in the process.

5.3.1 Deputy I. Gardiner:

If I understood correct, in 2025, the Minister himself did not meet the Jersey Early Years' Association. Has the Minister ... and I do believe the officers are doing a good job and officers there to represent the Minister. Would the Minister concede that after the industry did not sign the proposed trade agreement after the end of October, the meeting with the Minister might be beneficial?

Deputy R.J. Ward:

Again, we have this narrative creating, which I completely do not agree with. It was not about signing any agreement, it was about tasking officers to find out whether we could implement a N.E.F. (Nursery Education Fund) style agreement across all of the nurseries, and not all of the nurseries were unhappy to do that. Some were absolutely on side, but we have to have consistency. If we are going to deliver 2 to 3 year-old hours, we have to work on that happening. The options are to pay directly or for institutions to sign up. Child Mind has signed up, or are happy to be involved in it and have said so publicly. The J.C.C.T. (Jersey Child Care Trust) are very supportive. The Children's Commission is very supportive. There is a list of places that are supportive. Quite happy to meet

with representatives of the Jersey Early Years' Association, but we have to get on with this and start to deliver this process.

5.4 Deputy D.J. Warr of St. Helier South:

In December 2021, the independent review of Inclusive Education and Early Years was published. It made 50 recommendations. How many of these recommendations does he believe have now been implemented?

Deputy R.J. Ward:

Sorry, I have got a bit of a problem with my hearing today. Is the Deputy referring to the N.A.S.E.N. (National Association for Special Educational Needs) review?

Deputy D.J. Warr:

I am.

Deputy R.J. Ward:

Thank you. Yes, I gave a quite detailed answer, I believe, in Scrutiny recently. I cannot give the precise number off the top of my head, for some reason I am not good with numbers with the N.A.S.E.N. review. But we instigated the Island S.E.N.D. (Special Educational Needs and Disabilities) review for the very reason that there were only a limited number of the N.A.S.E.N. recommendations delivered. That is true since the report was published. There were a number of reasons for that. One of them is that they were very wide-ranging recommendations, and I believe that the S.E.N.D. - we have been very open, I presented it to this Assembly - gives us some focus on the delivery of those things. I would advise whoever is in this role in a couple of years' time to do exactly the same thing, to look at where we are, and be very open about what is done and what has not been done, because those priorities might change in a very quickly changing world, as the Deputy knows.

5.4.1 Deputy D.J. Warr:

To carry on with what the Minister has just said there. In 2025, the Island S.E.N.D. review was published and came to a number of very similar conclusions. Why was the second report commissioned, given the N.A.S.E.N. report suggested a 10-year implementation plan? How can any change plan be sustainably implemented if we keep commissioning new reports? Does this not undermine public confidence that genuine action is being taken?

Deputy R.J. Ward:

I think the Deputy answered his own question. Because of the number of reviews, we need to see where we are. We also had a changing world of S.E.N.D. The world of S.E.N.D., if you just have a 10-year period from a report 10 years ago, it will be out of date. It will not be relevant. This is building on those reports and being open about what we are doing. I absolutely recognise, and so do schools, that we need to address a growing situation. I do not want to use the word "issue" because that is not what it is about. A situation in schools of ever-changing need. I see nothing wrong with reviewing where we are at different stages. Indeed, if you have a 10-year plan, you have to review it regularly. That does not get rid of confidence. It does the opposite, particularly within the teaching profession and within school.

5.5 Deputy L.M.C. Doublet of St. Saviour:

There have been recent media reports of some changes made at La Sente School, and it looks like some very difficult decisions have had to be made in the respect of moving timetables around so some children are learning online at home. Could the Minister please give some detail into why those changes have had to be made and what risk assessments have been carried out around the balance between having children in the school or at home?

Deputy R.J. Ward:

Yes, indeed, it is a challenging situation, but it is a challenging situation that is being addressed. There is new leadership within La Passerelle. There has been a change in staffing. The thing I will not do is, across the floor of this Assembly, talk about detail and specific individuals or specific situations. I do not think that is fair on the school. If the Deputy would like to come and have a chat about the specifics, or even meet staff there, I am sure that can be arranged. I am confident that the challenging decisions that are made are made for a reason, and we hope to make sure that that is improved upon rapidly, and there is a really effective provision made for all of those students. Also, I hope that as quickly as we can we can get the new Passerelle building online so there are better facilities for those young people as well.

[11:45]

5.5.1 Deputy L.M.C. Doublet:

I thank the Minister for his answer. I would be interested to hear further details. I do understand that the Minister cannot give private information in the Assembly. What I would like to understand in the broadest sense, in terms of resourcing for this school, is adequate resourcing being put into the school? Does the Assembly need to consider increasing that? In particular, if there are changes being made by children who are learning online, what support would the Minister or the Assembly need to put in place for the children and the families to make sure that that is happening without any detriment to the children, families or staff?

Deputy R.J. Ward:

There are a couple of questions there. I might have forgotten the first one, but it might come back to me as I answer the last one. In terms of support online, I trust the school to be doing the job it needs to do. I trust the leadership and particularly the staff within the school to be giving as much support as they possibly can and to be dealing with the situation as best they can. In terms of resourcing, I have said a number of times, I have said it in Scrutiny a number of times, that as the Minister for Education and Lifelong Learning, I am dutybound to say: "Of course there is never enough money in education. We always want more." But then my other Ministers will look at me and say: "Of course you would say that." We have to let and embed the changes that are happening in the leadership and the roles within La Passerelle and all of our schools over the coming months and years. I am very cognisant of the challenges for all of our schools, particularly those children with additional needs and the costings that are there. We are doing our utmost to ensure that those resources are available.

5.6 Deputy J. Renouf of St. Brelade:

The Minister has been unable to reach agreement on the rate to pay for extending nursery hours. Does he not accept that he needs to review the rate he is prepared to pay, and perhaps meeting personally with the Early Years' Association might help to understand why they do not think they can deliver the service at the rate he thinks they can.

Deputy R.J. Ward:

I do not think it is that simple. In fact, I am disappointed that we will be having a debate on a specific rate across the floor of this Assembly when there has been so much work that is gone on. The rate was calculated for 2 to 3 year-olds with the assistance of a very experienced officer from Economic Development, therefore independent of us, so that it could be done. It came up with a £10.24 per hour base cost, which includes S.E.N.C.o. (Special Educational Needs Co-ordinator) provision 20 hours per week, includes staffing to the standards set on the regulations, plus other costs such as cleaning, heating, lighting, insurance, rents, *et cetera*. It also includes some costs, e.g. a bus driver and chef, which might not be applicable to all settings. The figures were agreed in early summer 2025 using estimates for 2024 and 2025, and I believe that those figures were correct. The £10.24

per hour was increased to £11 per hour for 15 hours a week. This is an additional 7.4 per cent, and then will provide for sustainability and even some profit. Some people might say: “What are we doing providing that profit for businesses?” But I understand that sustainability is required. I think it is a fair rate. The average rate across our providers from the desktop research that we have done, and not all providers publish their rates, is £10.10 per hour. This is a rate for parents. This is a rate for parents and children to access 15 hours a week. I think it is reasonable, I think it can be applied, and I think a number of nurseries were happy to go with that rate.

5.6.1 Deputy J. Renouf:

The Minister has floated the idea of paying parents in arrears rather than paying the nurseries. Is he confident that he has the processes in place to do that, because it does look like it has the potential to be a bit of a mess?

Deputy R.J. Ward:

Yes. I am confident we have a process in place to do that. Some of the language being used around our parents, I am a little disappointed with the narratives, and comments papers that have been published that there may be substantive fraud, it may be a mess, they may not be able to apply. I would like to say to parents out there of 2 to 3 year-olds, over 80 per cent of whom 700 families who have places in nursery, I do not think you will be doing that. I think you will be able to engage in the system effectively in a simple way so that we can get payments back to you. It may be in arrears, but it is in arrears because of something called the Public Finance Law. So, I think that is absolutely attainable.

The Bailiff:

Minister, that brings your time to an end. Thank you very much. The third and final period of questions without notice is to the Chief Minister, and the first question is from Deputy Renouf.

6. Questions to Ministers without notice - The Chief Minister

6.1 Deputy J. Renouf of St. Brelade:

The matter of the complaints process was the subject of a report from Deputy Scott, which is yet to be published. In the C.S.S.P. (Corporate Services Scrutiny Panel) hearing in July, I asked the Minister in connection with this what would happen in terms of this report and actions from it: “To be absolutely clear, there will either be a budget line for whatever is being proposed or there will be a rescindment proposition relating to the previous proposition on an ombudsman?” The Chief Minister replied: “Yes.” What has happened to those 2?

Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter (The Chief Minister):

There will not be a rescindment subject to the Council of Ministers approving the principle of proceeding with the ombudsperson, which we plan to put on a forthcoming Council Minister’s agenda. The Deputy will also notice an amendment asking for a budget line to protect the £394,000, I think, we have in place to proceed with that work.

6.1.1 Deputy J. Renouf:

But the Chief Minister said that he would ensure that it was in the Budget. Why does an amendment have to be brought to ensure that?

Deputy L.J. Farnham:

£394,000 is in the Budget. I will say that again; it is in the Budget. Deputy Miles has asked for a separate line of expenditure. I can confirm that £394,000 is in the Budget, and that is ring-fenced for the work to proceed on the ombudsperson.

6.2 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:

During Scrutiny's Common Strategic Priorities Review Panel hearing, the Assistant Chief Minister suggested that the Regulation Department may not currently be located in the most appropriate department. Could the Chief Minister confirm whether he believes regulation is presently situated in the right place, and if not, where he considers it would best sit?

Deputy L.J. Farnham:

I was just clarifying which Assistant Chief Minister said that. We have had conversations about where regulation could sit. I have discussed that with the Minister for the Environment in the past, and I think it could possibly be relocated, but we have not come to any firm decision. That is something we are unlikely to change prior to the end of this term. But I think certainly aspects of where we place regulation, how we deal with it, Members will not be surprised that I think we still are over-regulated in certain areas. You could argue that in some areas we are also under-regulated, so I think a piece of work needs to be done to make sure we get our priorities right.

6.2.1 Deputy H.L. Jeune:

Maybe the Chief Minister could expand on his last point where he said a piece of work could be done. Does the Chief Minister then confirm that a more formal review would need to be done ahead of any decision regarding this, to assess the most appropriate place for regulatory functions?

Deputy L.J. Farnham:

I would not say we need a formal review. In the first instance, it is a decision for the Government to make itself how it allocates or where it allocates provisions such as regulation. Perhaps no decision could be made. A formal review might be something worth considering, but I am all for avoiding lengthy reviews if possible and making well-informed decisions within the Government.

6.3 Deputy D.J. Warr of St. Helier South:

What is the Chief Minister's response to criticism by the courts on Government processes in assessing data relating to Mr. Abramovich? What is the data retention policy of the Government, and does he believe this criticism is valid?

Deputy L.J. Farnham:

The Government will robustly defend its position in the court, and further than that I will not make any other statements as to an ongoing legal process.

6.4 Deputy C.D. Curtis of St. Helier Central:

The online harms review demonstrated that children's rights and well-being are not properly embedded in policy making. This is not in line with the spirit of the Children's Convention Rights law, nor recommendations from the Independent Jersey Care Inquiry. What is the Chief Minister doing to address this systemic failing?

Deputy L.J. Farnham:

The Government welcomes a report from the Children, Education and Home Affairs Scrutiny Panel on digital harm, particularly those affecting children and young people. We recognise the importance of the review, ensuring Jersey's legislative, regulatory and policy frameworks are robust and responsive in line with best practice in safeguarding children and young people in the digital environment. We are in the process of implementing recommendations from the report, so I will keep the panel updated.

6.4.1 Deputy C.D. Curtis:

I thank the Chief Minister for his answer. If I can just ask a general question around that. Does the Chief Minister believe then that children's rights should be subject to a formal assessment at an early stage of any policy making that affects them?

Deputy L.J. Farnham:

I am looking across at the Minister, and while on the surface I would think that is a good idea, I think we need to give that further consideration, but I certainly agree with the principle of that. I agree that we need to continue to move forward to make progress in the way we deal with these issues, and that has been recognised by the Minister and the Government as a whole.

6.5 Deputy L.M.C. Doublet:

We were recently informed that the Play Strategy will be published before the end of the year. Could the Chief Minister please help the Assembly to understand how the actions within the Play Strategy will be funded and whether there will be a dedicated officer to act to bring forward those actions?

Deputy L.J. Farnham:

I would need to refer back to that, because I cannot answer those questions off the top of my head, other than to say that I fully support the development of the Play Strategy and further rollout of facilities and resources that support that. I am not aware of an officer specifically to deal with that being appointed, but I can certainly find that out and come back to the Deputy.

6.5.1 Deputy L.M.C. Doublet:

I thank the Chief Minister for his answer. Would he discuss specifically the question of a dedicated play officer with the Strategy Steering Group and get their steer on it? If they do believe that that is important, would he find a way to make that happen?

Deputy L.J. Farnham:

While I can make no commitment, we will certainly listen to them and review that. But we are trying to reduce the number of headcounts, not increase it. I am not sure we can prioritise that. But I do undertake to prioritise the Play Strategy and how that is developed.

6.6 Deputy J. Renouf:

A chance to ask the question that was ruled out of order earlier. The Government did not involve Guernsey at any stage of the discussions regarding Blue Islands. Will the Chief Minister explain whether the Government considered the potential for retaliation from Guernsey when they decided not to involve Guernsey, which seems to have now come in the form of designating routes as essential so they can protect Aurigny's position.

Deputy L.J. Farnham:

We discussed how we work closely with Guernsey and I have recently had a good conversation with Guernsey's Chief Minister and an exchange of correspondence where they have explained the position they are currently taking. We have agreed in principle to some roundtable talks about how we can work together to develop our air links. One thing we do share, while we do not share every ideal with Guernsey and we do not agree on everything, we do share the desire that we have improved air and sea links between our Islands, and we are going to work together to do that. As part of our considerations, when discussing the options of moving forward in relation to whether we continue to support Blue Islands, own Blue Islands, or work on a longer-term transition with Loganair, was the fact that if we went along those lines, we would have to prioritise or designate some of our links as lifeline links. That would require licensing to protect them from competition, so we are not at all surprised at Guernsey's move to do that. Like I say, at the beginning, we have undertaken to have constructive talks with Guernsey.

[12:00]

6.6.1 Deputy J. Renouf:

I take it that nobody did think about how Guernsey would react. One of the things that Guernsey stated when they designated the Jersey-Guernsey route was the importance of providing security of tenure for an operator of the route so that longer-term investment in the route can be considered. Does the Chief Minister agree that suggests that they would be seeking to protect Aurigny's position to make as much money as possible on that route for themselves? If this is the case, and if the routes are to be protected for Aurigny, including the Southampton-Guernsey route, does that in any way affect the viability of Loganair's potential operations in the Island?

Deputy L.J. Farnham:

The Deputy started off the question by suggesting that we did not consider Guernsey. Yes, we did consider how Guernsey might react and there are no surprises. They are reacting in a way that we probably would have had to act had we become an owner of an airline. We have no intention ... this Government, and I hope this Assembly, should not have any ambition in becoming an airline owner. We have seen what happens when governments take over airlines, and we are far better as, and if I can refer, it has been mentioned in the C. and A.G. report that was produced on transport links and we focused on the K.P.I.s, but I would draw members attention that the C. and A.G. has confirmed and praised the Island's open skies policy, which have led to significantly enhanced air links. We have superb air links for an island of our size. That position works extremely well for us. I do not think Guernsey are acting to protect the profits of Aurigny, basically because there are no profits Aurigny; there were just losses. I did not mean that to be humorous, because we want Aurigny to succeed. They are an important partner, and we hope we can continue to work with them. What I think Guernsey do want is they want some protection on the routes and they want to ensure there is some competition, but they also need to protect the viability of the lifeline route for themselves. They do not enjoy the same level of air connectivity as we do, which is why they need to subsidise their own airline.

Deputy J. Renouf:

A point of order. My question about Loganair's viability if the routes are not available to them was not answered.

Deputy L.J. Farnham:

The Deputy asked so many questions in his question, I do apologise for missing one. We are not qualified to make judgments on how airlines will succeed or not, but what I do trust is I trust Loganair's ability from the successful conduct of their businesses and the great success they have shown as an airline. There is no debt. There are no profits. They are expanding. They are opening up all sorts of opportunities for the Island. When they come to us and say: "We can make a real go of this, and this is how we are going to do it", I trust them. I do not think their whole business model relies on whether they can fly inter-Island between Jersey and Guernsey, or between Jersey and Southampton. But I think there are opportunities for both Islands if we embrace both Aurigny and Loganair.

6.7 Deputy I. Gardiner of St. Helier North:

The U.K. COVID inquiry second report was published on 20th November, and they concluded that despite clear signs that the virus was spreading globally, the 4 nations failed to take sufficient timely and effective actions, and decisions that were taken has lasting scars, increase in inequalities and long-term financial human cost, especially all vulnerable groups. What does the Chief Minister think how did Jersey do; better or worse?

Deputy L.J. Farnham:

I am not familiar with the detail of that report. I, of course, refer back to the short report we did shortly after COVID, which gave us reasonably good marks. Of course, with hindsight, could we go back to those awful days? I remember exactly where I was standing, what I was doing when we were

told we have got our first case. We could go back there, we might have done things differently. But all things taken into account, I think Jersey did a reasonably good job under the circumstances.

6.7.1 Deputy I. Gardiner:

I am sure the Chief Minister remembered there was several Scrutiny and the C. and A.G. reports that suggested how Jersey can be prepared better if the next pandemic comes. Does the Chief Minister remember? If not, we will maybe follow up.

The Bailiff:

I am very sorry, Deputy, we have run out of time for that. That brings that period of Questions without notice to an end. We now move on to the second statement.

STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

7. The Minister for the Environment will make a Statement regarding his response to the States of Jersey Complaints Board findings (R.131/2025)

7.1 Deputy S.G. Luce of Grouville and St. Martin (The Minister for the Environment):

I stand to present 2 important documents to the Assembly today. The first is my Ministerial response to the Complaints Board report R.131/2025, and the second is the Regulation Directorate's Statutory Nuisance Report on vibration and resonance. These matters have attracted considerable attention, and rightly so. They concern the interpretation and application of the Statutory Nuisances (Jersey) Law 1999, and the handling of a complaint that has caused significant distress to an Islander. I want to start by acknowledging that distress. I am genuinely sorry for the suffering experienced by the complainant. While I consider that the Directorate acted within the legal framework, I accept that we could have handled this case better. We will learn from this and we will improve. Members will note that I have serious concerns about aspects of the Complaints Board findings and its interpretation of the law. My position is clear. Decisions must be grounded in the statute. Article 5 of the law is unambiguous. The Minister must act when satisfied that a statutory nuisance exists. That requires credible evidence, not assumptions. To date, there has not been sufficient evidence that a statutory nuisance exists. I agree with the Board on a key point. That is, the law needs review. I have consistently advocated for a review of the Statutory Nuisances Law, and I welcome the recommendation to make this a priority. However, Members are all too aware of the competing demands on the legislative pipeline. This has not been possible in the current term. I urge the next Government to make the strategic priority because Islanders deserve a framework that is clear, modern and fit for purpose. While I stand by the department's legal position, I accept that our communication could have been clearer. Expectations were not managed as well as they should have been. We will address this. I have instructed officers to review and update our processes within the next 6 months, including publishing clear guidance on statutory nuisance investigations; improving the nuisance diary format, including questionnaire; ensuring transparency at every stage; and strengthening customer service training. These steps will help complainants understand what can and cannot be achieved under the law and ensure consistency in how cases are handled. I also agree with the Board's recommendation to offer the complainant a reassessment of this case, which has been outlined in the second report I table today. I believe with independent facilitation during the reassessment, we can restore confidence and engagement with the complainant. I have already reached out to the concerned Islander with an offer to meet. Although I have concerns with the interpretation of the law by the Board, I have accepted all 4 recommendations. Finally, I want to address my non-attendance at the hearing. This was not out of disregard for the process or the complainant. It was a decision taken with great care and for one reason only. I have real concerns about the way hearings are conducted. However, I remain committed to constructive engagement. I am ready to meet with the panel at any time and await their invitation so that we can move forward

collaboratively and focus on solutions. Members, these steps reflect my commitment to protecting public health, acting lawfully, and improving service delivery. I welcome your support in ensuring that Islanders have confidence in our statutory nuisance framework.

The Bailiff:

We now move to up to 15 minutes of questions on the statement.

7.1.1 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:

Could the Minister advise if additional staff or dedicated resources are being provided to deliver on the report's recommendations that he has now accepted, or would these fall on existing departmental budgets?

Deputy S.G. Luce:

I do not believe we need additional resources or staff to change our attitude. I have agreed with the recommendations in the report. We are going to review the way we do things. We are going to improve. We are going to make it easier for people to understand the process. That is really important because it has been such a challenge to get the people to understand the Statutory Nuisance Law process and why evidence and things that happen do not reach that very high level of criminal prosecution. I believe, just like we have done with the reform of the planning process, we can do it in-house, we can do it with the staff, and we do not need additional resources.

7.1.2 Deputy H.L. Jeune:

Does this work include looking at the Statutory Nuisance Law in itself to maybe review it and then do the necessary changes, as he has outlined several times before in this Assembly?

Deputy S.G. Luce:

I am committed to reviewing the Statutory Nuisance Law, and I have said I will do that, and I will certainly recommend that the next Government does it because it is not going to be something I am going to achieve in my time. But I would say to the Deputy, and I have got this written down so I can be quite clear. there is a gap in the provision for civil action for nuisance in the Island, which limits options for Islanders when a nuisance does not meet the statutory threshold. Improvements in the Statutory Nuisance Law alone will not address this. I believe, and I have said this a number of times now, that common law nuisance legislation must be developed to fill the gap. This is not a new concept for this Assembly. It was debated in 2009 when the inadequacy of the voisinage legislation was highlighted. There is work to do, but we do need civil legislation.

7.1.3. Deputy H.L. Jeune:

My questioning was focused on resources, and my question was: are there resources for that work to be done on the Statutory Nuisance Law? I do not think that was answered.

Deputy S.G. Luce:

My apologies, I misunderstood the question from the Deputy. As I said, this will be a question for the next Government. It will be a piece of review which will need to be done, whether the resources will be in-house and capable of doing that within, I would imagine it would be a priority for the next Minister, and they would be able to do it in-house. It is just a question of prioritising the time for law officers and for officers to work on it.

7.1.4 Deputy Sir P.M. Bailhache of St. Clement:

Would the Minister accept that his refusal to attend the hearing of the Complaints Panel risked undermining the process of the panel, and was a mistake?

Deputy S.G. Luce:

I do not regard it as a mistake. The law says that I am not obliged to attend. I am obliged to co-operate and provide evidence, and at every stage we have provided all the evidence that we needed to. It is just the physical attending at the hearing that concerned me, and I have outlined the concerns I have for the way the process happens, and I do not want to go over that particularly here now, but I do look forward to sitting down with the Complaints Board and discussing how we might move forward together.

7.1.5 Deputy P.M. Bailhache:

Would the Minister not accept that a refusal to attend a hearing of the panel would not have given an impression to the complainant that the Minister was willing to co-operate with its process?

Deputy S.G. Luce:

As I said, I am invited to attend hearings and I may submit a written response. I chose not to attend. It was a considered decision and should not be interpreted by anyone as a refusal to engage. I have submitted a full written response, and that was submitted to the panel ahead of the hearing.

[12:15]

I am genuinely sorry that the way this transpired, we ended up submitting a paper response to this particular complaint, and the complainant may have interpreted it in a particular way. But I can assure the Deputy that was a coincidence and nothing specifically to do with this particular complaint.

7.1.6 Deputy H.M. Miles of St. Brelade:

The first part of my question has just been asked by Deputy Bailhache. But given the Minister's answers about his views on the Complaints Panel, does this indicate that the Minister will support the introduction of a Public Services ombudsperson?

Deputy S.G. Luce:

I believe I would.

Deputy H.M. Miles:

I am sorry, I misunderstood the answer.

Deputy S.G. Luce:

I said I believe I would support.

7.1.7 Deputy J. Renouf of St. Brelade:

The Minister has put stress on the need to develop a civil remedy for these sorts of cases. Does he accept that relying too heavily on that would be problematic in that those remedies tend to be available to people who can afford to pay to take private cases or civil cases through the courts and that therefore a civil option is no substitute for strengthening and clarifying and improving the Statutory Nuisance Law?

Deputy S.G. Luce:

I take the Deputy's point on board. The cost of the average Jerseyman to taking anything to court is something we need to consider. We certainly did that with appeals 10 years ago where we decided taking planning appeals was far too expensive and we introduced a new system for that to happen far more cheaply. The most important point will be around the civil nuisance legislation being enacted, because the difficulty in any complainant to reach the statutory nuisance threshold is a real challenge. You need so much evidence to get there that it is a real challenge. Even when it is accepted in many cases that a nuisance exists, it is not enough of a nuisance to reach that very high bar. The most important thing is to get the civil legislation in place. If it is a financial challenge for people to get

to use that legislation, we should then, at that point, look and see how we can help the average Jerseyman to access that law.

7.1.8 Deputy A. Howell of St. John, St. Lawrence and Trinity:

I just wonder if the Minister may be able to say who is going to develop this civil law, and could he please also confirm that he is going to look into this Statutory Nuisance Law, because previously he said the bar has been set too high.

Deputy S.G. Luce:

I am committed to reviewing the Statutory Nuisance Law, but in that commitment I cannot say that myself or any future Minister would be in a position to change the level of statutory nuisance required. But, certainly, the first part of the work would be to review the law. But you cannot do one without the other, and it is absolutely necessary to start to develop this civil legislation, as I have said, and the Deputy asked a question about that. I would imagine it will be for officers and law drafters to go away and look at what civil legislation exists in the United Kingdom to start with, where they certainly do have this legislation, and to see what parts of that law could be suitable to be incorporated into Jersey law.

7.1.9 Connétable R.D. Johnson of St. Mary:

The Minister has referred several times to the high bar in establishing such a nuisance. Could I ask him to advise in determining whether that bar has been reached? Is that a decision for his own officers or does he take advice from the Attorney General or the Legal Officers' Department coming to that decision?

Deputy S.G. Luce:

Evidence on statutory nuisance whether that bar has been reached is brought to the Minister by officers who are qualified and trained for this specific purpose. This is another difficulty in sometimes explaining to people who are genuine in the way they feel about a nuisance, they may well be able to appreciate a nuisance, but it is only an officer who is qualified to go on site and make that decision. The officer has to be qualified, and the officer comes away with the recommendation to the Minister that the level of statutory nuisance has been achieved.

7.1.10 The Connétable of St. Mary:

Following on from that reply, for which I thank Minister, is there merit in the States having independent officers to come to a decision, which might take a lot of the heat out of such decisions?

Deputy S.G. Luce:

I do not know if there is merit or not. I have a number of officers inside my department who are suitably qualified to undertake this work, and in difficult cases sometimes we will ask other officers within the department who have not thus far been engaged with this particular complaint to reassess, and that is what I would expect we would do in the reassessment that we have offered in this case. Although in this particular case with the reassessment goes also the offer of an independent person to oversee the way that the reassessment might be taken. But I cannot see that particularly independent assessment by independent officers would gain us anything. They are all trained to the same level, it would be the same qualifications.

7.1.11 Deputy M. Tadier of St. Brelade:

Is the Minister able to comment on the use of civil litigation for nuisance as an alternative to meeting the high bar of statutory nuisance for those who feel aggrieved?

Deputy S.G. Luce:

I am sorry the Deputy was not in the Chamber a little bit earlier, but I have to admit that the challenge of civil nuisance in Jersey is the legislation does not exist. As I have said a number of times now, I think it is something that the next Government should be pursuing at every opportunity.

The Bailiff:

Any further questions for the Minister? Minister, do you want to make your statement in relation to the potential of offshore wind energy for Jersey?

8. The Minister for the Environment will make a Statement regarding the potential of offshore wind energy for Jersey

8.1 Deputy S.G. Luce of Grouville and St. Martin (The Minister for the Environment):

I rise today to provide the Assembly with an update on the offshore wind project. As Members will know, work to assess the potential for offshore wind power to bring net benefit for Jersey was initiated by the previous Government and supported by the Assembly in April 2024. When I became Minister, I was pleased to take it on as I share the ambition to examine all the options to diversify our economy, improve energy security and sovereignty, and contribute to the net zero transition. I think Members are now familiar enough with my style to know that I have no wish to repeat the extensive details set out in the report I presented last week. Many Members joined me last Thursday for an insightful discussion on the key findings and my proposed way forward, and for those detained elsewhere I hope you have found the opportunity to read through the report in your own time. I did, however, want to share some of my key reflections at this point in the project. An offshore wind farm would be the largest and most ambitious infrastructure project undertaken within the bailiwick in modern history. With the potential to generate more electricity than the Island could conceivably consume, a significant amount of power would need to be exported, and this could create an opportunity for us all. The costs of the developer would run into billions of pounds, and even though Government will not invest, a project of this size will have an impact on us all and require Government to have an active involvement. When I commended the proposition to the Members in April 2024, I acknowledged that I did not have all the answers to their legitimate questions and concerns. Thorough investigations have uncovered a wealth of information and insights into the technical solutions, legal and regulatory necessities, the attractiveness of Jersey's wind assets to potential developers, the wider renewables industry, risk in global energy markets, and the intention of other Crown Dependencies. Details are set out in the report and the numerous documents which support it, all of which are available on the Government website. I have listened carefully to industry experts, the fishing industry, environmental groups and local businesses, and I am very grateful for them for their time and effort applied their thoughts and their ideas. I have also worked closely with the Offshore Wind Review Panel who have had full, real-time access to the evidence, and who have helpfully fed back at each stage in the evidence-gathering process. Feedback has also been gathered from international and local developers of all sizes who have combined experience of decades of offshore work. While they are excited by the opportunity that Jersey presents, they have also been clear about the prerequisites to investment. I am delighted that economic and technical assessments conclude that there may well be a case for Jersey to progress. but while there are maybe long-term benefits, there are also sizable costs and risks. Therefore, as I have stated throughout, it is vital that any decision must be made with a deep appreciation of the evidence and a factual understanding of the impact on Jersey of becoming an energy-exporting jurisdiction. Throughout this thorough process, what has become very clear is that we must secure an export market before we can assess with certainty the benefits an offshore wind farm could bring Islanders. Understanding those benefits is essential before any decision to progress with the leasing of the seabed or the consenting of a wind farm in our waters. The conversations we have had over the last 2 years with both the U.K. and France have been positive about Jersey's potential opportunity. However, neither the U.K. or France

have the capacity to progress to the detailed legal and technical steps that are needed to understand on what terms Jersey might be able to trade energy with them. Entering an energy market is not an insignificant step and is underpinned by specialist legal and technical skills. Both the importing and the exporting governments need to negotiate, manage and regulate market access with each other. Jersey would need to undertake a site leasing auction and then go on to consent and regulate a wind farm and oversee its operation and eventual decommissioning. Investments in these steps must only be made with clear milestones and a realistic chance of success. I am therefore prioritising the next phase conversations with counterparts in both the U.K. and France to gain a deeper understanding of the necessary steps to secure market access. These discussions must result in an acceptable net benefit for Islanders before any decision to progress a project could be taken, and realistically this will likely fall to the next Government and the new Assembly. Like all Members, I follow closely the ever-deepening geopolitical changes affecting our world with concern. It is evident that we find ourselves in different times to those when I last addressed the Assembly on this topic. Increasing international volatility, higher energy prices, trade restrictions on raw materials, domestic political uncertainty delays in policy setting, and a high cost of borrowing are all causing delays in the timelines for the development of some offshore renewables. While I am confident this volatility will settle with time, in this context it is important that we reflect carefully on our approach. An offshore wind farm is a long-term project, which may bring benefits to future generations. While I am determined to maintain the momentum and continue to make progress, the way forward I am recommending creates a valuable time for the Island and the next Government to consider more deeply its options without compromising on delivery.

[12:30]

I also regularly engage with my counterparts in other Crown Dependencies, the U.K. and France, on a whole range of issues, including energy. From these conversations, I have come to realise that Jersey finds itself in a unique situation when it comes to exporting power generated by offshore wind. A single site situated in a busy stretch of ocean between 2 attractive export markets creates opportunities and challenges alike. It is absolutely critical that we work in close co-operation with our international neighbours and friends on a project of this scale, and equally important that we do not compete to be first, fastest, biggest, or best, rather through reflecting on the evidence and focusing on maximising the benefits to our Island. In the last phase of the project, over 1,000 Islanders shared their thoughts on both the challenges and opportunities that offshore wind development in Jersey waters would bring. I often reflect deeply on the passionate insights captured through that public consultation. The variety of themes raised highlights the complexity and deep reaching implications of offshore renewables for Islanders. Consultations was the start of a conversation, and this report is by no means the end. Without the help and support of everyone involved, we could not have developed such a full understanding of the issues before us. Equally, as more information becomes available, it is vital that we keep the conversation going. In summary, I have learned that we have still much to consider, and acting in haste would be a cause of later regret. I am confident that the detailed and thoughtful work completed so far puts Jersey in a strong position to shape its energy future. This project is about looking ahead, ensuring that our decisions today create opportunities and not constraints for future generations. By directing our efforts to understanding market access in the short term, we can continue to capitalise on the opportunities, while at the same time creating the time to reflect on when to firm up our options. When the scope of market access negotiations becomes clear, a business case for additional resources can be developed, subject to ministerial and Council of Ministers agreement. I remain committed to an open, evidence-based approach, and I look forward to continuing a constructive conversation with Islanders and stakeholders as we build on this foundation together.

The Bailiff:

Thank you, Minister. We have up to 15 minutes of questions in the first instance, and the first question is from Deputy Jeune.

8.1.1 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:

Can the Minister outline how the Government intends to continue progressing work to determine viable market access routes for offshore wind energy exports? What specific actions, engagements or milestones are planned with the U.K. and French authorities to move beyond exploratory discussions and towards formal agreements?

Deputy S.G. Luce:

The decision has been taken that we will not spend anymore additional funds on offshore wind as special items in any budgets. But in the future we will concentrate on business as usual, and that means Minister-to-Minister discussions and officer-to-officer discussions. I have been to Whitehall with the Guernsey Chief Minister and the Isle of Man Chief Minister to speak to Ministers from the U.K. Government about this. I would hope that every opportunity would be afforded to continue those conversations. We have a number of letters that have gone to the French Government, and I would hope that in the near future they will respond saying that they wish to meet us also for Minister-to-Minister conversations about how we might export electricity into their jurisdiction. I say to Members that for the immediate short term we will be concentrating on Ministerial, political and officer discussions to see how we might develop. But until those get into any sort of detail, I am not going to propose spending any additional funds on developing the fund.

8.1.2 Deputy H.L. Jeune:

I thank the Minister for his answer. Aside from the technical guidance that the external advisers gave the Minister, can the Minister advise what, if any, additional guidance was sought by these external expert advisers on how to navigate the process, including detailed market access support?

Deputy S.G. Luce:

We have had some guidance on that, but I think the reason that we are pausing the project at this stage is to make sure that we do have access to the markets in principle before we discuss the access to the markets in detail. It is really important that the next stage decisions are those Minister-to-Minister discussions, officer-to-officer discussions to get over the principle of being allowed to export power from this wind farm either into the U.K. or into France. Once the principal agreement is decided, we then get into the detail, which would be further work, and I imagine would need further funding.

8.1.3 Deputy M. Tadier of St. Brelade:

Can the Minister tell the Assembly what level of formality the following discussions will have that he referred to, whether with the U.K. or French partners, will these be conversations that are tangential to other discussions that are already going on, or will they be specific meetings held to look at the future of market access.

Deputy S.G. Luce:

I would hope that there would be specific discussions to talk about exporting power from offshore wind, and certainly the discussions I had in Whitehall, alongside Ministers from Guernsey and the Isle of Man, were specifically to do with exporting power from Crown Dependencies into the U.K. grid. I would very much hope that if we get a response from Paris, that the Minister-to-Minister discussions would be specifically about wind power and how that energy might get into the French grid. Having said that, I would say as a precursor to that, any opportunity for any Minister in a discussion between Jersey and the U.K., or Jersey and France to drop into the conversation the fact that we want to talk about wind and how we might move forward together, I would like to think that Ministers would always take that opportunity for an initial, very brief discussion, which would then

inform a more specific and detailed discussion. I look at the Minister for Sustainable Economic Development, he and I have shared the leading of this wind project together, and I know he is a great supporter and promoter of our French connections, and I know, for example, that he would take every opportunity to speak to people. I might just add that certainly when it comes to regional support from France, both Brittany and Normandy have spoken very positively with us about wind. They have their own quite extensive plans to develop wind farms off both their shores and we are very supportive of each other in that regard.

8.1.4 Deputy M. Tadier:

In terms of negotiating market access, if there were a condition from either party eventually that they would want to take 100 per cent of any energy that was generated from a Jersey wind farm, has the Minister tested whether that would be politically acceptable for both this Assembly and for the public of Jersey, were that to be the case?

Deputy S.G. Luce:

I thank the Deputy for that specific question, because certainly in the discussions we have had with the U.K. Government, they were very clear that if they were in a position to take energy from our wind farm, one of their prerequisites would be that they would have access to all the power from that wind farm and that they would not be in a position to allow us to take what we needed for local consumption. I am extremely aware that in the discussion we had back in this Assembly a couple of years ago, when I promoted the scheme to the Assembly, that many Members were very keen that part of the power produced from a wind farm would come directly to Jersey. That is proving to be more of a challenge than it might have been, and certainly I am absolutely aware that if, for example, we were to export our power to the U.K., and the U.K. wanted 100 per cent of that power, I would need to be back in this Assembly explaining that to Members, knowing that many of them only supported this wind farm moving forward on the basis that some of that power would be landed in Jersey for security purposes.

8.1.5 Deputy J. Renouf of St. Brelade:

I thank the Minister for his statement and for the report. The report does indeed, as the Minister has said, focus on difficulties in gaining market access. Can the Minister confirm that if discussions do accelerate, and to some extent there is a light switch element here, it is either off or it is on. If the light switch goes to on and we are in a position where we do have the potential to do those negotiations over market access, will the Minister confirm whether he would consider accelerating the process and, if necessary, returning to the Assembly to achieve this?

Deputy S.G. Luce:

I am very happy to absolutely give that guarantee to the Deputy. It was the Deputy, when he was the Minister for the Environment, that first started promoting this work and I was only too pleased to carry on from him, and he and I have stayed in close contact over this. I stress to Members, we are just pausing this while we negotiate with both France and the U.K. about how we might export power. But if tomorrow morning a letter was to arrive on my desk from either one of those jurisdictions saying: "Yes. We are prepared to talk and we are very interested", we could absolutely put this project back on full steam ahead at a moment's notice. We have done a huge amount of work, and I hope Members have had a chance to look at that. But if we could get into detailed and meaningful discussions with either of those Governments in the short term, there is no reason why this pause would be nothing more than a few weeks or months.

8.1.6 Deputy J. Renouf:

I wonder if the Minister is aware that while some offshore wind projects have had challenges, France has just licensed a new wind farm even bigger than Jersey's proposed wind farm, back in September, at a price of less than 6 pence a kilowatt hour, which is competitive with current import prices that

we pay from France. Would he agree that it is therefore important that we keep in mind the continuing commercial opportunity, because otherwise we might miss out on that potential opportunity.

Deputy S.G. Luce:

Yes. I do agree with that. As I said in my statement, when I was here 2 years ago promoting this wind farm, the world was in a very different place. Things have changed a lot in the 2 years, but equally they could well change back. As the Deputy says, there are some successful wind farms moving ahead. Equally, there have been some challenging auctions in both France and the U.K. where bids have not been successful. Wherever you look, I think you will find wind farms are progressing at speed. In other places, wind farms are not progressing at all. But, certainly, it would be my view that as and when they come available, and certainly the technology in turbines and the cost of production, when the price of money reduces and the materials are available at competitive prices to build wind farms, I am very confident that wind farms generally will be very much back on the agenda and being constructed all over the globe.

8.1.7 Deputy H.L. Jeune:

The report suggests offshore wind power could generate a potential return of £4 for every £1 invested. Can the Minister explain how robust this estimate is given current market volatility, and how does this projected return compare to other major economic initiatives or revenue-generating investments undertaken or considered by the Government of Jersey?

Deputy S.G. Luce:

I would like the Deputy to challenge this work to see how accurate it might be, and of course while we are not in a position yet to know what terms would be demanded by any jurisdiction that we are exporting power to, the work that was done within the Economic Department on this £4 return for a £1 investment is very general. It would, of course, be predicated on any specific requirements, taxes, or what have you that might or might not be demanded by the jurisdiction receiving the power. But, certainly, that work was tested. It was sent away to somewhere in Scotland, I believe, to be retested to make sure that it was accurate. We are very confident that given a level playing field, and looking at the rules applied to other wind farms in jurisdictions around Europe, that a £4 return for a £1 investment is conservative but very achievable. Having said that, one must always be mindful of the fact that until we negotiate the detailed discussions around access to other jurisdictions, the financial return would have to be taken into account and it may vary. But this 4-for-1 was over the lifetime of the project, and much of that £1 money, if you like, invested upfront would have to be invested at the very early stages before any return was achieved at all.

[12:45]

8.1.8 Deputy H.L. Jeune:

Could the Minister advise to what extent the risk is that Jersey's lack of existing energy regulation could deter these high-quality developers and bring this project into fruition in the future?

Deputy S.G. Luce:

Regulations are a very interesting subject to start discussing, and of course, depending how and who the jurisdiction was that we might export to, it may well be that jurisdiction would want a level of regulation over the wind farm if they are accepting the power, and all the power from it. At that point, there would need to be some very detailed negotiations. Having Jersey regulated in anything from an outside jurisdiction would be a challenge for us. I am not saying that it is not something that does not happen at the moment. In certain areas of our legislation, there is a certain amount of regulation from outside. But either France or the U.K. asking for regulatory powers within Jersey's jurisdiction could be a challenge and would be one that we would need to talk very specifically about.

But I think we would need to have our eyes open. If either of those 2 places were taking 100 per cent of the power, they would need some assurance that power has been generated properly.

8.1.9 Deputy A. Howell of St. John, St. Lawrence and Trinity:

I am just seeking reassurance from the Minister that before we go ahead that we would look at other forms of sustainable energy and our energy generally.

Deputy S.G. Luce:

We are always looking at other forms of sustainable energy, and Members will know there is obviously some debate about solar power on land in Jersey at the moment. Tidal is starting to come back as a subject of great interest. 10 years ago, I would have very much hoped that sustainable tidal power would have been advanced enough that we could be making use of it in Channel Island waters. That has not been the case thus far, but in the last few months we have seen tidal power starting to come to the fore again. But I would say to the Deputy, this is very specifically a report about an offshore wind farm in an area of the seabed, which has been agreed through this Assembly of a size agreed through this Assembly, and this specific report is about creating wind offshore.

The Bailiff:

That brings the period of 15 minutes to a close.

LUNCHEON ADJOURNMENT PROPOSED

The Bailiff:

The adjournment is proposed. Members obviously know the boiler has broken. People are working on the boiler as we speak. We do only have those 2 heaters, apart from someone has got a private heater over there apparently. But we are stuck with those 2 heaters. They are not very effective, but the usher has been advised that any more may trip the system. That is why there are not more than the 2 that we currently have. 2.15 p.m.

[12:48]

LUNCHEON ADJOURNMENT

[14:17]

PUBLIC BUSINESS

9. Reduction of lodging periods

The Bailiff:

Before we start Public Business, a decision needs to be made about the reduction of minimum lodging periods in respect of 3 items. First is the amendment to the Draft Police (Complaints and Conduct - Honorary Police) Regulations lodged by the Comité des Connétables. Chair of the Comité, do you make the proposition under Standing Order 26(7) that the lodging period be reduced to allow your amendment to be debated at this sitting?

9.1 Connétable M.K. Jackson of St. Brelade:

I do.

The Bailiff:

Is the proposition seconded? **[Seconded]** Does anyone wish to speak on the proposition that the lodging period be reduced in relation to this amendment? All those in favour, kindly show. Thank you very much. The proposition is adopted. The next matter to consider is the Draft Registrar of

Intellectual Property (Jersey) Law, lodged by the Minister for External Relations. Is this your matter, Deputy Scott?

Deputy M.R. Scott of St. Brelade:

Yes, it is.

The Bailiff:

Do you wish to make the proposition under Standing Order 26(7) that the lodging period be reduced to allow this matter to be debated at this sitting?

9.2 Deputy M.R. Scott:

Yes, please.

The Bailiff:

Is the proposition seconded? **[Seconded]** Does anyone wish to speak on the proposition? All those in favour, kindly show. Thank you very much. The proposition is adopted and the lodging period reduced.

9.3 Deputy A. Howell of St. John, St. Lawrence and Trinity:

I also was going to request that the proposition be debated immediately following the debate of P.86/2025, which is the Trade Marks Law, because the Registrar of Intellectual Property Law is very much linked with that.

The Bailiff:

Yes. That would mean that the debate on the Intellectual Property Law would follow the Trade Marks Law and leapfrog the Draft Sea Fisheries (Minimum Size Limits) Amendment Regulations and the Draft Children (Convention Rights) Commencement No. 2 Act. Is the proposition seconded? **[Seconded]** Does anyone wish to speak on the proposition that those matters be debated, as it were, sequentially? All those in favour, kindly show. Thank you very much. The proposition is adopted and the consequence is that P.98 will be debated after P.86. Finally, Minister for Children and Families, is the Draft Children and Civil Status (Parental Responsibility) (Jersey) Amendment Regulations recently lodged by you. Do you make the proposition that the lodging period be reduced in relation to that matter?

9.4 Connétable R. Vibert of St. Peter:

I do.

The Bailiff:

Is the proposition seconded? **[Seconded]** Does anyone want to speak on the proposition? The appel has been called for. Members are invited to return to their seats. The issue is whether or not the lodging period should be reduced in relation to the Draft Children and Civil Status (Parental Responsibility) Amendment Regulations. I ask the Greffier to open the voting. All Members have had the opportunity of casting their votes. I ask the Greffier to close the voting. The proposition has been adopted unanimously.

Pour: 39		Contre: 0		Abstained: 0
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				

Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy S.Y. Mézec				
Deputy T.A. Coles				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				

The lodging period is therefore reduced. The next item is the Draft Dogs Law Amendment Regulations, P.63.

Deputy D.J. Warr of St. Helier South:

I want to postpone the debate on my proposition, P.94. I have circulated that to Members. Do I say that later, or is that an appropriate moment to say this now?

The Bailiff:

You can say it now. Thank you very much. We note that. I think it is off the Order Paper anyway. Yes, that has taken place. But thank you for reminding us, Deputy Warr.

10. Draft Dogs Law (Jersey) Amendment Regulation 202- (P.63/2025) - as amended (P.63/2025 Amd.)

The next item is the Draft Dogs Law Amendment Regulations lodged by the Comité des Connétables. The main respondent is the chair of the Environment, Housing and Infrastructure Panel. At the last meeting, once the principles have been adopted, the draft regulations were referred to the panel under Standing Order 72. The Assembly agreed the debate would resume on 24th February. However, I understand that both the panel and the Comité are content for the matter to resume today. Is that right, Deputy Jeune?

Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:

Yes.

The Bailiff:

Thank you. Is that right, Connétable? Are Members content to resume the debate today? Thank you. Very well, we continue with the Second Reading. Chair, there is an amendment to the regulations from the Comité. Are you content to propose the regulations as amended by your amendment?

Connétable M.K. Jackson St. Brelade:

I am.

The Bailiff:

Are Members content for the regulations to be proposed as amended? How do you propose the regulations in Second Reading?

10.1 The Connétable St. Brelade (Chair, Comité des Connétables):

I can take them *en bloc* or I can go through the 18 amendments, subject to Members' wishes.

The Bailiff:

You can propose them *en bloc*, and if anyone wants a separate vote on any particular regulation, then they can have one. Is that what you propose to do? Yes. Do you wish to address Members on the regulations?

The Connétable St. Brelade:

Yes. In brief, the item Regulation 2 in the new proposed details covers Article 1 in the original law, and that refers to the Minister for the Environment, his role in amending the list of dangerous dogs in Article 1B, prescribing a fee for registering dangerous dog, and amending the requirements of Article 5C, which relate to conditions for keeping a dangerous dog. The new Article 3 places definitions at the start of the law relating to the owners, the dangerous dogs, and indeed dangerous out-of-control dogs. Article 4 refers to the revocation of a licence and what happens thereafter. Article 5 refers to the temporary address of a keeper being provided to the States Veterinary Officer to approve an alternative carer or housing for up to 30 days in a period of 12 months and penalties attached thereto. Also, the penalties for contravening, without reasonable excuse, those regulations. Article 6 refers to the name, data, and telephone number on a dog's collar. Article 7 updates the existing provisions about a member of the public taking possession, for instance finding a stray, but clarifies that for a dangerous dog, the person must immediately notify a police officer if they believe it to be dangerous. Article 8 refers to the worrying of livestock. The Comité decided to withdraw that amendment, so there is no change to the current Dogs Law. That is a regulation, so there is no change to the Dogs Law. Article 9 deals with the procedure on seizure of dogs under Article 6, where there is no collar on a stray dog. Article 10 refers to the register of seized dogs being maintained. Article 11 refers to a dangerous dog and the conditions not being complied with, and when a licence may be revoked. Article 12 refers to the owner of a dangerous dog complying with the new obligations. Article 13 outlines the penalties for offences. Article 14 rewords the reference to appeals to include: "Convictions of failing to comply with conditions imposed on a dangerous dog,

breed or type.” Article 15 are the consequential amendments to the references to penalties for offences, and is now included under the relevant Article. Article 16 modernises the drafting for Centeniers’ powers to impose penalties. Article 17 is the definition of dangerous dog being removed from the 2006 Customs order, as it is now in the Dogs Law. Article 18, the amendment comes into force 7 days after they are made. In terms of timeline, owners of dangerous dogs then have 30 days to register with the States Veterinary Order, and in terms of Article 18, the citation, the process should be complete prior to renewal of dog licences from 1st January 2006. I propose the regulations.

The Bailiff:

Are the regulations seconded? **[Seconded]** Thank you.

10.1.1 Deputy H.L. Jeune:

Members will recall that the panel lodged 2 sets of comment papers in September and October ahead of the 12th November debate, raising substantive concerns about the rational consultation and practical enforceability of the amendments and some specific articles proposed in the Dogs Law. During the debate on 12th November, the principles of the proposition were adopted after my request for a reference back to the Comité des Connétables to answer our concerns lost by a couple of votes. However, the concerns we identified were not addressed during the principles debate. For this reason, the panel exercised its right to call in the proposition for further scrutiny. I would like to thank our officers for their support on this convolutive journey. Calling it in, of course, is about looking at the Articles and if there are any that are of concern to the panel to amend. As you can see by our latest comments paper, we have recommendations but have not lodged any amendments, but I will go through and highlight some of these amended articles for the Assembly to note. The panel has always been broadly supportive of the introduction of a new registration scheme for dangerous dogs, which will strengthen public safety by ensuring the ownership is properly regulated, recorded and subject to clear conditions. We also support the creation of new restrictions, including requirements for insurance, public control, and neutering, which are designed to reduce risk to people and protect animal welfare. These are outlined in detail over a number of amended and new Articles, as the chair of the Comité has informed us. The panel already welcomed the fact that the Comité had responded to the concerns raised by both the panel and stakeholders by lodging an amendment to Article 6 and Article 9, which in our view represents a more balanced and proportionate approach on some areas of the amended law that would affect all dog owners. In particular, we welcome the clarification and amendment to the new Article 6, which will no longer require every dog owner to replace or update their tags by February 2026. That original proposal would have created unnecessary costs for dog owners. The revised approach is a more sensible and proportionate approach. On the new Article 9, the panel is also pleased the Comité has removed the new wording on damage to agricultural land in their proposed amendments. That amendment, that would have affected all dog owners, was not properly consulted upon with unclear intent, unclear definitions, and no explanation of how it would practically be enforced.

[14:30]

The Comité has committed to undertake a separate consultation-led review of livestock worrying provisions involving the farming community and animal welfare experts. I hope this is done in a timely fashion, taking lessons from this current process. After calling the proposition in, we sought written submissions from the police, the J.S.P.C.A. (Jersey Society for the Prevention of Cruelty to Animals), and the States Veterinary Officer, 3 bodies whose operational duties and expertise are central to the effective functioning of this law. Questions we asked of these stakeholders were focused on concerns raised during the 12th November States debate, the new Article 1B that lays out the criteria of what constitutes a dangerous dog, and Article 11 regarding the procedure of seizing and kennelling dogs that are dangerously out of control or are dangerous dogs. Their submissions were highly informative and I want to formally thank all 3 for their co-operation. The States vet

provided clarity on the rationale behind a breed-specific approach, outlined in new Article 1B. She explained that a behavioural or owner-focused model would address root causes more effectively, but would require a different regulatory structure and significant resources. The proposed measures are, therefore, a more pragmatic and quick compromise, not a definitive solution. The panel is now satisfied that sufficient assessment was done ahead of choosing the proposed direction for classification, but she confirmed that the XL Bully is not a recognised breed but a type with wide variation and no standardised definition. The panel is, therefore, still concerned that this will pose challenges in enforcement and consistency. Both the police and the J.S.P.C.A. confirmed unequivocally that they were not consulted in the development of the dangerous dogs provision, despite the police holding statutory responsibilities for enforcement, kennelling and public safety; and the J.S.P.C.A. currently contracted to support the collection and housing of stray dogs for up to 7 days, and short-term quarantine facilities. The police told the panel they only became aware of the proposition by chance in an unrelated meeting. The J.S.P.C.A. similarly stated that no formal consultation took place. This stands in direct contradiction to assurance given during our first public hearing in October that the police had been consulted. What has now been made clear is that any engagement was informal, occurred late in the process, and fell far short of what should have happened when legislation imposes new enforcement powers. Members were also told at the 12th November States sitting by the chair of the Comité: "It is worth mentioning that there is an agreement in place between the Parishes and the J.S.P.C.A. to collect and house stray dogs. This will include dogs that fall under the category of 'dangerous dog'." But the panel received correspondence after the debate from the J.S.P.C.A. to say it is their understanding there are no on-Island facilities or resources to carry out Article 11 seizures. At our additional Scrutiny hearing the chair of the Comité informed the panel that the J.S.P.C.A. probably have not got the facilities for housing dangerous dogs. It was confirmed then that the gap for kennel capacity was bigger than initially anticipated. The evidence on enforcement was stark. Both the police and J.S.P.C.A. confirmed that Jersey currently has no trained personnel, no suitable kennelling facilities, and no operational infrastructure to seize, hold, or assess dangerous or dangerously out of control dogs. The police recently had to fly in a U.K. specialist to seize a dog at public expense because Jersey has no capability to do this safely, yet this proposition expands Article 11 by placing additional duties on the police to seize dangerous dogs, despite there being no trained staff or suitable facilities to carry out that role. The inconsistent messaging on this point in recent months is precisely why the panel considered further scrutiny essential. During the second public hearing on 20th November with the Comité and the States vet, the Comité confirmed that earlier that week they had held discussions with the J.S.P.C.A. and the police and the Comité informed the panel that the following were discussed and agreed upon between the stakeholders: that the police will develop an M.O.U. (memorandum of understanding) with the U.K. police force to provide specialist seizure capability as the most cost-effective solution, coming from their own budget; and the Comité will develop an M.O.U. with a private local provider, which has already been identified, to offer kennelling for seized dangerous dogs, including the requirement for them to be put in a 2-door kennel. These are welcome steps, however, these decisions remain at an early stage, they are not costed and they are not yet formalised. The Comité also acknowledged that the law will not reduce incidents occurring inside private homes where most child fatalities occur. Unfortunately many of the incidents in the U.K. since the U.K. Dangerous Dogs Act has occurred in people's own homes. I want to make this point clear, as this has been raised several times in the principles debate and since in some emails that I have received from the public, though this law is intended to reduce serious injury and fatalities to the public, it cannot prevent incidents occurring in the home. They also acknowledged that without external support from the U.K. there is no operational route for managing unwanted or unclaimed dangerous dogs beyond immediate family works. So after careful scrutiny, the panel accepts that the Comité has clarified the policy intent and addressed many of the uncertainties raised during the debate on the principles. We are happy to recommend Members to support the proposition to continue into law, however, we remain firmly of the view that the amended law cannot be enforced on the day it comes into enforcement or operate

as intended until Jersey has this formal M.O.U. with the U.K. police force for specialist support, and contracted kennelling facilities suitable for holding dangerous dogs. The panel urges the Comité to prioritise both arrangements as soon as possible. Furthermore, the proposition's financial and staffing implications no longer reflect the real costs now known to be required for enforcement. This needs to be revised so that the Assembly has an honest and transparent picture of what implementation demands. Finally, our scrutiny has highlighted a bigger issue. The legal framework governing dogs is fragmented and inconsistent across multiple laws and regulations. The panel will, therefore, examine this more widely in our upcoming scrutiny of the new Animal Welfare Law. I want to be clear, the panel recognises the need for stronger protections around dangerous dogs. We know that time is of the essence and we know the community expects action, but good law must be enforceable, it must be grounded in evidence and it must be developed through consultation with those who must enforce it. The shortcomings in this process has made scrutiny unnecessarily complex and we, therefore, urge the Comité to now ensure that the operational infrastructure required is formally secured so that this Assembly's intentions can be delivered safely and effectively.

Deputy R.J. Ward of St. Helier Central:

Sir, can I just ask a question about the amount of a level 2 fine? I was going to ask the Solicitor General but I imagine you probably know the answer to this yourself. I thought a level 2 fine maximum was £600, or is it £1,000? I have found 2 different answers, looking through our laws. It is relevant to Article 16 and I wanted to ask something on that.

The Bailiff:

It is a question for the Solicitor, yes.

Mr. M. Jowitt., H.M. Solicitor General:

Yes, a level 2 fine is £1,000 and the Article 13A provides that the fine should not exceed two-fifths of that level, which by my maths is £400.

10.1.2 Deputy R.J. Ward:

I just wanted to verify a few things. I think there was a good point made, it is very interesting, the difference between a breed and a type. An interesting genetic argument can be had over that, and a discussion, and I think that does cause problems when we try to classify cross-breeds, which effectively become a type because of the nature of cross-breeding and their genetic inheritance. I think that is an issue that does need to be addressed. Article 16 talks about the wearing of collars, that two-fifths of a level 2 fine is £400. Theoretically a Centenier could stop somebody with a dog who has a collar that perhaps has a mistake on it, it either does not have the full number, or even if they are registered and chipped and everything else, perhaps only have one piece of information if they have got it wrong, and fine them £400. I think that is a little bit ... I cannot think of the word; strong. Excessive might be the word. I was thinking of a cleverer word than that but obviously I am not clever enough to remember it today. But it does seem a little bit ... draconian is the word I was looking for. That was an issue. I would also like to raise again, as I did in the original debate, and suggest, and perhaps these might be for Third Reading but I will say it now anyway, because I think they probably will be linked to Articles, but around the licence fee. I would like to have a discussion with the Comité about whether there is something we could possibly do with the licence fee Island-wide to get - they are often called dog wardens but I am sure there is a better and more up-to-date name - people employed to encourage the right type of behaviour in owners, to inform owners on what they can do with their dogs, where they can go, *et cetera*. There are a lot of dog owners - I am very much a dog owner myself, although sometimes I think he owns me - and I think that is an important positive approach to these changes, so that one time we can say: "Look, we want to limit dangerous dogs, but on the other side we are going to encourage you to do the right thing as a dog owner here and there are people employed to do this." Be it about information on collars, breeds, or

where training can be accessed, particularly if people take rescue dogs from abroad because they can be a real challenge and we end up with dogs that people cannot handle. So I think that would be a really positive move forward if we can do something like that. But other than that, I will support this, with some real concerns in the back of my mind.

10.1.3 The Very Reverend M.R. Keirle, B.A., Dean of Jersey:

This may seem rather strange for the Dean to go, straying - if you excuse the pun - into unknown territory. I speak as a dog owner and a dog walker and, uniquely in this Assembly, I am the only one here who wears a dog collar. **[Laughter]** Of course I may be making an assumption there, in which case I apologise. **[Laughter]** I say that because I walk my dog every morning in Millennium Park and 3 times my dog has been attacked in Millennium Park, which is a place where dogs are supposed to be walked on leads. Three times they were attacked by dogs that were off leads. I am more concerned not so much about dangerous dogs but about the dangerous humans who own them. My serious comment now is that when animal welfare is discussed that there is perhaps a more holistic approach to this, which is owner-focused, and that there is better comms and training for the dangerous humans that might own such animals.

10.1.4 Deputy M.R. Scott of St. Brelade:

Following on from Deputy Rob Ward's comments, I just wish to remind the Comité that in the debate of the principles I mentioned discussions I had had with them regarding these very points: that the licence was going to be doubled, the extent to which the Comité could use this as an opportunity when issuing licences to provide information to owners about some of the etiquette and training and resources that might be available to ensure that dogs are controlled better generally. I again very much request that the Comité do take this forward because the proposer of the proposition at that time just answered me ad hoc on the stop and I would prefer the Comité to think about these things so that when it comes to the renewal of the dog licence there is a bit more information available to dog owners, showing a bit of something in return for that fee.

10.1.5 Connétable R.D. Johnson of St. Mary:

Picking up the valuable comments made by the Dean, I just draw attention to the chair's comment that the Scrutiny Panel will be conducting a review of all matters canine, including the Dogs Law and the policing regulations. I imagine that during that review we will identify very clearly the concerns of the Dean. Further, during the course of our review there was no disagreement between the Comité, the States vet or ourselves. There is an acknowledgment that there are various gaps in the law, one of which relates to registration of professional dogwalkers who - simply by reports I receive - are "controlling more dogs than they can possibly control under one person", and that is something which the review panel will look at. I understand - and the chair of the Comité may well choose to confirm this - that there are intentions on the part of either the Comité or the Minister for the Environment to bring in regulations during the course of this term to regulate professional dogwalkers.

10.1.6 Deputy G.P. Southern of St. Helier Central:

I will be brief. Having sat through this debate, subjected to a long, long list of what is wrong with it, I cannot vote for it.

[14:45]

10.1.7 Deputy T.A. Coles of St. Helier South:

I am standing basically to reiterate what Deputy Southern said. I said at the beginning that I did not think this law as drafted is going to achieve what it wants and expects. After the scrutiny I have not been any more reassured. I will say that I will do exactly as I did in the principles, that I will not stand in its way but I certainly will not be supporting it.

The Bailiff:

Thank you, Deputy. Does anyone else want to speak on the regulations? I call upon the chair of the Comité to reply.

10.1.8 The Connétable of St. Brelade:

I thank Members for their contributions. Initially, in response to the chair of the panel, I appreciate the input the panel has made into the putting together of this law. Once again I emphasise the point of the difference being between the Dangerous Dogs Law, which is the regulations on importation of dangerous dogs, versus dogs out of control. They are different. In terms of evidence, there is little evidence, if any, of any dangerous dogs being imported contrary to regulations which have been enforced with Customs for some couple of years. I think what the effect of the approval of this law will be is to mitigate circumstances in the future. A dog's life tends to be 10, 15 years and we will be looking in 15 years' time hopefully that we will not have a problem with these particular breeds. The issue of dangerous dogs out of control does need to be addressed separately and I will, in response to the Constable of St. Mary, confirm that the Comité will be keen to progress that as well. It needs to be done. We hear probably more instances of dogs being attacked by other dogs than humans being attacked by dogs, but we have to prioritise the risks to children and that has been outlined in the C.R.I.A. (Children's Rights Impact Assessment) presented with the original proposition. With regard to the communications with the police, I am not sure if the chair appreciates that as Constables we meet our police once a month and we do communicate with them, and I certainly did communicate with the community police officer attached to my Parish on this particular subject. I think there may have been a lack of communication within the police themselves, or a lack of understanding, and my meeting last week with them did outline the fact that there is a hole in the legislation, that is probably not the correct terminology, but effectively since the police lost their dog unit - I say "lost", it was discontinued, probably as the result of the usual budget cuts which we all face - there has been some gaps. It needs to be considered how these gaps may be filled with regard to the accommodation of dogs, whether it be by the J.S.P.C.A. or an alternative provider. The Comité will certainly work with that and in fact already have started working. With respect to the J.S.P.C.A., who I fully acknowledge are a very well-established charitable organisation, provide a marvellous service for the Island in terms of the prevention of cruelty to animals. If their kennelling needs to be beefed up to the satisfaction of Jersey residents, if you like, that a suitable kennel is provided, a 2-door kennel, well, that needs to be spoken of. Whether we speak with them or an alternative provider is yet to be discussed, but I think conversations should be had and will be. The ability of the States of Jersey Police to utilise neutral aid, as I believe it is termed, is creditable and probably could be a cost effective way of dealing with a situation should it arise. I am aware that in the last case I do not believe there was a cost to the public purse; their cost was recovered by the owner of the dog involved. That will be the case generally in terms of costs, whether they would be for kennelling locally or kennelling elsewhere, those costs in all will be borne by the owner of the dog. I am grateful for Deputy Ward's comment regarding breeds and types. The States vet's comment on that was quite clear, and it is a question of resource. One could go down the type route but it was felt that the resource needed to look at potentially 10,000 dogs in the Island was just not pragmatic, and so the thought was to go down to the breed line at this stage. Article 16 and excessive penalties, I think that is probably not one for me to answer but realistically there has to be a little bit of a stick somewhere to ensure compliance with the dog tag requirements. The allocation of the licence fee towards some sort of dog wardens, and information for dog owners, I think possibly it will be more effective to put that funding towards an education route. If one thinks about a dog warden or dog wardens, we all know the labour costs these days can run away into lots of thousands and I feel any funding would be better placed - and it can be placed probably more easily - by the Parishes through their dog licensing system, right to the owners where it needs to be understood. The Dean mentioned attacks in the Millennium Park and I can say that from the police point of view we get more - in my Parish certainly - complaints about dog versus dog attacks than dog versus humans. That is something that

does cause owners great concern and can be incredibly expensive in vet bills to sort out. There is a question of animal welfare being owner-focused and I think that is absolutely correct. Once again, going back to my comments to Deputy Ward, I think there needs to be some programme in terms of educating the owners. There was a mention from Deputy Scott about the licence being double. That is not the case; the licence only doubles if people are late renewing it. It is £10, it goes to £20 for those who forget to renew it. The word “etiquette” that she mentioned is very pertinent and that is something I think could be incorporated in any publicity P.R. (public relations) work that we might put together to put out at dog licence renewal time. Training a dog is something that we can put to dog owners and suggest where they might go for training. I think the time when most people will look towards the training of their dog will be when they first have it, and that is the stage of course that habits will be understood, and dogs do not tend to forget bad habits, so I think it is important that is dealt with at an early stage, which of course it can be when dogs are first registered. The Constable of St. Mary mentioned dogwalkers and regulations and I think that will be the case, and initial discussions have taken place with the States Veterinary Officer as to how that might come into the Animal Welfare Law. It was suggested there will be a licensing scheme for dogwalkers attached to that law. We have yet to see the shape and form of that but I can assure him that we will be supportive of that. I regret that Deputy Southern cannot support the proposed laws. I would like to think it is going in the right direction, and likewise with Deputy Coles. We have achieved a lot and I think we have to move on at this stage to try and make sure holes are plugged, and there will be holes because dogs are not always predictable creatures. Each offence tends to be dealt with on its own merits and I would suggest that we will endeavour to do that in conjunction with the Scrutiny Panel and others. With that said, I propose the amendments.

Deputy R.J. Ward:

Sir, can I just ask for one clarification? I did ...

The Bailiff:

Are you prepared to clarify something, Chair?

The Connétable of St. Brelade:

Yes.

Deputy R.J. Ward:

I thank the Constable. It was just I mentioned about the fines for collars and whether there is a flexibility in that and it will not just be rigidly adhered to, because it can be a little draconian, just to check that. I think people would be reassured.

The Connétable of St. Brelade:

While it is not for me to prejudge what a Centenier or police officer might decree, I would support the Deputy's views and I think any fine would need to be proportionate to the particular offence in that case. I do not know if the Solicitor General can comment any further on that particular aspect.

The Bailiff:

Solicitor.

The Solicitor General:

It is up to a maximum of £400 so it is anywhere up to that. You would expect Centeniers to be proportionate and fact specific in the punishments they impose. It may be the Attorney General will consider giving them guidance to help them.

The Bailiff:

Deputy Jeune, you want some clarification?

Deputy H.L. Jeune:

Yes, please, Sir. Part my Scrutiny's recommendations was for these memorandum of understandings to be in place ahead of this law, but we did not hear from the chair whether this was something that will be done and when this will be done, and I think I would like clarification on these parts because it was a very important part of our recommendation to the States Assembly.

The Connétable of St. Brelade:

My understanding from meeting with the representatives of the States of Jersey Police last week was that they have mutual aid arrangements with U.K. authorities, and the particular one mentioned was Hampshire. I am not sure what written form that takes, and that can be certainly investigated and confirmed. With regard to kennelling, though we are in discussion with the renewal of our arrangements with the J.S.P.C.A. - that is the review of the contract with them - and that will form part of that review. In parallel to that we are discussing with another provider whether provision can be made.

The Bailiff:

Thank you, chair. I think the appel has been called for. Members are invited to return to their seats, and I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes ...

Deputy H.M. Miles of St. Brelade:

Sorry, Sir, I am not going to say it again but my buttons are not working. My vote would be pour.

The Bailiff:

Thank you very much, that is registered. If all Members have had the opportunity of casting their votes I ask the Greffier to close the voting. The regulations have been adopted in Second Reading.

Pour: 41		Contre: 3		Abstained: 2
Connétable of St. Helier		Deputy G.P. Southern		Deputy C.S. Alves
Connétable of St. Lawrence		Deputy M. Tadier		Deputy T.A. Coles
Connétable of St. Brelade		Deputy M.B. Andrews		
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy C.F. Labey				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				

Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy I. Gardiner				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				

Chair, do you propose the matter in Third Reading?

10.2 The Connétable of St. Brelade:

Yes, I do, and in doing so, if I may, we have had quite a cross section of people - despite criticism - we have consulted with quite a large number of bodies on route, and I am grateful for the assiduity that the panel have made. Their various comments - and we have had 3 comments from them - have picked up various points along the way, points have been picked up in conversation, and it has shown the advantage of scrutiny in our democratic system. I am grateful to my team, particularly for working up the C.R.I.A., which I think is quite pertinent to this whole issue. Children must take priority, and it has been outlined in the various reports as to why that is the case. In my experience, it is one of the first times that a C.R.I.A. has been so pertinent in a debate. I do hope that as time goes on and we talk about in 10 or 11 years that the Island will be a safer place with regard to

dangerous dogs, and I would conclude by making the proposition in Third Reading and ask for any comments on that.

[15:00]

The Bailiff:

Is the matter seconded in Third Reading? **[Seconded]** Does any Member wish to speak on the regulations, as adopted in Second Reading, in Third Reading? I close the debate. Is the appel called for?

The Connétable of St. Brelade:

Yes, please, Sir.

The Bailiff:

The appel has been called for. Members are invited to return to their seats and I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce that the regulations have been adopted and the law consequently amended in third reading.

Pour: 41		Contre: 3		Abstained: 2
Connétable of St. Helier		Deputy G.P. Southern		Deputy C.S. Alves
Connétable of St. Lawrence		Deputy M. Tadier		Deputy T.A. Coles
Connétable of St. Brelade		Deputy M.B. Andrews		
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy C.F. Labey				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy I. Gardiner				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				

Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				

11. Draft Social Security Law (Overlapping Benefits) (Jersey) Amendment Regulations (P.79/2025)

The Minister for Social Security provided Members with the following supporting material in relation to P.79/2025:

DRAFT SOCIAL SECURITY LAW (OVERLAPPING BENEFITS) (JERSEY) AMENDMENT REGULATIONS 202-

SUPPORTING MATERIAL

This example is circulated to States Members for reference as part of the debate on P.79/2025:

Jane and Chris claim Income Support (“IS”), paid to Jane who looks after the household bills. Jane receives a regular weekly payment on behalf of the household.

Chris breaks his leg and is signed off work for 12 weeks. He submits a claim for Short Term Incapacity Allowance (“STIA”). Because it takes him a couple of weeks to submit the STIA certificate, he receives a backdated 2 week payment and then ongoing weekly payments for the remainder of the claim.

The existence of the STIA claim causes two things to happen:

- 1. Jane and Chris’s IS entitlement reduces for the time Chris is entitled to STIA.*
- 2. an overpayment occurs because Jane was already paid IS for the same 2 weeks that Chris was paid backdated STIA.*

Jane’s IS payments will be affected until the overpayment has been recovered, and thereafter her IS payments will be lower than usual for the duration of Chris’s STIA claim.

While overall, Chris and Jane will receive the same amount of money, there will be a shortfall of income to Jane because of how benefits are paid which means she has less money to pay the household bills.

She will have to ask Chris to make up the difference from the STIA money that is paid separately to him.

Chris may not have realised this and have already spent the STIA money.

The Bailiff:

The next matter is the Draft Social Security (Overlapping Benefits) (Jersey) Amendment Regulations, P.79, lodged by the Minister for Social Security. The main respondent is the chair of the Health and Social Security Scrutiny Panel, and I ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Social Security Law (Overlapping Benefits) (Jersey) Amendment Regulations 202-. The States make the Regulations under Article 50 of the Social Security (Jersey) Law 1974.

11.1 Deputy L.V. Feltham of St. Helier Central (The Minister for Social Security):

This amendment addresses the administrative issue that occurs when a person is entitled to a contributory benefit at the same time as being part of an income support claim. While it is titled “Overlapping Benefits” it is not connected in any way to the recent media interest in overlaps of pensions and home carer’s allowance. It was lodged prior to the public interest in contributory benefits available to carers and seeks to address overlaps of contributory benefits with income support. To illustrate why this amendment is needed I will begin with an example, and an email has been circulated to all Members for ease of reference. Now I feel like asking Members: “Are you sitting comfortably?” because I am about to tell you a story. This story relates to Jane and Chris who claim income support. The income support is paid to Jane, who looks after the household bills. Jane receives a regular weekly payment on behalf of the household. Unfortunately for Chris he breaks his leg and is signed off work for 12 weeks. He submits a claim for S.T.I.A. (short term incapacity allowance). Because it takes him a couple of weeks to submit the S.T.I.A. certificate he receives a backdated 2-week payment and then ongoing weekly payments for the remainder of the claim. The existence of the S.T.I.A. claim causes 2 things to happen currently. Firstly, Jane and Chris’s income support entitlement reduces for the time Chris is entitled to S.T.I.A. Secondly, an overpayment occurs because Jane was already paid income support for the same 2 weeks that Chris was paid backdated S.T.I.A. Jane’s income support payments will be affected until the overpayment has been recovered and, therefore, her income support payments will be lower than usual for the duration of Chris’s S.T.I.A. claim. While overall Chris and Jane will receive the same amount of money, there will be a shortfall of income to Jane because of how benefits are paid, which means she has less money to pay the household bills. She will have to ask Chris to make up the difference from the S.T.I.A. money that has been paid separately to him. But Chris may not have realised this and may have already spent the S.T.I.A. money because it was paid separately. So the reason why I have shared that example, which uses S.T.I.A., it illustrates the income disruption that occurs currently when a person in an income support household qualifies for and is separately paid any overlapping social security contributory benefit. The Assembly recognised this as an issue back in 2018 and an enabling power was created for the contributory benefit payments to be adjusted where income support had already been paid. I am revisiting this area of law now to provide a legal framework that will enable the department to improve its processes, reduce overpayments, and provide consistent payments to households receiving income support. Building on the example, the existing power allows - subject to the creation of an order - the department to adjust the backdated S.T.I.A. payment due to Chris on the basis that an equivalent payment has already been paid to Jane on behalf of the household. It means that the money for the same period is only paid once and it avoids any income support debt. It does not, however, protect Jane’s household payments from reducing for the remainder of Chris’s S.T.I.A. claim. This amendment seeks to extend the existing power so that a contributory benefit can be adjusted for the full duration of the contributory benefit claim, fully protecting the regular weekly benefit payment to the income support household. Using my earlier example, it would ensure Jane continues to have access to enough money to pay the household bills

during the period Chris is entitled to S.T.I.A. A household would not receive any more or less money as a result of these changes. Full details of how and when contributory benefit payments are withheld will be set out further in Ministerial Orders. The amendment also seeks to allow funds to be transferred from the Social Security Fund to the Consolidated Fund to reimburse the additional money that was paid as income support, but should have been paid as a contributory benefit. This was not included in the previous change but is a useful addition to the law. It means that social security funds are used to cover the cost of contributory benefits and there is no additional cost to the taxpayer who meets the cost of income support payments. In summary, these changes are required to ensure regularly weekly household payments are maintained when social security benefits are paid, minimising financial disruption to income support households and enabling more efficient household and benefit administration, which can be delivered as part of the wider I.T. (information technology) programme currently undertaken by my department. I propose the principles.

The Bailiff:

Thank you, Minister. Are the principles seconded? **[Seconded]**

11.1.1 Deputy L.M.C. Doublet of St. Saviour:

I thank the Minister for bringing this proposition and also for the time that her and her officers spent in informing the panel about this matter. We were briefed on this and our questions were answered. I think it was the same example given to the panel in the briefing that the Minister has since circulated, and this was very helpful to have this real life example in helping the understanding of this matter. I do have just a couple of things that I wanted to raise. This is kind of panel-adjacent, so this is really my own views as a States Member, although some members of my panel may indeed share these. Looking at this proposition has made me reflect on the way that benefits are paid. For example, the family situation that the Minister describes in her example, yes, while this does address the potential budgeting issues that might arise around the payment of different types of benefits, what it does not do is address some of the deeper and perhaps more hidden issues, some of which were raised the V.A.W.G. (Violence Against Women and Girls) Taskforce. Now, I did look back on the V.A.W.G. Taskforce report which said a lot about financial and economic abuse. I could not find anything that specifically addressed the way income support and other benefits are paid to the household rather than to individuals. I may have missed something. But what I would like to understand from the Minister when she responds is did she consider this issue when she was looking at this, to make income support a benefit that is paid to individuals rather than households? I would like to understand what is her perspective on the financial or economic abuse that this system might be perpetuating and enabling, and how seriously she thinks we should be taking that and what future work needs to be done in this respect. But aside from those comments from myself, my panel are supportive of this proposition today.

11.1.2 Deputy R.S. Kovacs of St. Saviour:

As someone who has previously worked in income support and with the benefit systems, and who has raised this issue alongside colleagues while in the department, I very much welcome this proposal. Although it is primarily a tiny administrative change, it tackles a real problem for low income families. I will briefly explain as well how the current process mostly works, to show why this change is so important. When someone in an income support household also receives a separate social security benefit like short-term incapacity allowance, or others, the total can only add up to 100 per cent of their entitlement cumulatively, not 100 per cent for each benefit. Each benefit is managed by a different team and has different payment schedules, some weekly, some monthly, or as lump sums. When changes are made to one benefit based on a person's circumstances this can accidentally create an overpayment on the other benefit. Later the extra money is reclaimed, which can disrupt household budgets and withhold income that families rely on for bills and essentials. Families often do not fully understand this overlapping process and naturally assume that the money

in their account is their full entitlement to use. The Minister has also just had the case example presented, which clearly illustrates the situation and highlights how overlapping payments can disrupt household budgets, re-enforcing why this change is needed. This proposal allows contributory benefits to be adjusted in advance for the full period of the overlap with income support, preventing overpayments before they occur and ensuring that each benefit is paid correctly and predictably. It also provides for the necessary movement of funds between the related Government accounts to manage these adjustments efficiently. Importantly, this change will also save time for staff handling these benefits. By considering each household's total benefits entitlement holistically from the start there is less need for multiple calculations of overpayments, underpayments or corrections later. This reduces the chance of errors and allows staff to better focus on supporting families, rather than constantly recalculating adjustments. By removing these bureaucratic barriers the regulations simplify the process, reduce financial stress caused by timing mismatches, and make it easier for families to plan and manage their finances. In short, this reform ensures that income support households receive reliable weekly payments, avoids unnecessary disruptions, and makes the benefit system fairer and easier to navigate. I strongly support the proposal and encourage Members to do the same.

The Bailiff:

Thank you, Deputy. Does anyone else wish to speak on the principles? I call upon the Minister to reply.

11.1.3 Deputy L.V. Feltham:

Firstly, I would like to thank the Scrutiny Panel. I know that they were briefed, they had some good questions for my officers, and I thank them for their support. I, like Deputy Doublet, was also concerned around financial and economic abuse and one of the things that I asked my team to do when putting this work together was to consider that, speak to stakeholders, and to consider what was going to carry the least risk in this type of circumstance. So before deciding how to apply this change there were some stakeholder meetings so that we could consider risks such as financial and economic abuse. We do work very closely with stakeholders such as Freeda. My understanding is that the advice was that this would be the safer option because the changes in fluctuating income could cause more risk than the other options that were proposed. But I would reiterate, we work closely with domestic abuse agencies and also we have the 12-week concession period that if somebody is referred by a domestic abuse agency and they are fleeing domestic abuse, we will pay out income support to that individual to help them get out of that situation. I think that is really important to remind people as well.

[15:15]

I thank Deputy Kovacs for her support. I think nobody in this Chamber knows better than Deputy Kovacs how complicated some of the income support rules are, and I thank her for making that clear quite how much of a difference this will make on an administrative basis, and be more efficient and effective and hopefully save time and resource into the future. So I think I am ready now to call for the appel.

The Bailiff:

The appel has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting. If all Members have had the chance of casting their votes I ask the Greffier to close the voting. I can announce the principles have been adopted unanimously.

Pour: 45		Contre: 0		Abstained: 0
Connétable of St. Helier				
Connétable of St. Lawrence				

Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				

Deputy Doublet, does your panel wish to scrutinise this matter?

Deputy L.M.C. Doublet (Chair, Health and Social Security Scrutiny Panel):

No, thank you, Sir.

The Bailiff:

Thank you very much. Minister, do you wish to propose the regulations in Second Reading?

11.2 Deputy L.V. Feltham:

Yes, Sir, I propose them *en bloc*.

The Bailiff:

Are the regulations seconded in Second Reading? **[Seconded]** Does anyone wish to speak upon the regulations in Second Reading? Those in favour, kindly show. The appel has been called for. Members are invited to return to their seats and the Greffier is asked to open the voting. If all Members have had the opportunity of casting their vote I ask the Greffier to close the voting. I can announce the regulations have been adopted unanimously in Second Reading.

Pour: 46		Contre: 0		Abstained: 0
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				

Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

Minister, do you propose the matter in Third Reading?

11.3 Deputy L.V. Feltham:

Yes, please, Sir.

The Bailiff:

Are the regulations seconded in Third Reading? **[Seconded]** Does anyone wish to speak on the regulations in Third Reading? Is the appel called for? The appel has been called for. I invite the Greffier to open the voting. If all Members have had the opportunity of casting their votes I ask the Greffier to close the voting. I can announce that the regulations have been adopted unanimously in Third Reading.

Pour: 47		Contre: 0		Abstained: 0
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				

Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

12. Draft Social Security Law (Long Term Disability Allowance) (Jersey) Amendment Regulations (P.80/2025)

The Bailiff:

The next item is P.80, the Draft Social Security Law (Long Term Disability Allowance) Amendment Regulations, lodged by the Minister for Social Security. The main respondent is the chair of the Health and Social Security Scrutiny Panel, and I ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Social Security Law (Long Term Disability Allowance) (Jersey) Amendment Regulations 202-. The States make these regulations under Article 50 of the Social Security (Jersey) Law 1974.

12.1 Deputy L.V. Feltham of St. Helier Central (The Minister for Social Security):

I am pleased to be able to bring these regulations today as disability and inclusion is one of my priority areas. These regulations set out the administrative framework for a new benefit to support working age people in Jersey who experience a long-term illness, injury or disability. This benefit will be called the long term disability allowance, and when it is finalised it will replace the long-term Incapacity allowance and 3 other older benefits. I hope that Members will agree with me that Jersey

needs a modern disability benefit that can meet the changing needs of our community. Today if a working age person experiences an ongoing health condition that is likely to last for more than 6 months they can apply for L.T.I.A. (long term incapacity allowance), but L.T.I.A. is an old-fashioned benefit. It was introduced in 2004 but draws heavily on a system that was established in the 1970s. This includes an older way of assessing illness and disability, a method of assessment that is not often used today. Among other things, the L.T.I.A. model is not effective at assessing mental health conditions, chronic pain, or even the effects of cancer. L.T.I.A. is hard to administer consistently and cannot be awarded for conditions that a person is born with, even if those conditions are only diagnosed later in life. The administrative changes set out today lay the foundation for a modern, long-term health condition assessment model, which will be based on loss of function. This approach is based on looking at the effects of illness and disability on a person's everyday life. It looks at the areas where you can and cannot do everyday activities, as opposed to the current L.T.I.A. system which takes a clinical approach to the impairment of your body or mind. The proposed approach is better suited to a benefit for working-age people because it can consider the specific factors that affect your ability to work and participate in everyday life. This will help support a more inclusion-based approach to our benefit system. The Island should be looking at what we can do to support people who want to stay in or return to work, as opposed to assuming that our responsibility stops with the payment of a benefit. The draft regulations create a legal framework that replaces long term incapacity allowance and 3 other contributory long-term health benefits, with a modernised benefit and assessment model called long term disability allowance. It replaces the current system that awards L.T.I.A. as a percentage, ranging from 5 per cent to 100 per cent, with 3 levels of benefit. These correspond to the severity of a person's loss of function. I believe that having a benefit that pays at 3 clear levels will make the system fairer and easier for all to understand. It also creates new order making powers. These orders will set out the assessment model of the new long term disability allowance benefit in detail and provide for a transition process for people who currently get the benefits which are being replaced. They update the role of determining officers and specialist doctors, including streamlining the function of the independent tribunal that hears appeals against a decision on any of Jersey's health or disability benefits. This will not remove doctors from the system, or weaken the powers of the independent tribunal, but will let officers make a decision on awarding the benefit based on medical evidence that already exists. Where a person does need support to get evidence to make the claim we will continue to use specialist doctors and clinicians to help in the assessment of the claim. The regulations also provide for the new system to be brought in by an Appointed Day Act so that Scrutiny and States Members have the time and scope to consider the new assessment model. If these regulations are improved the new benefit will only be brought in following a further debate on an Appointed Day Act in late 2026 or early 2027. Turning to budgets, I want to assure Members that this is not a cost-savings exercise. The current long-term health benefits are paid from the Social Security Fund at an annual cost of around £33 million. The new benefit will also be paid from the fund and the intention is to maintain the budget at a similar level as today. With the new system in place I hope to see workers claiming the new benefit also able to remain in productive work supporting the economy and fully participating in community life, with a more positive and supportive approach to health conditions across employers and employees. The administrative structure of the proposed new benefit is also being supported by the development of systems and processes within the Employment, Social Security and Housing Department. These are being carefully co-ordinated, with the goal to deliver the launch of the L.T.D.A. (long term disability allowance) alongside broader changes within the department. I would also like to reassure Members that there will be a careful transition of existing claimants from their current claim to the new system. There are about 4,300 people claiming the benefit that will be replaced. The details of the transition process will be developed over the coming months and will be available to the new Assembly during 2026. The detail of how people will be assessed under the new system will be key to ensuring equity, fairness, and ease of process. The project team is already developing this detail and this work will continue over coming months, including regular engagement with cluster groups and other interested

stakeholders, as well as the Disability and Inclusion Advisory Group. I am sure that Members will be interested in the new assessment model proposals and will want to see the detail of this assessment model as soon as it is ready. So I have asked officers to ensure that the draft orders will be made available in plenty of time for the next Minister to circulate draft orders for comment and for Scrutiny to review before the vote on the Appointed Day Act is held. This approach lets us embed this administrative framework into the new Social Security I.T. system in time for us to launch the new benefit in 2027. To meet that launch in 2027, the details of those orders will be available in 2026. I think that this is a sensible way of doing things that is both efficient and effective. It gives my department the green light to include plans in the future systems development and not waste time and money. In summary, these regulations create an administrative framework for a new, modern long-term health benefit. They make sensible changes that will enable the new benefit to be administered in line with modern best practice. The regulations create 3 consistent levels of payment and allow officers to award benefits based on independent medical evidence as opposed to requiring a specialist doctor to sign off every award. I propose the principles.

The Bailiff:

Thank you, Minister. Are the principles seconded? **[Seconded]**

Deputy S.G. Luce of Grouville and St. Martin:

Sir, a point of order?

The Bailiff:

Yes.

Deputy S.G. Luce:

I have a close family member who benefits from the L.T.I.A. Does that preclude me from taking part in this debate?

The Bailiff:

No, it does not.

12.1.1 Deputy L.M.C. Doublet of St. Saviour:

Once again, I thank the Minister for bringing this and for the help that she has given to the panel in having us understand it. Also I wanted to thank our panel officers because I think there was quite a bit of officer-to-officer communication to help the officers with making a briefing note to aid the panel's deliberations; so credit to the officers as well. As the Minister has just described, the panel are pleased that the processes around these support payments are going to be made less onerous on people that need to apply for them - that is something that we were very pleased to hear - and that the dignity of people applying for these payments has been considered with this proposition. So that is something that we support and were pleased to see. The panel are supporting this proposition today. I do have just some brief points to make. I wanted to acknowledge, as the Minister said, the way that the project is being structured in stages, and this will allow time for thorough scrutiny. When the Minister sums up could she just provide some additional clarification on why she is doing it in stages and not bringing this part a bit later once more work is complete, and what would have been the pros and cons of doing it that way rather than this way, just to help us understand more fully why she has done it in stages? I do think with the previous proposition it was very helpful to have that real life example and I do wonder if the Minister has any to hand that she could outline exactly how it would be different.

[15:30]

The other point I wanted to raise is that Islanders with disabilities are of course not a homogenous group and there is a lot of variation in the different health conditions and disabilities that Islanders

experience. We questioned on this as to whether there had been consultation with Islanders who are experiencing disabilities. We were given some supplementary information by the Minister and some detail around that, which was reassuring at this stage of this project to see that those conversations had been had and that points were listened to. However, just one caveat I would like to raise is that before this is fully embedded and fully in force, I do think that there needs to be some further consultation and it should be a bit broader because, as I have just said, Islanders with disabilities are not a homogenous group, therefore, a consultation around how exactly this is going to work might need to be a bit broader than usual. Also it should be genuinely accessible. I know this can be difficult and sometimes it can involve extra funding than you might need to put into a regular consultation. I would like the Minister to reflect on whether there is adequate funding for such a consultation and for making sure that as broad a range of views as possible is included in this so that we get the very best legislation and policies around this as possible. I would be grateful if the Minister could respond to those points. Sorry, I have one further one. If the Minister could also ... and perhaps she might do this if she is giving some examples, are there any conditions or types of health problems or disabilities that are not currently addressed by our current system that may now be able to be helped and addressed by the new system. I would be grateful for that. So, yes, the panel are supportive and I look forward to hearing the Minister's responses to my comments.

12.1.2 Deputy R.S. Kovacs of St. Saviour:

I welcome this proposal brought forward by the Minister for Social Security, which introduces the long term disability allowance to replace and improve the old long term incapacity allowance and related benefits. This reform brings much needed clarity, fairness and consistency to the system. By using a modern loss of function assessment the public and the staff can better understand how long-term illness or disability affects everyday life and the person's ability to work, instead of relying on the confusing percentages level system currently used. The simplified 3-level benefit, the use of trained determining officers, and the single appeals tribunal will make the process easier to understand and more transparent for a claimant. Importantly, this change does not reduce the overall support available but ensures it better reflects people's real needs. I believe this will improve the process for Islanders living with long-term illness or disability and strengthen confidence in the social security system, therefore, I encourage Members to support this important reform.

12.1.3 Deputy M.R. Ferey of St. Saviour:

I was working in the department in 2004 when these last changes to the benefit system were made and there are a couple of observations I would like to make, some of which the Minister referred to in her speech. We always struggled with the way that congenital illness was dealt with differently from disease or illness which was acquired through illness or accident later in life, so I am glad that that anomaly will be sorted out. Also I think part of the problems that we had moving into a new benefit system was the concept of retained rights, and while we would not want anyone to be disadvantaged by any change in the benefit system - and it is important that there is a smooth transition - what made the old benefit system so cumbersome is the fact that we allowed people to continue on certain benefits. That became harder and harder to administer as computer systems get updated. So perhaps in the Minister's summing up she could speak to hopefully the way that the transition will be managed without retaining the right to existing benefits.

12.1.4 Deputy S.G. Luce:

I applaud the Minister for bringing this work to the Assembly, but I would like to ask her a question about the way she is moving from the percentage that is currently used to 3 different grades. One question I would have is will the full allowance that she is proposing be equivalent to 100 per cent currently, or 80 per cent currently, or 60 per cent currently? How would it match up, because those numbers are not in the report? The other one I would like her to explain is currently we have a percentage system where the increments go up by 5 per cent. I cannot see how a 3-phase system can

reflect better than the percentage system did inasmuch as if you are currently scoring, for example, 70 per cent, you would get 70 per cent of the allowance; in the new system you would get the same as whether you are 70 per cent, 80 per cent, 90 per cent or 100 per cent. Similarly with the other grades. It is very much a rounding up and an approximation system that we are moving to, and I would like the Minister to explain how that is better than the current system where people get an allowance which is very much more conducive to the level of their disability.

12.1.5 Deputy K.M. Wilson of St. Clement:

I welcome the changes as proposed but there are just some questions, if I could. Effectively I think what the Minister is proposing is a triage system, if she could clarify that in terms of the role of the determining officers as opposed to doctors. Alongside that, what kind of decision-making framework is she proposing to introduce around that and how will she safeguard against any bias or misunderstanding as to the need. The other thing I wonder in terms of implementation and the cost of any change in introducing a new kind of framework, is what kind of modelling or forecasting has been done to assess whether or not there will be more or less people who will be eligible for this type of benefit under these new arrangements. If she could address that point as well.

12.1.6 Deputy K.F. Morel of St. John, St. Lawrence and Trinity:

Following on from Deputy Luce's questions, because those are the questions that were going through my mind. The continuation of that line of thinking is, with all this rounding up how will the Minister ensure that this does stay within the same budget that is being used today? If somebody who is on 20 per cent is now going to go to 30 per cent and someone who is on 50 per cent goes to 70 per cent, a lot of rounding up suggests that the overall package would get a lot larger. So I am just keen to understand how the Minister is ensuring that this rounding exercise does not lead to greater levels of expenditure.

12.1.7 Deputy M. Tadier of St. Brelade:

There are a lot of Ministers asking questions of fellow Ministers, and one wonders what they discuss at Council of Ministers' meetings, given that they do not usually ask questions in this Assembly by convention, although I know we are in open debate. The question I have got for the Minister is really looking at this from an L.T.I.A. point of view, from those who are on long term incapacity, can they expect their claims to stay the same, to go up, or to go down? Is this going to be more generous, is it less generous, or is it neutral? Or will there be winners and losers, as Deputy Ferey suggests? What considering is being given to how that will be communicated to the claimants?

The Bailiff:

Does anyone else wish to speak on the principles? I call upon the Minister to reply.

12.1.8 Deputy L.V. Feltham:

Firstly, I will respond to Deputy Doublet. I thank the panel again for its support and for taking the time to have a full briefing on this. I know the panel had lots of questions and it was useful for my team to meet with the panel and be able to go through what the changes mean. The question around stages, the reason why we are taking it in stages like this is to enable my department to forward plan. This is very much a structural and enabling piece of legislation, which enables us to move forward on the basis of the changes from the current percentage system to the 3 different levels of payments. Getting the Assembly's approval for that in the first instance is really important because that is going to be an integral part of the systems that need to be developed. We need to know that the Assembly is content with that before moving forward. That is the reason of bringing this now before we have the further detail. With regard to the examples that the Deputy asked for; Deputy Ferey almost answered that question because some of those congenital illnesses and things that people are born with currently fall outside of the remit of L.T.I.A. That is a really good example of people that are currently being left behind with the current system that will be picked up with this new system, which

is more a loss of function assessment. I will give Deputy Doublet absolute assurance that of course we will consult with people with disabilities. This will be an inclusive process and we will ensure that people with lived experience are consulted so that we can gain all of the benefits out of making these changes that we possibly can and ensure that the benefit will be more streamlined and an easier process to follow. Deputy Ferey asked about retained rights. Yes, I mentioned in my speech this does replace the previously grandfathered benefits. Deputy Ferey is absolutely right, he knows from experience that we do have still people on some very old benefits. We need to work really carefully with transitional processes and procedures so that people do not end up worse off than they currently are, and I think that speaks to Deputy Tadier's point as well, that whenever we are transitioning it is important that we transition from one process to another in a thoughtful and considered manner to ensure that people's quality of life is not adversely affected. Deputy Wilson spoke about officers rather than specialist doctors. At the moment every single L.T.I.A. claimant has to see specialist doctors that are then employed by Social Security on a regular basis. We are hoping that where medical evidence does already exist we will not need to duplicate that process. I know that process of having to go and see the medical board is very frustrating for lots of people on the current process, so that is where we are hoping to streamline. It is not a case that officers within E.S.S.H. would be making clinical decisions. We will have specialist-trained officers for this particular benefit but I do want to give Deputy Wilson assurance that it is not the case of taking doctors out of this process entirely, but where we do not have to make somebody go through a separate medical board. It is about taking out that complexity and what can be quite a difficult process for people. Deputy Luce asked about the percentages. What we are doing is the percentages are not percentages of the benefit - I can see Deputy Kovacs, who knows this benefit very well, nodding - it is around the loss of faculty that is presented currently through that. Then the 5 per cent upgrades make for what is a very complicated benefit currently. So the aim of moving to the 3-tiered system is to reduce that complication. I am just going through my notes here. I got asked about what the differences might be in the levels of benefit. That still is to be worked out in the work that is to come forward but, yes, that top level would be equivalent to the current 100 per cent level; so that is where we are going to answer Deputy Luce's question. I am just seeing if there are any other questions that I have not answered.

[15:45]

I do want to give the assurance to the Assembly that what we are voting on today is the enabling legislation so that we can improve and streamline these processes. There is a long way to go in this process and I have undertaken that orders and the detail will be available to Assembly Members so that they can be properly scrutinised when the time comes. We will use all Members of this Assembly to the greatest benefit and utilise Scrutiny as much as possible to ensure that we are getting the best possible outcome for our community.

The Bailiff:

Deputy Morel, a point of clarification, is it?

Deputy K.F. Morel:

Yes, please, Sir.

The Bailiff:

Are you prepared to give way for a point of clarification, Minister?

Deputy L.V. Feltham:

Yes, Sir.

Deputy K.F. Morel:

I was just wondering if the Minister could clarify the answer to my question, which was about how she would ensure that expenditure does not increase if there is lots of rounding up going on.

Deputy L.V. Feltham:

The officers are working on the case that they will be working to similar levels to the current benefits. There will not necessarily be lots of rounding up going on. I am not sure where the Deputy gets the impression that there will be lots of rounding up compared to what we do already. The intention of this is to clarify and make this a much more efficient and effective process, and in time it will of course save on administration as well as stress for the people that are claiming this benefit as well.

The Bailiff:

Do you call for the appel?

Deputy L.V. Feltham:

Yes, Sir.

The Bailiff:

The appel has been called for. Members are invited to return to their seats and I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes I ask the Greffier to close the voting. I can announce that the principles have been adopted unanimously.

Pour: 42		Contre: 0		Abstained: 0
Connétable of St. Lawrence				
Connétable of St. Martin				
Connétable of St. John				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				

Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

Deputy Doublet, does your panel wish to scrutinise this matter?

Deputy L.M.C. Doublet (Health and Social Security Scrutiny Panel):

No, thank you, Sir.

The Bailiff:

Thank you, Deputy. Minister, how do you wish to propose the regulations in Second Reading?

12.2 Deputy L.V. Feltham:

En bloc please, Sir.

The Bailiff:

Thank you. Are the regulations seconded? **[Seconded]** Does anyone wish to speak on the regulations in Second Reading? Those in favour of adopting the regulations, kindly show. Thank you very much, the regulations are adopted in Second Reading. Minister, do you propose the matter in Third Reading?

12.3 Deputy L.V. Feltham:

Yes, Sir.

The Bailiff:

Are the regulations seconded in Third Reading? **[Seconded]** Does anyone wish to speak on the regulations as adopted in Third Reading? Those in favour of adopting the regulations, kindly show. The appel has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes I ask the Greffier to close the voting. I can announce that the regulations have been adopted unanimously in Third Reading.

Pour: 41		Contre: 0		Abstained: 0
Connétable of St. Lawrence				
Connétable of St. Martin				
Connétable of St. John				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				

Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

13. Draft Police (Complaints and Conduct) (Jersey) Amendment Regulations 202-(P.81/2025)

The Bailiff:

The next item is the Draft Police (Complaints and Conduct) Amendment Regulations, P.81, lodged by the Minister for Justice and Home Affairs. The main respondent is the chair of the Children, Education and Home Affairs Scrutiny Panel. I ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Police (Complaints and Conduct) (Jersey) Amendment Regulations 202-. The States make these Regulations under Article 4(6)(a) of the Data Protection (Jersey) Law 2018, Article 6(a) of the Freedom of Information (Jersey) Law 2011, Article 23(1) of the Police (Complaints and Conduct) (Jersey) Law 2022, and Articles 9 and 33 of the States of Jersey Police Force Law 2012.

13.1 Deputy M.R. Le Hegarat of St. Helier North (The Minister for Justice and Home Affairs):

I will shortly be bringing forward regulations in relation to police complaints processes for both the States and Honorary Police Forces. To support these changes the Draft Police (Complaints and Conduct) (Jersey) Amendment Regulations will remove outdated rules and amend various enactments as a consequence of the introduction of the Police (Complaints and Conduct) (Jersey) Law 2022. The regulations will set out clearer, fairer, and more open procedures in line with best practice across the British Isles. This will build public confidence and bring greater consistency across both the States of Jersey and Honorary Police. The changes include the repeal of the Police (Complaints and Discipline) (Jersey) Law 1999, together with the necessary update to the States of Jersey Police Force (Chief Officer and Deputy Chief Officer) (Jersey) Regulations 2017. They also provide for amendments to our Data Protection and Freedom of Information Laws, ensuring that transparency and accountability remain at the heart of the system. In addition there are a few minor but important updates to terminology and process, designed to ensure consistency and clarity throughout. The focus is on resolving issues early and proportionately with an emphasis on learning and development. Disciplinary decisions will be made fairly and objectively, recognising the unique role of police officers. Taken together, these measures represent a vital step to ensuring that our police complaints system is truly fit for purpose, fair, transparent, and trusted by the public it serves. I, therefore, commend these regulations to the Assembly.

The Bailiff:

Thank you, Minister. Are the principles seconded? **[Seconded]** Does anyone wish to speak on the principles.

13.1.1 Deputy C.D. Curtis of St. Helier Central:

The Children, Education and Home Affairs Panel has had several briefings and many discussions on the Draft Police (Complaints and Conduct) Amendment Regulations, in general and separately for the States Police Force and for the Honorary Police. There has been a huge amount of work that has gone into this and the panel appreciates the efforts made by the Minister and officers concerned, considering that a number of concerns were raised by stakeholders and the panel, and that all these concerns have been addressed. Therefore, the panel supports the implementation of the police complaints regulation.

13.1.2 Deputy Sir P.M. Bailhache of St. Clement:

I just have a question for the Minister, which is to ask why it has taken so long to bring these regulations to the States. The law in question was passed in 2022 and now here we are 3 years down the road and nothing has until now come to the States. Why is that?

The Bailiff:

Does anyone else wish to speak on the principles? Minister.

13.1.3 Deputy M.R. Le Hegarat:

I thank the Scrutiny chair and the panel for all of their work in relation to this. In relation to Deputy Bailhache's question; that is an interesting one and, yes, we all have to acknowledge this has taken significant time to bring this forward. I have lost count of the actual amount of drafts that have been through the system. It has been challenging for policy officers because this legislation has bounced backwards and forwards too many times, probably more than on a tennis court. What has subsequently happened is that there are now 2 pieces of legislation, one in relation to the States of Jersey Police and one in relation to the Honorary Police. Hopefully today will be the end of the journey. Thank you. My apologies, Sir, Regulations to the Assembly.

The Bailiff:

Those in favour kindly show. Thank you very much. The principles are adopted. Do you want to confirm, Deputy Catherine Curtis, that you do not wish to scrutinise this matter?

Deputy C.D. Curtis (Chair, Children, Education and Home Affairs Scrutiny Panel)

No, Sir.

The Bailiff:

Thank you very much. Minister, how do you propose the regulations?

13.2 Deputy M.R. Le Hegarat:

I would like to propose the regulations *en bloc* please.

The Bailiff:

Are the regulations seconded? **[Seconded]** Does any Member wish to speak on the regulations in Second Reading?

13.2.1 Deputy Sir P.M. Bailhache:

I have one question for the Minister which relates to Regulation 5 of the draft regulations. These regulations are the regulations which deal with disciplinary proceedings involving either the chief officer or the deputy chief officer of Police. If a complaint is made against either of those officers an investigating panel may be established, or indeed a tribunal. My question relates to paragraph 1 of Regulation 2A, limitation of civil liability. Paragraph (1) says: "This Regulation applies to (a) a person who is, or has been, a member of an investigating panel or tribunal; (b) a human resources professional who is assisting or has assisted an investigating panel or tribunal; and (c) a person who is advising, or has advised, a tribunal under Regulation 2(5)." Regulation 2(4) says: "The investigating panel or tribunal, as the case may be, may be assisted by a human resources professional for the purposes of exercising its functions." Paragraph (5) says: "A person, including a legal representative, may be appointed by the chairman of the Police Authority or by a person nominated by the chairman of the Police Authority to advise the tribunal with regard to the exercise of the tribunal's functions." I can understand why a person who is or has been a member of an investigating panel should not be liable in damages, and I am now looking at paragraph (2), should not be liable in damages for an act done in the discharge of the functions of an investigating panel or tribunal. What I am not so sure about is why a human resources professional, or a lawyer advising the panel or the

tribunal, should similarly not be liable in damages for any act done in the discharge of their functions. The consequence of that is that if a human resources professional or a lawyer advising the panel or the tribunal acts negligently, even grossly negligently, in the exercise of his functions, and causes damage to any person - for example the complainant - it will not be possible for the complainant to bring a civil action in damages for that negligence or gross negligence or breach of duty. As I say, I can understand why that exemption of liability should apply to a member of a panel. I cannot understand why it should apply to an external professional who is carrying out a job for which he is being paid to advise the panel. Such a person would almost invariably have professional indemnity insurance and I do not see why a person who is damaged by the negligence of such a person should not have any recourse in damages against him. It does not seem fair. Perhaps the Minister could give me an explanation.

The Bailiff:

Thank you, Deputy. Does anyone else wish to speak on the regulations in Second Reading? I call upon the Minister to reply.

[16:00]

13.2.2 Deputy M.R. Le Hegarat:

I think Deputy Bailhache's question is probably beyond my knowledge and understanding and I would, therefore, ask if the S.G. (Solicitor General) can assist me in this.

The Bailiff:

Solicitor General, can you assist the Minister in relation to these particular provisions?

Mr. M. Jowitt., H.M. Solicitor General:

I do not think I can, and Deputy Bailhache asked the question of the Minister, rightly, in my view. It is a policy question. I can see what the law says, and Deputy Bailhache has rightly summarised what the law says, but why it says that I am afraid I cannot assist.

Deputy M.R. Scott of St. Brelade:

Could I please ask the Solicitor General a question?

The Bailiff:

Yes.

Deputy M.R. Scott:

I was just wondering, in terms of the possibility of professional human resources person being engaged by this panel or indeed a lawyer would not their advice be protected anyway under confidentiality or privity of contracts? I am just trying to understand if there is that possibility of someone who is bringing a complaint having the right to sue an adviser to the panel itself.

The Bailiff:

Solicitor General, can you deal with that question?

The Solicitor General:

Ordinarily a client can sue their lawyer in negligence. I think that this is a different situation because the person who might be thinking of going against the lawyer would not be the lawyer's client but a person who is subject to an investigating panel, which may be why it is that the indemnity is there and is couched in terms that it does not apply where there has been bad faith. I think that might be the distinction.

The Bailiff:

Thank you. Yes, we need to move then to the vote. Is the appel called for? Members are invited to return to their seats. I invite the Greffier to open the voting on the regulations in Second Reading.

Deputy D.J. Warr of St. Helier South:

Sorry, Sir, I am confused now because we have not had an adequate answer to the question that Deputy Bailhache has put forward here so how are we ...

The Bailiff:

Sorry, you may have done. It is a political issue for you to determine whether you have an answer that satisfies you or not but the Minister has responded. The Attorney has given a view and you must vote on the material you have.

Deputy D.J. Warr:

I do not find that very satisfactory, Sir.

The Bailiff:

Well there is nothing ... we are due the vote. We are in the vote at the moment so I should not accept ...

Deputy Sir P.M. Bailhache:

Is it too late for me to move a reference?

The Bailiff:

It is at the moment, yes. We are in the course of the vote. If all Members have had the opportunity of casting their votes I will ask the Greffier to close the voting. I can announce that the regulations have been adopted in Second Reading.

Pour: 37		Contre: 2		Abstained: 6
Connétable of St. Helier		Deputy Sir P.M. Bailhache		Connétable of St. Lawrence
Connétable of St. Brelade		Deputy K.M. Wilson		Deputy L.M.C. Doublet
Connétable of Trinity				Deputy I. Gardiner
Connétable of St. Peter				Deputy K.L. Moore
Connétable of St. Martin				Deputy D.J. Warr
Connétable of St. John				Deputy M.B. Andrews
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy L.J. Farnham				
Deputy S.Y. Mézec				
Deputy T.A. Coles				

Deputy B.B. de S.V.M. Porée				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy L.K.F. Stephenson				

The Bailiff:

Minister, do you propose the Regulations as adopted in Third Reading?

13.3 Deputy M.R. Le Hegarat?

Yes, please, Sir.

The Bailiff:

Is the matter seconded in Third Reading? **[Seconded]**

Deputy Sir P.M. Bailhache:

Sir, it is not very satisfactory, I think, for the Minister not to answer a question which has been put by a Member in relation to regulations of this kind, and I would like to make a request to her, which is that she adjourns the Third Reading of these regulations until tomorrow or the next day in order that she can come back to the Assembly and give an answer to the question which was, in my view, legitimately raised.

The Bailiff:

Yes, dealing with your request for a reference back, Deputy, you cannot propose a reference back during a vote but I do believe that Standing Order 83 can be proposed at any time, including in Third Reading, so you could propose a reference back now in Third Reading if you were minded to do so.

Deputy Sir P.M. Bailhache:

I think, Sir, I would prefer to rest with my request to the Minister to adjourn the Third Reading until such time as she can answer the question.

The Bailiff:

Yes. Does anyone else wish to speak in Third Reading in relation to the regulations as adopted?

Deputy M.R. Scott:

Just following on my question of the Solicitor General, may I ask him another question?

The Bailiff:

Yes.

Deputy M.R. Scott:

When he responded to my question about the ability of a complainant to sue the adviser of the panel he suggested that this might be the reason that ... I think, and I just wanted to confirm the interpretation that the complainant does not have that right anyway and that might explain why the provision had been put in there. Perhaps he could just confirm that is the interpretation, so in a sense the wording was unnecessary and should not make any difference.

The Solicitor General:

No, it might make a difference because if, as it were, the action is brought against the panel or the tribunal or members of it they might be heard to say: "Well, we acted in good faith upon our legal representative's advice and therefore if you are going to sue us, the subject matter of the investigation, we will third party the lawyer and bring the lawyer into the action." So it is not beyond the bounds of possibility that a lawyer could be brought into an action by the subject matter of an investigating panel. But in terms of the relationship directly between the person investigated and the lawyer advising there is no privity of contract between the 2 of them, and it is doubtful in my view that there is a duty of care between lawyer and person under investigation, but by that roundabout, circuitous way I have described it, it could still be possible for the lawyer to be brought into the mix.

Deputy M.R. Scott:

So if I could just follow up on that, the legislation says that the complainant, and I think we are talking about the complainant, not the person under investigation, cannot ... the legislation says that they cannot bring an action against the panel members, so on this reasoning it could be the panel members, were they to be sued, would perhaps include an adviser, that would not happen, would it, because basically they cannot be sued anyway under this legislation?

The Solicitor General:

That may be a good point. Perhaps I should think about it further overnight but I do not immediately see the answer in light of what I have just had pointed out to me that that is quite right, a member of the investigating panel enjoys the same limitation of civil liability.

Deputy J. Renouf of St. Brelade:

Sir, could I ask a point of order?

The Bailiff:

Yes, please do.

Deputy J. Renouf:

Can you just clarify in relation to Deputy Bailhache's request, is it possible for the Minister to accept a postponement and what would be the procedure in terms of when it would be debated if it was postponed?

The Bailiff:

Well, there is no provision in Standing Orders to suspend the Third Reading. There is of course the possibility of proposing to move to the next item of business under Standing Order 85. I just want to consider one aspect of that with the Greffier before I respond to what you suggested. Minister, in relation to this proposal of Deputy Bailhache that we only complete the Third Reading tomorrow when you have had a chance to reflect upon the questions you have been asked, is that something you are amenable to or not? It is not specifically provided for in Standing Orders.

Deputy M.R. Le Hegarat:

Sir, I am absolutely amenable. The Deputy has asked me a question; I am unable to answer it. I am more than happy to be able to defer this until such time as I can.

The Bailiff:

Yes. Well, if Members are content to proceed in that way ...

Deputy M. Tadier of St. Brelade:

Sir, could I just ask, it seems to me that we have already started the Third Reading.

The Bailiff:

I follow. You are right.

Deputy M. Tadier:

Thank you. It seems to me that Deputy Bailhache is within his rights just to propose Article 83 of Standing Orders, to ask for a reference back and it could come back at this sitting, so I think that would be a way to get around any issues and the Minister could bring it back either even tomorrow morning or afternoon and that it could be debated with the relevant information that the Deputy is seeking.

The Bailiff:

Yes. I think in the circumstances, Deputy Tadier, it would be neater if the Members agree to simply suspend this debate and continue Third Reading tomorrow morning and ...

Deputy M. Tadier:

On what basis would we do that, Sir? It seems like a problematic precedent to set because we could then suspend any debate halfway through and just come back.

The Bailiff:

Well, I think it happened once before in a case, and I could be wrong about this, when I was Attorney General and I saw an error in the law and it needed to be adjourned for a correction to be made in Third Reading to another day. I could be wrong about that but that is my recollection. I do not want to set a precedent, as you say, but if the majority of Members are content with, in this unusual situation, continuing Third Reading tomorrow and suspending the debate now, and that is what is proposed, then I think it is appropriate to take a vote on that matter and continue it tomorrow morning. So is that the proposition that has been made? Do you propose that, Deputy Bailhache?

Deputy Sir P.M. Bailhache:

Are you asking me to make a proposition?

The Bailiff:

Well, someone has got to make one and it will not be me. [Laughter]

Deputy Sir P.M. Bailhache:

Well, certainly. I will if invited make the proposition that the matter be adjourned until tomorrow morning so that the Minister may give a response to the question.

The Bailiff:

Yes, so the proposal is that the debate in Third Reading be suspended and continued tomorrow morning. Do you second that, Minister? [Seconded]

Deputy M. Tadier:

Sir, can I just clarify? Obviously the normal rules of debate will apply so that there will be no second speeches but there may be points of clarification from the Minister if she speaks early on or first.

[16:15]

The Bailiff:

Absolutely, yes, Members will be able to continue speaking.

Deputy H.M. Miles of St. Brelade:

It is just to clarify that if this debate today is put off until tomorrow does that mean that P.82 and P.83 can also not be debated today because they are reliant on the outcome of P.81?

The Bailiff:

That is a matter for the Minister to deal with when we reach those matters. I do not know the answer to that question. So if Members are content we will move to ... do you wish to speak on this matter, Deputy Ward?

Deputy R.J. Ward of St. Helier Central:

I hate to be a pedant but we do have Standing Orders and it would be really good to know which Standing Order this is because if we look to the future and if we do not ... Sir, the rules are the rules and if we are not going to live by them; I am sorry but this Assembly has Standing Orders. It is a fundamental point of our democratic process. As soon as we lose those Standing Orders and we do not abide by them, if you do not like them change them, then we do not have a debating Chamber, in my humble opinion, Sir. There you go.

The Bailiff:

That is correct but under Standing Order 167: "The Bailiff shall decide any question of order or procedure not provided for in Standing Orders" and that appears to have arisen and both the proposer and indeed the mover of the proposition are content with this procedural solution to a difficulty that has arisen and accordingly I have ruled that it is a proper solution in the circumstances. Does anyone else wish to speak on this matter before we move to a vote?

Deputy M. Tadier:

Sir, can I ask a further point of order?

The Bailiff:

Yes.

Deputy M. Tadier:

Obviously everything you have said is entirely sensible.

The Bailiff:

That is good to know. [Laughter]

Deputy M. Tadier:

But I would question ...

The Bailiff:

You do not always say that to me.

Deputy M. Tadier:

But as a good lawyer, you know that there are always 2 sides that can equally be plausible, and often 3. It seems to me that this situation is provided for in Standing Orders and we have a scenario where

a States Member wishes to have further information from a Minister and time and time again we have heard many references back to seek new information and that allows the proposition to come back. I do not know if the problem here is that it says that the proposition needs to be brought back at a future meeting and whether the definition of future meeting means a future sitting or if it can include the current sitting, but it seems to me there is a legitimate mechanism that is tried and tested and Deputy Bailhache simply needs to ask the Minister to come back at a future meeting, as I said, which could be tomorrow rather than put us in a position where we can suspend now and in future any debate that we do not like and ask for it to come back at any future time. Is it to save face? I am not sure what is going on here, and that is what I am asking.

The Bailiff:

Well, I think the Minister can speak for herself but presumably the wish on both sides is that this matter can be resolved quickly and the Assembly can resume its business and resolve this matter and adopt these regulations or not as the case may be, but all Members who have expressed a wish to speak on this matter have done so, so is the appel called for, Deputy Bailhache?

Deputy Sir P.M. Bailhache:

May I just briefly sum up to my proposition?

The Bailiff:

Yes, you may.

Deputy Sir P.M. Bailhache:

The purpose of doing that is, firstly, to say to Deputy Tadier that I do not think a future meeting tomorrow is a future meeting, and that I would like to enable the Minister to deal with these matters during this meeting. Secondly, I wonder if I could ask during the adjournment for the Solicitor General to consider whether the provisions of the paragraphs at the moment would prevent the panel itself from bringing an action against its adviser for negligent advice. I move the proposition.

The Bailiff:

The appel, I presume, is called for, so the proposition, Members, is that we suspend any further debate on this matter in Third Reading and resume tomorrow when the Minister may give clarification in relation to the matter raised. I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes I ask the Greffier to close the voting. I can announce the proposition has been adopted.

Pour: 42		Contre: 1		Abstained: 2
Connétable of St. Helier		Deputy R.J. Ward		Deputy L.M.C. Doublet
Connétable of St. Lawrence				Deputy R.S. Kovacs
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				

Connétable of St. Saviour				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

The Bailiff:

Now, Minister, does it have any knock-on effect on P.82 or are we able to take P.82?

Deputy M.R. Le Hegarat:

Sir, my view would be that this is the initial part of the journey in relation to the other pieces of legislation so they would be better to follow in the way that they are already streamlined, so this law comes first, then there is the police one, then the Honorary Police one and then the final enabling law, so it is set out in a specific journey.

14. Draft Marriage and Civil Partnership (Dissolution and Separation) (Jersey) Law 202- (P.85/2025 (re-issue)).

The Bailiff:

All right. In that case, Minister, it is you again, if Members are content to proceed in this way with the Draft Marriage and Civil Partnership (Dissolution and Separation Law) (Jersey) Law and if Members are content to proceed in that way, then the next item is the Draft Marriage and Civil Partnership (Dissolution and Separation) (Jersey) Law lodged by the same Minister. The main respondent is the chair of the Children, Education and Home Affairs Scrutiny Panel and I ask the Greffier to read the citation.

The Deputy Greffier of the States:

The Draft Marriage and Civil Partnership (Dissolution and Separation) (Jersey) Law 202-. A law to empower the Royal Court to make orders dissolving marriages (formerly referred to as a decree of divorce) and orders dissolving civil partnerships, to make separation orders, and to make provision for incidental matters. The States, subject to the sanction of His Most Excellent Majesty in Council, have adopted the following law.

14.1 Deputy M.R. Le Hegarat of St. Helier North (The Minister for Justice and Home Affairs):

I am pleased to bring forward the Draft Marriage and Civil Partnership (Dissolution and Separation) (Jersey) Law which represents an important and overdue reform of our family law framework. The draft law modernises Jersey's approach to legally ending a marriage and a civil partnership by introducing a single unified legal framework for the dissolution of both of these institutions. It repels outdated legislation, the Matrimonial Causes (Jersey) Law 1949 and parts of the Civil Partnership (Jersey) Law 2012, and replaces fault-based divorce with a modern no-fault dissolution system. Marriage and civil partnership are built on commitment and hope but we know that not all relationships endure. When they break down the law should not make the process harder, more adversarial or more painful than it needs to be. Our current framework can do exactly that. It forces couples into a system that often amplifies conflict and prolongs distress. The draft law introduces no-fault dissolution, removes unnecessary barriers to legally ending a marriage or civil partnership and creates a system that is fair and focused on reducing conflict. It is about dignity, kindness and aligning Jersey with the best practice seen in other jurisdictions. Why reform is needed. Jersey's current divorce law dates back to 1949 and although some amendments have been made, it is a product of its time. It forces couples to assign blame such as adultery or unreasonable behaviour or to endure years of separation before they can move on with their lives. Jersey's Civil Partnership (Jersey) Law mirrors most of these provisions for ending a civil partnership. Furthermore, couples are, except in extremely limited circumstances, prohibited from seeking a divorce or dissolution within the first 3 years of their union. Imagine 2 people who have simply grown apart. They agree their relationship has ended yet under the current law they must wait at least 3 years before they can instigate divorce proceedings and the need to accuse the other of wrongdoing or endure a further period of separation. That is not just. It is a system that fosters bitterness where there could be understanding. This draft legislation aims to address these issues by introducing several key reforms which align in principle with those approved by this Assembly in P.77/2015. The reforms include no-fault dissolution. Couples will be able to apply for dissolution without assigning blame. Applicants will simply declare that they no longer wish to remain in their marriage or civil partnership with no requirement to reasons. Immediate access applications for dissolution can be made at any time after the marriage or civil partnership begins removing the need for years of waiting in limbo. Removal of the ability to contest. An application for dissolution can no longer be contested when a relationship has ended. The law should not trap people in it or allow one party to prolong the process. Alternative disputes resolution. The court will have the power to refer couples to services that help resolve practical issues such as childcare and finances and in some cases to explore reconciliation before or during litigation. While the process of ending a marriage or civil partnership is being simplified, matters involving children and finances often remain complex. To reduce conflict and avoid unnecessary court time the court and legal practitioners will continue to encourage the use of alternative dispute resolution wherever possible. Standard terminology. The draft law recognises

that Jersey's legislation no longer distinguishes between marriage and civil partnership. Separate legislation and terminology for dissolving these relationships is therefore unnecessary. Both are now addressed within a single legal framework using the term "dissolution" to describe the legal ending of a marriage or civil partnership. The law retains the existing 2-stage process but updates the terminology to conditional order and final order, replacing decree nisi and decree absolute. This change applies to both marriage and civil partnership promoting equality and clarity. Future proofing. The law anticipates future reforms, including pension sharing, ensuring that Jersey's framework remains modern, fair and adaptable. Naturally in everyday language I expect the people will continue to use the term "divorce" when referring to the end of a marriage, and this remains entirely appropriate. I am pleased that this draft law further supports the work of the Violence Against Women and Girls Taskforce. It removes the requirement for applicants to disclose their reasons for seeking a dissolution and eliminates the ability to contest an application potentially preventing an abusive partner from prolonging proceedings and causing additional trauma. Furthermore, the court is given discretion to shorten the waiting period before a dissolution is finalised in appropriate cases, particularly where there is a need to protect and support vulnerable individuals. I know some Members may have concerns, and I want to address these directly. Firstly, does this legislation make divorce too easy? The answer to that is no. Ending a marriage or civil partnership is never easy. It is a profound decision. This draft law does not change that. What it does change is the unnecessary cruelty of forcing people to assign blame and wait years before they can move on. While the process of ending a marriage or civil partnership is being simplified, issues relating to finances and children will still need to be resolved. These are often the most complex and time-consuming parts of the process. Secondly, what about the sanctity of marriage? The sanctity of marriage is upheld by choices people make, not by legal obstacles. A law that traps people in unhappy relationships does not protect marriage or its values. It undermines them. Thirdly, will this harm children? Quite the opposite. By reducing conflict, encouraging the use of alternative dispute resolution and removing blame this law aims to protect children from the worst effects of separation. The draft law has been developed following a public consultation and engagement with legal professionals and family law practitioners. Similar reforms were introduced in England and Wales from 2022 while Guernsey has also recently implemented comparable reforms. Jersey should not lag behind. Our law must reflect the realities of modern relationships and uphold the principles of fairness and dignity.

[16:30]

If adopted this law will require updates to court procedures and guidance for practitioners before it can commence. We will also need to ensure that public information is made available so that couples understand their rights and responsibilities. I have also asked officers to continue the work on regulations that will enable pensions to be shared when a marriage or civil partnership is dissolved. This is only right and fair. This law is about modernising our law, but more than that it is about modernising an approach to human relationships. It is about reducing harm, promoting dignity and protecting children. This draft law meets that purpose. I propose the principles of the Draft Marriage and Civil Partnership (Dissolution and Separation) (Jersey) Law to the Assembly and urge Members to support it.

The Bailiff:

Thank you, Minister. Are the principles seconded? **[Seconded]**

14.1.1 Deputy A. Howell of St. John, St. Lawrence and Trinity:

I would just like to thank the Minister for bringing this legislation forward. Individuals have been placed in very difficult situations and they have come to me to express that, and I have asked the Minister before this date, please can she bring it forward and I would just like to commend it?

14.1.2 Deputy C.D. Curtis of St. Helier Central:

While the Children, Education and Home Affairs Scrutiny Panel supports this law and wishes to see no-fault divorce in place as soon as possible, just a few days ago after we had published our supportive comments we received notification from one of the legal bodies consulted in respect of this law and they asked for more time to consider and collate comments on the latest draft of the law. They raised specific concerns about various Articles and provisions and, having discussed this with the Minister and the panel members, we will have to take some time to consider the concerns raised. Therefore, while supporting the principles, the panel will have no option but to call this in.

14.1.3 Deputy Sir P.M. Bailhache of St. Clement:

I rise only really to congratulate the Minister on bringing forward a piece of legislation which is long overdue and which ought to be welcomed by all civilised people. Many judges will have experienced during their careers the unhappy prospect of a contested divorce between 2 people who seek only to destroy each other. Defended divorces really ought to be a thing of the past. I, for my part, am very supportive of what the Minister is doing under this law. I just would add one other point on the question of pensions, because I do not think that Members should be under the impression that courts cannot deal with issues arising from pensions. It is true that it is not possible to make orders dividing up a pension between different people but pensions are assets and assets are regularly taken into account by courts when they deal with the division of assets between a husband and wife, or now I suppose between civil partners. I am very supportive of the Bill.

14.1.4 Deputy L.M.C. Doublet of St. Saviour:

I understand that the panel is calling this in, so I will keep it brief. I want to thank the Minister for continuing the work on this and for bringing it forward. It is a huge step forward for fairness across the board for anybody who needs to seek a divorce or dissolution of a civil partnership. I want to mention how this is in the best interests of children to have a no-fault divorce process, because the evidence shows that minimal conflict between parents after separation is correlated with better outcomes for children. I think that this will help towards that. It will also help hugely towards gender equality, because I think what we can note from the V.A.W.G (Violence Against Women and Girls) report is that post-separation abuse is a problem not just in Jersey but beyond. Other jurisdictions have dealt with this and helped to minimise the instances of post-separation divorce, which is often facilitated by the use of legal processes. Many of these issues will be helped by the introduction of this new legislation. I hope that it can be progressed as quickly as possible.

The Bailiff:

Does any other Member wish to speak on the principles? Minister.

14.1.5 Deputy M.R. Le Hegarat:

I was made aware fairly late that somebody had gone to the panel in relation to some concerns. This legislation has been consulted on widely. There have been a number of matters discussed throughout 2025, but fully accepting that somebody has come and raised a couple of concerns. But I wanted to ensure that the First Reading of this law came to the Assembly, at this time, mostly due to the fact that we obviously are going to be going into the Budget in the next sitting and there is a lot of law on the table coming into 2026. So I felt that the most sensible thing to do was to get the principles accepted by this Assembly, and I thank the contribution from both Deputy Doublet, which I 110 per cent agree with in relation to the protection and welfare of children, and that of Deputy Bailhache. It is important that we move forward and modernise this type of legislation.

The Bailiff:

Thank you, Minister. Is the appel called for?

Deputy M.R. Le Hegaret:

Yes, Sir.

The Bailiff:

The appel has been called for. Members are invited to return to their seats and I ask the Greffier to open the voting on the principles. If all Members have the opportunity of casting their votes, I ask the Greffier to close the voting. I now announce that, on the principles that have been adopted unanimously.

Pour: 46		Contre: 0		Abstained: 0
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				

Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

Now, Deputy Catherine Curtis, I understand you want to scrutinise this matter?

Deputy C.D. Curtis (Chair, Children, Education and Home Affairs Scrutiny Panel):

Yes, Sir.

The Bailiff:

When do you want it to come back?

Deputy C.D. Curtis:

I would suggest 3rd February sitting to allow enough time.

The Bailiff:

Yes, 3rd February. Thank you very much.

15. Draft Trade Marks (Jersey) Law 202- (P.86/2025).

The Bailiff:

The next matter is the Trade Marks (Jersey) Law, lodged by the Minister for External Relations. The main respondent is the chair of the Economic and International Affairs Scrutiny Panel. I ask the Greffier to read the citation?

Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:

Sir, before that happens, I would just like to apologise but I have to leave the Assembly early because there is a G.C.S.E. (General Certificate of Secondary Education) options evening and it is very important that I attend.

The Bailiff:

Thank you very much, Deputy. The Greffier will read the citation.

The Deputy Greffier of the States:

Draft Trade Marks (Jersey) Law 202-. A law to make provision for registered trade marks, to give effect to the Protocol relating to the Madrid Agreement Concerning the International Registration of Marks, adopted at Madrid on 27th June 1989, and to certain provisions of the Paris Convention for the Protection of Industrial Property of 20th March 1883, as revised and amended, and for connected purposes. The States, subject to the sanction of His Most Excellent Majesty in Council, have adopted the following law.

15.1 Deputy M.R. Scott of St. Brelade (Assistant Minister for External Relations - rapporteur):

Today I am requesting Members to adopt the Draft Trade Marks (Jersey) Law 202-. If adopted, it will mark a turning point in Jersey's approach to trade mark application and registration. It also will deliver an important priority of the Common Strategic Policy to support the Island's economic well-being by reducing red tape, enhancing opportunities for businesses and strengthening Jersey's international reputation. This Assembly acknowledged the importance of updating the Island's intellectual property legislation and registry infrastructure last year when it adopted the Draft Patents Law and Registered Designs Law (Jersey) (Amendment) Regulations 202-. At the time, I informed the Assembly a substantial amount of draft intellectual property legislation would be brought before

the end of this term. The Draft Trade Marks (Jersey) Law is the largest and most technical piece of draft legislation in this programme because it completely overhauls Jersey's existing approach to trade mark application and protection. I would like to thank the Members and officers of the Economic and International Affairs Scrutiny Panel - I notice the chair is yawning already - for their helpful comments on and support for the draft law, notwithstanding its heftiness. We encounter trade marks daily, for example when we see the words Marks & Spencer in King Street. However, a trade mark can also be an image, such as an apple silhouette with a bite taken out of it. It can be a colour or a shape, such as the precise shade of purple used on certain chocolate packaging, or the form of the bottle of a well-known American soft drink. It can even be a sound, such as the instantly recognisable Intel bong, the 5-note melody that plays when we switch on our computers. Trade marks play an important role in brand recognition. In an economy increasingly driven by innovation, trade marks and intellectual property rights, more generally, are key drivers for economic growth. A registered trade mark gives the owner exclusive rights to protect their product against imitation. Their importance has increased dramatically with the expansion of global markets online. It is therefore essential that Jersey keeps its intellectual property legislation up to date and fit for purpose. This is not just my view and the Government's view, respondents in 2 rounds of public consultation all agreed the need to modernise Jersey's framework for trade mark registration and protection. This was identified as a much-needed step forward to improve Jersey's business environment both for local and foreign businesses and to help promote the Island as an international business and financial centre. The work also aligns with the recommendations of the Jersey Innovation Review that was conducted by the eminent economist Tera Allas 10 years ago. Among other things, she recommended that Government should engage with industry to identify any constraints to innovation resulting from the existing system of intellectual property protection and take measures to address any outstanding issues. The draft law plays an important role in overcoming these constraints. It has 2 main objectives. One, it introduces a system of trade mark application and registration that works for local people and businesses and makes obtaining trade mark protection in the Island more accessible, particularly for small businesses that primarily trade within Jersey. Two, it enables Jersey to seek participation in the protocol relating to the Madrid Agreement concerning the international registration of marks, making Jersey a more attractive place to do business and helping to deliver wider economic benefits and opportunities for the Island. Let me expand on these. The draft law seeks to establish a primary trade mark registry. As Members may recall, Jersey currently has a so-called secondary system of trade mark registration under the Trade Marks (Jersey) Law 2000, which this draft law would replace. The 2000 law provides for re-registration in a Jersey sub-register, currently held by the Judicial Greffier, of trade marks first registered in the U.K. This requirement can be cumbersome and costly for local businesses. Stakeholders see it as a significant obstacle to seeking and obtaining trade mark protection in the Island. To explain the obstacle in a little more detail, imagine being the owner of a new start-up in Jersey. In order to establish and protect your brand, you could reasonably wish your business name or logo to be registered as a trade mark in Jersey. However, to do this, you would first need to go to the U.K. Intellectual Property Office to register your trade mark in the U.K., irrespective of whether you plan to trade in the U.K. at any time, adding unnecessary cost and red tape to your trading costs.

[16:45]

This draft law, if adopted by Members, will replace Jersey's current system of secondary trade mark registration with a modern and familiar system of primary trade mark registration. This will enable an application for trade mark registration to be made directly with Jersey's new Intellectual Property Office without the need for a prior U.K. registration, reducing the administration burden and costs for local businesses and making Jersey a more attractive place in which to do business. The introduction of a system of primary registration also affirms Jersey's constitutional independence and autonomy as a jurisdiction separate from the U.K. with its own intellectual property laws and registry. The second objective is to enable Jersey's participation in a well-known international trade mark

registration system that would further reduce red tape while demonstrating the Island's longstanding commitment to the development and implementation of international standards. This would help the Island demonstrate that it is a jurisdiction that takes I.P. (intellectual property) rights seriously. Members may know there are numerous international treaties that deal with various types of intellectual property, creating consistent standards and co-operation among members globally to protect and help enforce intellectual property rights across borders. One such treaty is the Madrid Protocol, which currently covers 131 countries. Its principal purpose is to simplify the registration process of trade marks in participating countries. The Madrid system is overseen by the World Intellectual Property Organisation. By filing a single application through it, paying a single set of fees, trade mark protection can be obtained in some or all of the jurisdictions that are party to the agreement. This replaces the need to file separate applications in each of the countries where protection is sought. The Madrid Protocol therefore offers a convenient and cost-effective one-stop-shop solution for registering and managing trade marks globally. Participation therefore can benefit local businesses looking to establish and protect their brand abroad and create a more attractive environment in Jersey for inward investment in innovative projects. During the consultation phase stakeholders widely acknowledged joining the Madrid Protocol as a key aspect of trade mark modernisation with some stakeholders describing it as an absolute must. By introducing a system of primary trade mark registration, the draft law enables Jersey to be recognised as a distinct jurisdiction by the World Intellectual Property Organisation, allowing Jersey to seek inclusion in this important international trade mark treaty. If Members adopt this proposition, I will work with the Minister for External Relations to set in train the process for Jersey to join the Madrid Protocol. In addition to the Madrid Protocol, the draft law also puts the foundations in place for Jersey to seek extension of the Nice Agreement. This international agreement provides a consistent international approach to the classification of goods and services for the purposes of trade mark registration. Before I wrap up this speech, I believe it worth bringing 2 related matters to members' attention. First, I have mentioned the current administration of Jersey's trade mark re-registration system by the Judicial Greffe, with the Judicial Greffier being the registrar to whom an application for registration must be made. The sub-registration system simply requires the Judicial Greffier to check a few formalities. However, the introduction of a system of primary trade mark registration will result in a substantially expanded role for the registrar, in particular a requirement to conduct a substantive examination of each application under the draft law. This is not within the resources of the Judicial Greffier. There also are reasons why a registrar who is independent from the court structure would be more desirable for the role of an intellectual property registrar going forward. I therefore have lodged the Draft Registrar for Intellectual Property (Jersey) Law for Members consideration and thank them for agreeing to it being debated following the debate of this law. Its purpose is to re-establish the office of the registrar on Jersey's I.P. register under the umbrella of Jersey's Independent Financial Services Commission, which already holds and maintains various other registers in Jersey. The 2 pieces of legislation go hand in hand. I also wish to reassure Members that the rights of existing trade mark owners will not be prejudiced if this draft law is adopted. To ensure they remain in full force and effect, the draft law contains a bespoke and comprehensive set of transitional provisions, including the transfer of local rights onto the new Intellectual Property Register. Other than that, the draft law is broadly modelled on the internationally highly regarded and well understood U.K. Trade Marks Act 1994, suitably tailored to ensure it is appropriate for Jersey and its economy. In closing my speech, I wish to emphasise that the draft law and modernised intellectual property protection more generally fully align with the ambitions in Jersey's Future Economy Programme to support the right conditions for sustainable economic growth. If we are serious about Jersey becoming a technologically advanced and high-performing small Island economy by 2040, it is critical that we invest in our intellectual property legislation and registry infrastructure, and acknowledge intellectual property protection as a cornerstone of innovation. In conclusion, the proposals in this draft law have been extensively consulted on and have received wide support. They deliver on the States Assembly's commitment to reduce red tape, enhance opportunities for business and strengthen

Jersey's international reputation. They help create the right conditions for entrepreneurial activity and dynamic businesses to grow and improve productivity in the economy. This ultimately makes our Island a more attractive place in which to live, work, invest and thrive. I therefore commend this draft law to Members and hope they give this proposition their full support. I move the principles of this draft law.

The Bailiff:

Thank you, Assistant Minister. Are the principles seconded? **[Seconded]** Does any Member wish to speak on the principles?

15.1.1 Deputy K.F. Morel of St. John, St. Lawrence and Trinity:

I just want to thank the Assistant Minister for External Relations, Deputy Scott, for lodging this law and for working on this law over the past couple of years. There is no doubt I wholeheartedly agree with the summary in her speech about the importance of this to Jersey's economic development, and it may strike many Members as surprising that Jersey does not have its own primary trade mark registry and to date we have had to be working through the U.K. registry. This in itself will give companies, particularly internationally-focused companies, confidence to bring their business here and know that they can operate in this domain with the full authority of any other prime registry. As well as that, there is ... and I know many local Jersey businesses do trade mark their own aspects of their business, and to be able to do so again locally without having to go to the U.K. in order to register a trade mark, which you only ever intend on using in Jersey, makes a lot of sense for all Island businesses. So I do urge Members to support this law because it is a really important step in that development of our economy.

15.1.2 Deputy M. Tadier of St. Brelade:

I just want to rise, first of all, to thank the Minister, and Assistant Minister in particular, for proposing this. It is something which the Department has engaged with my panel on for a number of months now. Our panel has reviewed this. We had briefings on 10th April 2024, so not this year but last year, and on 5th November more recently, but we also did question the Minister and Assistant Minister in hearings in April 2024 and then, more recently, in September this year. It has been something that has been worked on for quite a while. The draft law, as we understand it, replaces the current re-registration system with a primary trade mark registration system so this would allow modernisation to allow holders of rights to register directly in Jersey rather than needing to go through the U.K. The draft law is based on the U.K. Trade Marks Act 1994 and aligns Jersey with global standards, and inclusion will simplify international registration for local businesses. We understand it will attract potentially foreign registrations and allow Jersey to receive a share of these fees when selected under the Madrid Protocol. We did ask the Assistant Minister, in particular, whether she thought this might be a revenue stream for Jersey and I think the answer was yes. It may be something that she wishes to add to in her summing up if she feels able to give an indication of how the fees in future will be allocated, what percentages will be allocated to Jersey, how they will be recouped and how that compares to the current system? Something did pique my interest in the comments of the Assistant Minister just now when she said that there were other good reasons why we might wish to move away from using the Judicial Greffe as the registry and there might be good reasons why you do not want the court doing that. Maybe she could elaborate for ourselves and other Members in that because there may be a school of thought, both in this Assembly and more widely, that if the system is not broke, why fix it? Of course that is not the position that we would take as a panel. We understand that an online system in a globalised world where countries can select all of the jurisdictions in which they wish to have their trade marks registered is both very practical and also necessary. I was wondering whether she would also speak to the point that companies when currently they register in the U.K. up until now will be automatically registered in Jersey. Is she anticipating that those companies, those trade marks, those holders of trade marks, as they need to renew their

U.K. registries in future, does she anticipate that there will be sufficient awareness from those trade mark holders to know about the new system, given that they could be re-registering very soon, or it may be in many numbers of years? Does she believe that Jersey will always feature as a tick box for those who are re-registering their brands in bigger countries? How can we ensure that they will automatically be ticking the box for Jersey and making sure that Jersey gets its share of any revenue in that respect.

15.1.3 Deputy K.M. Wilson of St. Clement:

I echo as a member of the E.I.A. (Economic and International Affairs) Panel what the chair has just said, but I would just like to highlight some further assurances perhaps maybe that the Assistant Minister might address in her summing up. That really is whether or not this might usefully put Jersey's pathway to the C.P.T.P.P. (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) on a firmer footing and if she would be happy to give some consideration as to the timeline that she has in mind if so? The other thing is around what assurances she can give us in relation to fees for registration and renewal, that they will be proportionate and will not deter small businesses, and to make sure that the I.P. system secures the necessary expertise within the registry to make sure that application is as easy, suitable and fit for purpose? I think the other thing is to just ask the Assistant Minister whether or not, if there is any future divergence - whether political or regulatory - that the system will be geared up for that, particularly in the context of development of artificial intelligence, branding, digital assets and cross-platform digital products which will all be areas that will eventually come under the trade mark platform? Quite a lot there and, as she has already said, this is quite a detailed complex piece of legislation but if she could address those principles or those issues and assurances that would be helpful as part of the principles.

The Bailiff:

Does anyone else wish to speak on the principles? Assistant Minister.

15.1.4 Deputy M.R. Scott:

I thank Members for their contributions and comments on the proposition. In particular, I would like to thank the Minister for Sustainable Economic Development and the members of the Economic and International Affairs Panel for their support.

[17:00]

Moving on to some of the questions that have been asked during the last few minutes, how fees are allocated and recouped. There are different levels, so there are those that are actually charged by the Commission for handling the applications generally, and that is a matter for them, but the law requires ... well, the registrar's law that I have yet to bring, will require them to consult with the Minister for Sustainable Economic Development. But then there is another aspect to this law, which is the participation in the Madrid Protocol. Basically that is participation in almost like a joint registry arrangement. The way in which fees get allocated is very much to do with the origin of the application. I actually was provided with a copy of the Madrid Protocol review, the annual review, and I will refer to that when responding to Deputy Tadier's question. No, I will do that now. Basically it is quite interesting because ... again, I am afraid the fee bit comes into 2 kind of questions in terms of how many applications people are actually getting when somebody makes an application. On the international system they get a load of boxes, which jurisdictions do you want this trade mark to be protected in, and Jersey can simply get fee income as a result of somebody ticking that box. It has actually been quite profitable for Guernsey who already has been doing this. I think last year it was about £90,000 just by virtue of people ticking these boxes. Then in terms of participation in the treaty generally, in terms of any contributions people themselves have to make, again that really looks at where the origin of the application comes, and that is relatively minor. So, unfortunately, Guernsey does not have many people bringing in new trade marks to be internationally recognised and it would

be great if Jersey did, because that would be the sign of a very ambitious and successful business. I hope that we do have more of those. Deputy Tadier, the chair of the Economic and International Affairs Panel, also asked me to expand a bit on the good reasons why the registry might at this stage move away from the administration of the Judicial Greffier. Again, it was something I was going to expand on in the next law. I think at this point I should say that the work of the Judicial Greffier, there has been no criticism of it, it has been historic, but actually constitutionally there are some concerns about having the ... given that intellectual property rights may be challenged in court, there is a bit of a conflict there about having the Judicial Greffier administer this register as well. So having an independent registrar ... and it is contemplated that this will be the same registrar as the Registrar of Companies with a lot of experience. A new software system will need to be operated and indeed purchased. That has been looked into and is covered under the allocation in the previous Budget. The companies registered in U.K. automatically registered ... yes, sorry, so there are 2 ways in which trade marks in the U.K. might actually extend to Jersey. One is that they are registered with the U.K.'s Intellectual Property Office in the first place and not under the Madrid treaty. They would need to be registered in the sub-register in Jersey to have effect. The other, and it is the transitional provisions, will transfer those over. Then you have the possibility that people have ticked these boxes under the Madrid Protocol to have their trade mark protected in the U.K. At the moment, because of the arrangements that we have, these have effects without registration, which is not ideal. At the moment what we contemplate, having spoken with the World Intellectual Property Office, is actually that those will nevertheless be transferred under the transitional provisions and, in fact, perhaps can even be registered here so that people can actually see them, rather than have to go to the U.K. Then Deputy Wilson asked about the ... and I never am good with this acronym, but basically we are talking about the transatlantic treaty. That is something that is in the hands of the Minister for External Relations at the moment. The whole process of which treaty extensions will be debated by the States is currently being looked at in furtherance of the proposition that the consent on the ratification of the States Assembly should be obtained in certain circumstances, in certain ways. I believe that is also being discussed with Deputy Bailhache. So there is a process. Fee setting, I have mentioned; I have gone through. And the I.T. system. Then there was this rather interesting question about future divergence in terms of the development of A.I. (artificial intelligence). I should have perhaps asked the Deputy a bit more to expand on what her perception of divergence is in the context of intellectual property, because copyright and trade marks and these things we are talking about are trade marks in terms of brand recognition. Things like patents and registered designs, which are things that I tend to associate more with the operations of artificial intelligence, will still be dealt with in this sub-register. There still are rights that people can actually register, and the whole process of registering patents and registered designs is a lot more complicated and would take a lot of resourcing on our part, which is why we are going to continue with sub-registers for the time being. I thank Members for all their contributions. I also wish to thank the Government officers who have worked on the draft law, as well as reiterating my thanks to the Economic and International Affairs Panel for their support, not only for the draft law and subsequent treaty extension, but also for the wider I.P. modernisation programme. With that, I ask the Assembly to support the principles.

The Bailiff:

Is the appel called for?

Deputy M.R. Scott:

I call for the appel.

The Bailiff:

The appel has been called for. Members are invited to return to their seats and I ask the Greffier to open the voting. If all Members have the chance to cast their votes, I ask the Greffier to close the voting. The principles have been adopted unanimously.

Pour: 41		Contre: 0		Abstained: 0
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
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Connétable of St. Mary				
Connétable of St. Saviour				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
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Deputy R.E. Binet				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

Deputy Tadier, can you confirm that your panel do not wish to scrutinise the matter?

Deputy M. Tadier (Chair, Economic and International Affairs Scrutiny Panel):

Thank you, we have done the scrutiny already.

The Bailiff:

Thank you very much. Assistant Minister, how do you propose the articles in Second Reading?

15.2 Deputy M.R. Scott:

En bloc, please.

The Bailiff:

Do you want to speak to the Articles?

Deputy M.R. Scott:

Just to say that the draft law is broadly modelled on the U.K. Trade Marks Act, which is internationally highly regarded. It is also a very technical piece of legislation so the Articles do depend on each other and so very much need to be looked at all together. I would appreciate the support for the stage 2.

The Bailiff:

Are the Articles seconded? **[Seconded]** Thank you. Does any Member wish to speak on the Articles in Second Reading? Those in favour, kindly show. Thank you very much. The Articles are adopted in Second Reading. Assistant Minister, do you propose the matter in Third Reading.

15.3 Deputy M.R. Scott:

Yes, I do.

The Bailiff:

Are the Articles as adopted seconded in Third Reading? **[Seconded]** Does any Member wish to speak on the Articles as adopted in Third Reading? Those in favour kindly show. The appel has been called for. Members are asked to return to their seats and the Greffier is asked to open the voting. If all Members have the opportunity of casting their votes, I ask the Greffier to close the voting. The law has been adopted unanimously.

Pour: 43		Contre: 0		Abstained: 0
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
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Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy K.F. Morel				

Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
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Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy B.B. de S.V.M. Porée				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
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Deputy R.E. Binet				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

16. Draft Registrar of Intellectual Property (Jersey) Law 202- (P.98/2025)

The Bailiff:

The next item is the Draft Registrar of Intellectual Property (Jersey) Law, lodged by the Minister for External Relations. The main respondent is the chair of the Economic and International Affairs Panel. I ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Registrar of Intellectual Property (Jersey) Law 202-. A law to provide for the appointment of the Registrar of Intellectual Property and the establishment of the Jersey Intellectual Property Register. The States, subject to the sanction of His Most Excellent Majesty in Council, have adopted the following law.

16.1 Deputy M.R. Scott of St. Brelade (Assistant Minister for External Relations - rapporteur):

As earlier mentioned, the law's primary purpose is to establish a new Registry of Intellectual Property Rights and the Office of Registrar of Intellectual Property Rights for Jersey. Its main purpose would be to maintain not just the new primary system of trade mark registration that has just been approved by the States Assembly in the form of P.86, but also Jersey's modernised and Registered Designs Registry. In doing so, the law will create the institutional legal background for a modern I.P. regime that is appropriate for a small Island jurisdiction such as Jersey. So, as previously mentioned, we currently have these sub-registers. The Register of Rights have been maintained at the Judicial Greffe. The Judicial Greffier has acted as the registrar to whom an application for I.P. registration must be made. If adopted, the draft law will relocate Jersey's I.P. Registry to the Jersey Financial Services Commission. I would like to place on record my thanks to the Judicial Greffe, which has capably managed and maintained Jersey's current intellectual property registers since the middle of the last century. As I mentioned, this is not an ideal arrangement constitutionally owing to the role of the Judicial Greffier in the Island's judicial system. Having the Judicial Greffe perform the executive function for administering the intellectual property registry blurs the line between judicial and executive roles. If disputes arise about the Judicial Greffier's registration decisions, appeals may go to the Royal Court, the same institution that is served by the Greffier. This evidently will become a non-issue if the draft law is adopted and the I.P. registry is placed under the administration of the Jersey Financial Services Commission. There is a much higher level of technical administrative work arising from the operation of a primary register of trade marks which is not within the resources of the Judicial Greffier, but I do wish to advise Members that the Judicial Greffier has been engaged throughout the drafting process and has expressed her full support for the proposals set out in the draft law.

[17:15]

The proposal has been taken with regard to the Commission's status as an independent body, which already holds and maintains various other registers in Jersey, and of course there has been extensive consultation with the Commission and its proposed appointed registrar. I am also grateful for their full support for this important piece of draft legislation. I have got a load of words here about how it helps efficiency and credibility, but we are getting to the point of the day where I know everybody is fed up of hearing me talking, and were probably about 10 minutes ago. As I answered in the context of the previous law, this explains why it is so good to do both at the same time, that basically having this registry it is anticipated that it will in time generate income for the Island. A couple of other details I have already mentioned, it provides for the Minister to be consulted by the Commission with respective fees and also the law contains a broad order-making power for the Minister to regulate practice and procedure under the law and provides that anyone will have the right to inspect the new register and this creates transparency, legal certainty and helps businesses avoid conflicts of existing rights before applying for registration or trade mark. So, without much more ado, I just hope that Members will support this proposition, I move the principles of this draft law and call for the appel.

The Bailiff:

Let us do that after we have had a debate on the principles. **(Laughter)**

Deputy M.R. Scott:

Sorry, I forgot that. I hope the chair of the Economic and International Affairs Panel will forgive me.

The Bailiff:

Are the principles seconded? **[Seconded]** Does any Member wish to speak on the principles?

16.1.1 Deputy M. Tadier of St. Brelade:

I suppose I had better speak. I would be quite happy to go to the vote, I think. The Assistant Minister is quite right, it does make eminent sense to take these 2 pieces together. They do go hand-in-hand. I would just like to add that, of course, our scrutiny, similarly to the last proposal that was brought just a few moments ago, was scrutinised by our panel probably on similar occasions actually, to the ones I mentioned previously. We do understand that the draft law establishes a new Intellectual Property Register and the Office of the Register of I.P. Rights, so intellectual property. This is necessary because of the move to a primary trade mark registration system, which will significantly increase workload, which we have been told would make it impractical for the Judicial Greffe to continue managing that register. Obviously, the Assistant Minister has also given other reasons why it is desirable on top of that, to perhaps move away from using the Judicial Greffe for the registry. The proposed structure does align with international standards and introduces a more digital, sophisticated offering under the J.F.S.C. (Jersey Financial Services Commission). We have issued comments, as we did for the last paper, because they are quite brief. I am just going to read part of it, because I think part of what might be interesting for Members is the question around how the new registry works and the new system, and particularly the fees that might be charged and accrued from that. The panel was advised that fees for applications and registrations would be set by the J.F.S.C. after consultation with the Minister and that the aim of the fee or income would hopefully be, first of all, to offset the costs of the draft law that it mentions and that any funds will only be provided as a needed basis. During one of our hearings earlier on in 2024, the Head of Competition and Intellectual Property said to us: "Currently revenue generated through the register is very low, however if we look at a comparable jurisdiction across the world, or comparable jurisdictions, that have made these changes, including Guernsey ..." Are we still allowed to mention Guernsey, I will just check; I am not sure these days. "Their registry has now been able to generate a significant level of revenue. We are not saying that will be available in Jersey from day one, but there is certainly potential to generate revenue that would offset part of the running costs. But that is more of a medium to long-term ambition." Our panel was advised that if there is any surplus income that this would be paid to the Treasury of the States. With regards to resource implications, we understand that should the draft law be adopted there will be no additional resource implications. We were also told that the Government Plan that was approved by the States Assembly had an amount of £300,000 going forward. I quote: "But we are looking to spend in the region of £240,000 on this project." I suppose it is also worth observing that there is a question of whether or not in future this will generate income or if there is any surplus income generated will there be conversations about Government perhaps reducing any support that it might give to J.F.S.C.? I am not sure what levels they receive at the moment, but I think it is potentially quite exciting that Jersey is keeping pace with this. I was just thinking to myself actually, while the Minister was moving this, in some ways it can seem quite dry but of course, at the very base, what we are talking about here is really exciting because it is not just about economics, it is about culture more widely when trade marks are registered, intellectual property is registered. It could be something as simple as a product, which the Assistant Minister, I think, mentioned some very well-known products, whether it be a sound, a logo, or whatever it could be, sometimes quite intangible. But otherwise it can also relate to the creative industry. So we are talking about music, we are talking about the written word here, we are talking about all sorts. I see this very much as not being put forward just from an economic point of view, but this is something that a Minister for Culture ... which is perhaps what the Assistant Minister has been acting in part of that capacity today, she is bringing this forward, both from an economic perspective but also from a

cultural perspective. I think it does have the potential, not just to bring Jersey into the 21st century in terms of its joining the Madrid Protocol but also in joining up some of the great creativity that we have on Island. We have talked a lot about, up until now, the ability for global entities to register their trade marks, intellectual property in Jersey but, of course, it is also the other way around. It is possible for Jersey startups, Jersey intellectual property, yes, to be registered in Jersey but to be registered and protected throughout Europe and throughout the world. It does tie in very much with the fact that Jersey, as a small Island, is a global player and certainly from our part as a Scrutiny Panel, we have been very pleased to be able to scrutinise and watch the progress of this new law and the new arrangements that are coming forward. I am sure that it will form part of our legacy report for future panels and the future Assembly. I welcome the second part of what the Assistant Minister and the department is doing.

16.1.2 Deputy A.F. Curtis of St. Clement:

I do not have much to say. I would like to thank the Economic and International Affairs Scrutiny Panel, primarily on how they have helped bring clarity in their comments about funding. Members will know that the page 4 of the report has the financial and staffing implications and it is highlighted that there is no new money required. Members need only turn to the Government Plan 2024-2027 to see the budget. I believe they have to turn to page 116 to find the budget line which has intellectual property framework £300,000 recurring revenue. It is very helpful that the panel in their comments have highlighted the funding. I would make note to the Assistant Minister and to those who are bringing forward legislation, especially where it provides for new statutory function, that funding implications could be far clearer than to point to a late page in a former Government Plan that highlights recurring funding. We may not all have the time to find that line. In closing, to bring a further clarity, the comments from the panel have highlighted that the indicative running costs may be closer to £240,000, with a hope for recouping. I think any further detail about preliminary discussions about fee setting would be helpful in summing up the principles as to the level at which cost recovery or competitiveness come into setting those. Finally, any comment on the start-up costs? The comments do say there will be start-up costs. The funding in the 2024 Government Plan is purely for revenue expenditure growth and revenue costs. I expect that is where the money will be drawn from, perhaps from underspends in former years. Again, how the delivery of the new software and any systems changes from a capital perspective will be funded and the cost of those would be helpful. Just understanding the impact of the delivery of what is again, I think, highlighted, a welcome step. Thank you.

The Bailiff:

Does any other Member wish to speak on the principles? Assistant Minister.

16.1.3 Deputy M.R. Scott:

I want to thank Deputy Tadier for being so eloquent in explaining why this law is not as dry as some, and indeed the 2 laws, while they might sound dry, they are very technical. But, in fact it is all about creativity. Following on from the comments about the potential income to the registrar, I do have a copy of the Madrid yearly review, which refers to what Guernsey actually made from being part of the Madrid system. In 2023, that was £100,509, in 2024 they do not seem to have done so well, they got £96,096. The interesting thing here is there is a percentage of the total amount distributed under the system at 0 per cent. There is a lot of money in creativity, potentially, provided it is commercialised. We talked a bit about surplus fees. So basically, yes, the Commission needs to cover its costs of running the registry, but the surplus will go to the Treasury as provided under the Public Service Manual. I apologise to Deputy Alex Curtis and agree that maybe the proposition could have been a bit more clear about the amount of funding needed. In fact, it is not £300,000, it was reduced to £260,000, I believe. I believe that actually is intended to cover the cost of the new registry and basically how that is to be set up. There has been research into what would be the more

appropriate system. The name of it, I am afraid, which could be of specific interest to him, does not come to my mind but it is one that is used by quite a few established I.P. registries. With that, I suspect that basically people would just be keen for me to ask Members to support it and call for the appel.

The Bailiff:

The appel has been called for. Members are invited to return to their seats and the Greffier is invited to open the voting. If all Members have the opportunity of casting their votes, I ask the Greffier to close the voting. The principles have been adopted unanimously.

Pour: 44		Contre: 0		Abstained: 0
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
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Deputy M.R. Scott				
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Deputy L.V. Feltham				
Deputy R.E. Binet				

Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				

Deputy Tadier, you have confirmed that your panel have scrutinised this matter?

Deputy M. Tadier (Chair, Economic and International Affairs Scrutiny Panel):

Yes, Sir.

The Bailiff:

Assistant Minister, do you propose the Articles in Second Reading?

16.2 Deputy M.R. Scott:

I do, *en bloc*.

The Bailiff:

Are the Articles seconded? **[Seconded]** Does any Member wish to speak on the Articles in Second Reading? Those in favour, please kindly show. Thank you very much. The Articles are adopted in Second Reading. Minister, do you propose the matter in Third Reading?

16.3 Deputy M.R. Scott:

I do, Sir.

The Bailiff:

Are the Articles seconded in Third Reading. **[Seconded]** Does any Member wish to speak on the Articles as adopted in Second Reading in Third Reading?

16.3.1 Deputy M. Tadier:

Just quickly. It was remiss of me not to thank my panel officers and panel members for the work that they have done on this. Even though they were fairly routine comments, they did reflect the fact that we had received and asked and answered many questions during the briefings and quarterly hearings. We are happy to maintain our support in the Third Reading.

[17:30]

The Bailiff:

Does any Member else wish to speak in Third Reading? I call upon the Assistant Minister to reply.

16.3.2 Deputy M.R. Scott:

Yes, in replying I would like to thank the panel members again, and indeed the whole States Assembly. You may not realise this when you go home tonight but you have actually supported a really important turning point in intellectual property protection and in terms of the innovative economy that we are hoping to build in this Island.

The Bailiff:

Thank you. Is the appel called for? The appel has been called for. Members are invited to return to their seats and the Greffier is invited to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I announce that the matter has been adopted unanimously in third reading.

Pour: 44		Contre: 0		Abstained: 0
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
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Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

The adjournment is proposed. Are Members content to adjourn? The Assembly is adjourned until 9.30 tomorrow morning.

ADJOURNMENT

[17:31]