

STATES OF JERSEY

OFFICIAL REPORT

FRIDAY, 21st MARCH 2025

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[9:30]

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

PUBLIC BUSINESS - resumption

1. Draft Shipping (Jersey) Amendment Law 202- (P.4/2025)

The Deputy Bailiff:

We now return to Public Business. The next item is the Draft Shipping (Jersey) Amendment Law lodged by the Minister for Sustainable Economic Development. The main respondent is the chair of the Economic and International Affairs Scrutiny Panel, and I ask the Greffier to read the citation.

The Greffier of the States:

Draft Shipping (Jersey) Amendment Law 202-. A law to amend further the Shipping (Jersey) Law 2002. The States subject to the sanction of His Most Excellent Majesty in Council have adopted the following law.

The Deputy Bailiff:

The Minister will propose the principles.

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

Indeed I am here to propose the principles of the Jersey Shipping Law 2002. These amendments will strengthen Jersey's maritime legal framework, and make Jersey's waters safer and more accessible for all Islanders and visitors. The background to these amendments stretches back to the 2023 Ministerial Delivery Plan, which is committed to updating Jersey's maritime law. This is needed due to areas of deficiency in Jersey's maritime legislation and legal anomalies, which currently puts some seafarers at a lesser level of legal responsibility to others. Due to the policy objectives of these amendments spanning 2 specific pieces of legislation, the amendments have been split into 2 separate proposals, P.3/2025 and P.4/2025, both of which will be presented as separate proposals but are designed to complement each other. Jointly these amendments will make Jersey's territorial waters safer for everyone. Subsequent to the Assembly approving these proposals, P.3 will be brought in a few months' time. P.4 is brought forward first as it creates the wider legal *vires* that P.3 is dependent upon. The core changes proposed within P.4 include the widening of the definition of ship and vessel to include small watercraft used for leisure activities such as jet skis and other smaller speedboats. This change is being proposed because currently the general legal definition of "ship" or "vessel" only includes watercraft used for navigation rather than vessels purely used for leisure. By expanding the definitions, the law ensures that everyone who uses Jersey's waters does so to the same level of responsibility as larger vessels and ensures accountability if an incident occurs during which the person in control of the vessel is at fault. The proposition also includes updated provisions for the investigation of marine accidents involving Jersey ships or ships in Jersey's waters. By raising our regulatory maritime standards in this way, the benefits to our Island will be wide-reaching, ensuring our waters are safer for all who use it, making Jersey more attractive to visitors and, in turn, demonstrating Jersey's commitment to safety. As a Member of both the Red Ensign Group and, obviously, a maritime jurisdiction between 2 of the world's largest maritime jurisdictions, it is really important from our perspective that we have a level of legislation that ensures the safety of all who use our waters. With that I make the proposition.

The Deputy Bailiff:

Are the principles seconded? [**Seconded**] Does any Member wish to speak on the principles?

1.1.1 Deputy P.F.C. Ozouf of St. Saviour:

I welcome the Minister's opening remarks. I am not a member of the Scrutiny Panel, and they probably have scrutinised this. I wonder if the Minister would elude to or explain, before we go to the principles of the Bill that is before us, the concerns that have been heard about the powers that are going to be vested in a limited company, albeit owned by the States of Jersey? Has he taken advice that this is the right issue? Because those that were concerned about the very important changes which he is making, which I believe are absolutely right, it was in the Government Plan, as he said, in 2023. There have been some contrary views as to the way that we are going to debate the Articles and maybe if he could just allude to that and give some comfort to Members that those contradictory positions have been reconciled and are fair and balanced before we get on to the main debate.

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

I just rise briefly to congratulate the Minister and his department for bringing this forward, as one who has been involved with maritime matters for many years. The result of a serious accident some years ago in St. Brelade's Bay has stimulated this, and I am pleased that the department has reacted accordingly. I look forward to these being accepted by other Members.

1.1.3 Deputy M. Tadier of St. Brelade

This piece of legislation falls to our Scrutiny Panel so it is just to reassure Members that we have issued a comments paper, which some Members may have had a chance to read, but it is there for reference, if Members do wish to look at it. We have effectively conducted scrutiny from a very early stage, receiving briefings from officers and questioning the Minister on this subject, so we effectively did concurrent scrutiny on it. We are quite happy with this piece of legislation coming forward. Just to alert Members that it is - I am sure the Minister might refer to it, if he has not already - part of a wider piece of work that is going on, so that we are expecting - I must not get my numbers wrong - this is P.4, we are expecting P.3 to come back later on in the year. I think they were lodged effectively together as one piece of work. The Scrutiny Panel would suggest that the forthcoming legislation ... that is to be debated rather, is potentially much more contentious than this piece of legislation. We have highlighted, just to give early indication, because I think it all does need to be considered in the round, that it will consider issues like piloting a boat under the influence, whether of drugs or drink. We would question to what extent it should be made an offence in its own right, rather than the way it has been drafted. This in itself is perhaps the foundational legislation which will at some point feed into that, which does not pose any problems for us as a panel.

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

I would just like to add my support to the Minister in this good work that he is bringing forward. As somebody who has spent quite a bit of time at sea, I have seen lots of things and I even held myself a commercial skipper's licence and some of the antics, if I can describe them as that, that happened are unfortunate and what the Minister is doing here is the right thing.

The Deputy Bailiff:

If no other Member wishes to speak on the principles, I call upon the Minister to reply.

1.1.5 Deputy K.F. Morel:

I thank all the Members who have taken time to speak. Starting with the chair of the Scrutiny Panel, I would like to thank him and his panel for undertaking the work that they have done and their comments paper. I would be pleased to engage with them more closely on P.3, I think is what the chair was referring to, to ensure that their concerns are heard at least, and possibly appropriately dealt with before that one is spoken to in the States. With regard to Deputy Ozouf, I am not entirely sure what contradictory positions he is referring to but these are not powers for a private company, these are powers that are vested by the Minister into the Harbourmaster.

[9:45]

The Harbourmaster is a role which sits outside of Government and it is a role which currently is undertaken by the Harbourmaster, who is also an employee of Ports of Jersey. But he is the Harbourmaster by virtue of the responsibility conveyed to him by the Government and by the Minister. So from that perspective his role as Harbourmaster is his role as Harbourmaster, regardless of who his employment is with. With that, I will make the appel, please.

The Deputy Bailiff:

The appel has been called for. Members are invited to return to their seats. 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. I can announce that the principle has been adopted unanimously.

Pour: 43		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 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.J. Gorst				
Deputy L.J. Farnham				
Deputy S.Y. Mézec				
Deputy P.F.C. Ozouf				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
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				
Deputy M.B. Andrews				

It has been confirmed by Deputy Tadier that the relevant panel do not wish to scrutinise this manner, as they have done so already, in effect. Minister, we return to the Second Reading. How do you wish to propose the Articles in Second Reading?

1.2 Deputy K.F. Morel:

En bloc as there appeared no request from the Assembly to do it otherwise. So *en bloc*, please.

The Deputy Bailiff:

Are the Articles seconded? **[Seconded]** Does anyone wish to speak on the Articles in Second Reading?

1.2.1 Deputy P.F.C. Ozouf:

The question that I alluded to was indeed the role of the Harbourmaster, which the Minister has quite rightly said, and I am just trying to find the Article which it relates to. In his explanation, he explained quite correctly the role of Harbourmaster, but at the end of his explanation he explained that that was in fact an employee of Ports of Jersey Limited and not a member of the States of Jersey with all of those checks and balances that are quite different as being an arm's-length organisation employee as opposed to an individual that is going to be granted effectively policing powers. I just wondered how that was going to be dealt with. I do not criticise it. I absolutely agree with the Minister and with those other persons that have spoken but I have received representations, albeit a few weeks ago, that it was problematic and needed to be taken with a great deal of caution to give policing powers to effectively an employee of an arm's-length organisation, which is not the same as being an employee of the States of Jersey under the States Employment Board, et cetera. I just really welcome the fact ... I know the Minister has to do all of this but this is one issue which I have been alerted to that, as Members will understand, it is a very different situation to be an employee of an A.L.O. (arm's length organisation), a company, albeit States-owned. It is not the same thing as an officeholder that is an officeholder by virtue of being an employee of the States of Jersey. I am not a legal expert. I am not an expert at all. But this issue has been flagged as it is unusual, and it does not conform to various different other issues which have been in place in other places. There is a possibility that, for example, as the Harbourmaster being an employee of Ports of Jersey, how is his absolutely necessary investigatory powers going to trump everything? It is almost a bit like having a private firm being a policeman, because that is effectively what it is, it is like G4 ... if the Minister for Justice and Home Affairs made a proposal to bring G4S ... all right, G4S is not owned, but G4S is a company and that is a different statutory ... that has got all sorts of connotations that is different, and Ports of Jersey is a company. So could the Minister kindly tell me that we should not be worried about this because it seems to me an obvious lacuna potential that the reporting requirement of an employee is very different from a States of Jersey Police. I think the Minister for Justice and Home Affairs would get a really hard time if she starts incorporating the police force. I hope those comments are seen as being constructively of assistance and the purpose of this Assembly, which is to debate and to get answers.

Deputy M.R. Scott of St. Brelade:

I just wondered if I could ask Deputy Ozouf a point of clarification.

The Deputy Bailiff:

Are you prepared to give some clarification?

Deputy P.F.C. Ozouf:

Of course, Sir.

Deputy M.R. Scott:

In terms of the concern he has raised, is he suggesting it would be a more appropriate structure for, say, the Harbourmaster to be a sole corporation directly employed by Government as opposed to one employed by Ports of Jersey?

Deputy P.F.C. Ozouf:

It is not for me to bring policy issues but I would be concerned about delegating what effectively is ... the underlying issue is effectively delegating investigatory powers to Ports of Jersey Limited, which is a commercial entity, which has a different objective, which is effectively basically a property company as well as running other things. There could be a conflict of interest and legal boundaries which the Assistant Minister, as a lawyer, will understand better than I do. The Shipping Law Amendment debate reflects this underlying ... brings to force, which is why I am raising it. That is what our job is here is, to identify the fact that there is a potential tension between enhancing enforcement powers and ensuring proper governance of that of a postholder. That is it really. I do not think I can clarify any more. I think I have explained my concern.

The Deputy Bailiff:

Does any other speaker wish to speak to the Articles in that Second Reading?

1.2.2 The Connétable of St. Brelade:

Picking up on Senator - Senator already, a promotion - on Deputy Ozouf's point, I wonder whether the Minister may be able to answer this or not. It was my understanding that the Harbourmaster's powers were akin to that of a Centenier. I wonder if he would know whether that is still the case.

The Deputy Bailiff:

Does any other Member wish to speak to the Articles in Second Reading? I call upon the Minister to reply.

1.2.3 Deputy K.F. Morel:

I thank Deputy Ozouf and the Connétable of St. Brelade for their comments. It is interesting, I know Deputy Ozouf has previously been Minister for Economic Development and I do not know if he was in that role when he would have almost certainly - I have not checked the voting record - have voted for the incorporation of Ports of Jersey and was part of the Government that incorporated Ports of Jersey at the time. He will, I am sure, as a member of that Council of Ministers, be aware that when he voted for that and when he was part of the Government that incorporated Ports of Jersey, the Harbourmaster then was passed from the employment of the Government of Jersey to Ports of Jersey, and that the Harbourmaster and that role that went with it had policing powers already. So the policing powers of the Harbourmaster, which were already in existence in 2012 - I think it was 2012 when Ports of Jersey is incorporated - went with the Harbourmaster. They go with the role of the Harbourmaster. While I think Deputy Ozouf's questions are entirely valid, it is interesting because these are questions that he should have been raising 12 years ago when the incorporation of Ports of Jersey took place. The incorporation of Ports of Jersey has taken place. It is the position that I have inherited as Minister. As a result, I have a Harbourmaster who is an employee of Ports of Jersey but he is separately the Harbourmaster. He is sworn in through the Royal Court and he has those duties, which are given to him by the Minister. Regardless of his position of employment, he has that role

to undertake, and that is sworn by the Royal Court. Those powers that he has today, which he has policing powers today, remain. These are to give him, yes, slightly wider powers but powers to make sure that we have the safety at sea. So the issue, and I know there is some discontent among some people - very far from a majority, but some people - that the Harbourmaster is an employee of Ports of Jersey and Ports of Jersey is, people say, a private company. I find this a very interesting position to take because Ports of Jersey is very often seen as just an arm, a division, of the Government of Jersey. I am sure the chief executive of Ports of Jersey would love to feel that he had greater independence than he does. But Ports of Jersey work incredibly closely with the Government of Jersey and with my department at all times on pretty much all matters. I am sure the Minister for Treasury and Resources can attest to the same. This is not a private company. This is not a private security firm with private shareholders. This is a company that is wholly-owned by the States of Jersey and as such, I think, is a company that we can trust. I think if we cannot trust a company that we ourselves own then we are in a difficult place. But separate to that, the Harbourmaster, as I said, is sworn by the Royal Court, appointed by the Minister, and his role as a Harbourmaster stands regardless of his employment position. I have, on top of that, been working with the Harbourmaster to create an enforcement policy to ensure that he undertakes the roles around enforcement and policing roles in an appropriate manner. That enforcement policy, in a sense you could talk about it as a memorandum of understanding, is a policy which - happy to be circulated, it will have to be after the debate - is one that will ensure that he undertakes those policing powers in an appropriate manner and will give the public confidence that he has undertaken those powers in an appropriate manner. With that, thank you, I am proposing ...

Deputy P.F.C. Ozouf:

Would the Minister give way?

The Deputy Bailiff:

Are you prepared to give way?

Deputy K.F. Morel:

I will give way.

Deputy P.F.C. Ozouf:

A point of clarification. I will not respond because it is not question time to my own role previously, although I have been known to raise issues guided by collective responsibility. I was not the Minister, I was the Minister for External Affairs.

The Deputy Bailiff:

I think you are doing what you said you would not do.

Deputy P.F.C. Ozouf:

Sorry?

The Deputy Bailiff:

You are doing what you said you would not do, so just ask the point of clarification.

Deputy P.F.C. Ozouf:

Could the Minister confirm that when the Shipping (Jersey) Law 2002 and the incorporation in 2015, it was incorporated on the basis that the maritime safety enforcement was effectively subsidiary responsibility to the company and it never envisaged that there should be a contemplation of giving the powers of this magnitude to be assigned to a commercial body. I do not ascribe any problem with Ports of Jersey but there are lessons to be learned and the Minister is aware he has changed the chairman although the Minister for Treasury and Resources ...

The Deputy Bailiff:

You need to come to a question, because ...

Deputy P.F.C. Ozouf:

Is he entirely satisfied that all of the checks and balances that were never envisaged at the start of moving effectively this policing role to the Harbourmaster in this magnitude, because we are going to go on to discuss later issues, as the Scrutiny Panel has said, is that to reallocate all of these issues? Will he consider any further amendments in the Third Reading and maybe afterwards doing what his Assistant Minister said of actually potentially creating a hybrid where the Harbourmaster can be fully ... I understand he is before the Royal Court, but employed not by the Ports of Jersey, but employed as well by the States of Jersey for these very important issues so that the maritime safety issues that we all care about can be dealt with because there have been issues?

Deputy K.F. Morel:

I just saw another Deputy look like they wanted to speak. It is a point of clarification. Effectively, I am not going to stand here and say that I am going to make great changes to Ports of Jersey Limited or to the Harbourmaster's role as they stand at the moment. With barely more than a year of this States Assembly, I think it would be inappropriate for me to make such a commitment because there is almost no chance of delivering that commitment in the timeframe of this Assembly. I do hear the concerns around the fact that the Harbourmaster is an employee of Ports of Jersey Limited. The truth is, I think those concerns are overblown. That is the reality. I do not think we have to worry about the Harbourmaster and his loyalties. I believe the Harbourmaster's loyalties as a sworn officer, sworn in by the Royal Court, I believe the Harbourmaster understands his role to Jersey and to the Island of Jersey as opposed to his employer. But that said, always happy to open up new items of thinking and discussion. If there is a general sense that people wish the Harbourmaster to be an employee of the Government of Jersey as opposed to the Ports of Jersey, that is something that can be explored by ... we can start the exploration now but it would be completed by a subsequent Minister. But it is not the question that is here today. It is a side to this issue and, as this law stands, the law that I am asking the Assembly to pass here today.

[10:00]

I am entirely satisfied that with the enforcement policy, with the Harbourmaster being very loyal to the Island of Jersey and sworn in by the Royal Court, and with continued engagement not just with the Harbourmaster but also with the Harbours and Airports Committee which is effectively a sub-committee of Ports of Jersey, that we can ensure that the Harbourmaster has the right approach, has the right apparatus and the right understanding to deliver these responsibilities entirely properly.

The Connétable of St. Brelade:

I do not believe the Minister answered my question regarding whether the Harbourmaster had the same powers as that of a Centenier

Deputy K.F. Morel:

It is correct. I apologise, I got caught up in this question, and forgot the question. Effectively, the Harbourmaster does have very similar powers. They are not exactly the same, but they are a similar level of powers as the Centenier.

The Deputy Bailiff:

Do you call for the appel?

Deputy K.F. Morel:

I do, Sir.

The Deputy Bailiff:

The appel is 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, then I ask the Greffier to close the voting. I can announce that the law has been adopted in Second Reading.

Pour: 42		Contre: 0		Abstained: 1
Connétable of St. Helier				Deputy P.F.C. Ozouf
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 St. Ouen				
Connétable of St. Mary				
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				
Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
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				

The Deputy Bailiff:

We now move on to Third Reading. Minister, how do you wish to propose the Articles as adopted in Second Reading?

1.3 Deputy K.F. Morel:

Yes I wish to propose them in the Third Reading.

The Deputy Bailiff:

Is the law seconded in Third Reading? [**Seconded**] Does anyone wish to speak in Third Reading?

1.3.1 Deputy M. Tadier:

First of all, just to thank the Minister and his officers for the briefings they gave us. That was really useful to have early sight of the legislation and to really be able to ask the questions in ... I will not say a leisurely manner, but in an informal setting really and to get good answers to that. Could the Minister speak to how he thinks that this piece of legislation that we are passing today will interact with the one that he is bringing later on in the year and whether they are in fact 2 standalones or to what extent they should be seen as a body that serves the further end of issues, including maritime safety, which have, of course, been on our minds with recent events.

1.3.2 Deputy P.F.C. Ozouf:

I am grateful for both the chair of the Scrutiny Panel and the Minister for their replies. I do think that there is an issue, which I do not want to burden the Minister, but I do think there is a sufficient amount of concern. I saw a number of Members, the penny dropped when I was trying to explain it. I do not want to create any extra work. I cast no aspersions on the work of the Harbourmaster for the avoidance of any doubt, but sea safety is one that has had a really serious issue in Jersey on 2 occasions when the Minister and I were both in Government. He knows the sensitivity and importance of this for those people whose lives were lost. Therefore we are dealing with something that is very sensitive, and I am grateful for the Minister's responses. But I would be grateful for the Scrutiny Panels and real testing of this in the next stages of this process, which is where we have granted them. So we need to move on, but we need to make sure that the checks and balance is absolutely right and the person is not put in an impossible position. That is my concern.

The Deputy Bailiff:

Does any other Member wish to speak in Third Reading? I call upon the Minister to reply.

1.3.3 Deputy K.F. Morel:

I do hear Deputy Ozouf. I do think Deputy Ozouf is bringing his concerns at entirely the wrong place. He is dealing with a much bigger, wider issue; one that he should have dealt with in 2015, in my opinion. It is one that is a question to be answered, like all questions are to be answered, but this is not what we are debating here today. The Deputy assented in 2015 to the creation of Ports of Jersey Limited, to it taking on those Harbourmaster powers ... the company is not, but to the Harbourmaster being an employee of Ports of Jersey Limited, and it is perfectly reasonable to look over that again in the future but we do that in the future. We do not do that here. To Deputy Tadier, these amendments have been designed to work in tandem with the joint objective of making Jersey waters safer. However, the amendments to the Shipping (Jersey) Law is a *projet de loi*. That is what we are dealing with here, which requires Royal Assent. While the amendment to the Harbor (Inshore Safety) (Jersey) Regulations 2012 is a *projet de règlement*, an update to regulations, which requires the *vires* contained within the updates of the Shipping Law in order to make those regulations. Thus, P.3, the one we have yet to debate, cannot be debated or adopted in the States until the Shipping (Jersey) Law amendments, this one, P.4, have been adopted and sanctioned by H.M. in Council via Royal Assent. That is why we are dealing with them in the manner that we are.

The Deputy Bailiff:

Do you seek the appel?

Deputy K.F. Morel:

Yes, please, Sir.

The Deputy Bailiff:

That has been called for. Members are invited to return to their seats. The Greffier is asked to open the voting. All Members have the chance of casting their votes. I ask the Greffier to close the voting. The law has been adopted in Third Reading.

Pour: 40		Contre: 0		Abstained: 1
Connétable of St. Helier				Deputy P.F.C. Ozouf
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 St. Ouen				
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 I.J. Gorst				
Deputy L.J. Farnham				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
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				

2. A National Day for Jersey (P.6/2025)

The Deputy Bailiff:

The next item is A National Day for Jersey, P.6, lodged by the Minister for International Development and the main respondent is the chair of the Economic and International Affairs Scrutiny Panel. Minister there is an amendment lodged by Deputy Tadier. Are you minded to accept the amendment lodged to your proposition?

Deputy C.F. Labey of Grouville and St. Martin (Minister for International Development):

Yes, I am but the Deputy has just indicated to me that he would like to take clause (c) separately, but I am accepting the amendments but he wants to speak to clause (c) separately.

The Deputy Bailiff:

If you accept the amendments, then the amended proposition will have 3 separate paragraphs and, as proposer, you will be entitled to ask the Assembly to take them separately. Is that what you wish to do?

Deputy C.F. Labey:

I will be taking the vote separately but I believe Deputy Tadier wants to speak to his amendment to propose it separately but I am accepting it, so I do not know quite how that works procedurally.

The Deputy Bailiff:

Either you are accepting it or you are not but ...

Deputy C.F. Labey:

Well, I am.

Deputy M. Tadier of St. Brelade:

To be helpful, I think what normally happens is the Minister will say I am happy to accept them and then I would like to move part (c) separately so to have a debate on the amendment of part (c).

The Deputy Bailiff:

So effectively you are objecting to the proposition being taken as amended. If you want a separate debate, then effectively what you are doing is objecting to the proposition being taken as amended, which means there will be a separate debate on your amendment. That is the only way of resolving this.

Deputy M. Tadier:

We are both in agreement. I think the point that maybe needs to be made is that the Minister is accepting part (b). We are both happy for part (b) to be accepted and taken as amended to the main proposition.

The Deputy Bailiff:

But there will not be a separate debate on any part of your amendment if the amendment is accepted. There will be a separate vote on it, but not a separate debate.

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

As a Member of the Assembly, I can object to it being read as accepted.

The Deputy Bailiff:

Any Member can object.

Deputy K.F. Morel:

For the sake of it, I object to these being read as amended and would like them separately taken

The Deputy Bailiff:

Thank you for very much. There has been an objection, and the amendment will be dealt with separately.

Deputy M. Tadier:

Can we just be clear, it is part (c) that is ...

The Deputy Bailiff:

There will now be a separate debate on the whole of your amendment, because one Member has objected. So the Greffier will read the proposition.

The Greffier of the States:

The States are asked to decide whether they are of opinion that Liberation Day should be adopted as Jersey's official national day.

2.1 Deputy C.F. Labey

Well, I will try and propose it. I am still somewhat confused as to what I am doing here.

The Deputy Bailiff:

Let me help you. You are simply making your proposition as it originally stood.

Deputy C.F. Labey:

Okay, thank you, Sir. As many Members will know, I continue to lead the Island Identity project, which seeks to strengthen Jersey's distinct cultural economic and environmental identity and to further the Island's interest, profile and international reputation as an outward facing Island confident of its place in the world. The project looks to provide common focal points for Jersey's increasingly diverse population and to give us all a combined sense of belonging. While we will always have more pressing matters to consider, it is essential to raise the importance of our Island identity or we ignore it at our peril. As stated, I would have been accepting Deputy Tadier's amendments to my proposition, so he will be taking those separately now. I shall start by addressing my original proposition. I am seeking Members support to formally recognise Liberation Day as Jersey's national day ahead of this year's Liberation 80 celebrations. At this point I think it is a good opportunity to make perfectly clear that if this proposition is adopted, 9th May would continue to be referred to as Liberation Day, just as other national days reflect their significance such as Bastille Day, Independence Day, Veterans Day, Canada Day, and they are all national days. This proposition is not merely symbolic, it is a step towards strengthening our collective identity and fostering a deeper sense of unity within our community. A recent consultation has demonstrated overwhelming public support for this initiative. Of the 2,400 respondents, which I am led to believe is a very good response to an Island survey, an impressive 82 per cent were in favour of adopting Liberation Day as our national day. This clear mandate from the people reflects the deep-rooted significance of the occasion in the hearts and the minds of Islanders. Unlike many other nations, Jersey does not have an officially recognised national day. The Island Identity Report has previously identified this as a key gap in our efforts to strengthen our sense of community and belonging. Furthermore, research by the O.E.C.D. (Organisation for Economic Co-operation and Development) has highlighted that Jersey exhibits

lower levels of civic engagement when compared to similar jurisdictions. This finding underscores the need for a stronger shared identity, one that an official national day could help to cultivate. Liberation Day is already widely regarded as Jersey's de facto national day, but formalising this recognition is important for several reasons. First, it will strengthen community spirit by fostering a greater sense of belonging among Islanders, regardless of their background. The values of freedom and resilience which Liberation Day embodies are universal and unifying. All highly relevant themes in today's world, I would suggest. Second, it will ensure the preservation of the historical significance as we move further away from the events of 1945. It is crucial to formally acknowledge the sacrifices made and the freedoms won, ensuring that future generations understand and appreciate this legacy. The 80th anniversary provides the perfect opportunity to cement this recognition. Finally, making Liberation Day an official national day will enhance Jersey's profile on the international stage. It will signal to visitors, dignitaries, and those who wish to engage with the Island's history and culture that this day holds a special place in our national identity and deserves the status and recognition of a national day.

[10:15]

I will speak to Deputy Tadier's amendments after he has proposed them, so I would like to make the proposition.

The Deputy Bailiff:

Is the proposition seconded? **[Seconded]**

2.2 A National Day for Jersey (P.6/2025): amendment (P.6/2025)

The Deputy Bailiff:

There is an amendment lodged by Deputy Tadier and I ask the Greffier to read the amendment.

The Greffier of the States:

Redesignate the existing proposition as paragraph (a) and after the words "National Day" insert the following – (b) "that alongside Liberation Day, the 28th September should be adopted as Jersey's second National Day; and (c) that '*Man bieu p'tit Jèrri*' should be adopted as the Island's official anthem".

2.2.1 Deputy M. Tadier of St. Brelade:

First of all, can I thank the Minister for moving the proposition and being very willing to engage on this issue? I know that these issues of cultural identity, and just culture more generally, are important to both of us, as they are, I think, to many in the Assembly and in the wider community. What I was attempting to do today was to have a separate debate on the anthem, and I was quite pleased that the Minister would accept part (b). But I accept that it is not procedurally possible to do that so I apologise for the short notice. I think it will possibly be helpful ultimately to get the Assembly's opinion on the amendment separately anyway because ultimately this was going to be taken in 3 parts so it means that we would not have had the ability to consider the amendment separately and they could have all been voted against anyway. I obviously prefer the amendments to be voted for but if they are to be voted against I prefer to know that before we get into the main debate so we can know what we are talking about, whether we are looking at just Liberation Day being the national day for Jersey, which is something very new and I think possibly exciting but no doubt contentious for some, or whether we are looking at it as more of a package which, with the amendments, it would be doing. I would like to start first of all with the anthem for Jersey. I am very careful to use those terms because of course the Minister was very clear in her consultation that while it is okay for Jersey to have a national day it is not okay for us to have a national anthem, and we will maybe discuss that in the main proposition because we are, or sometimes, a nation in our own right but we are also part of the wider nation of Great Britain of course. So turning to the anthem part. I was surprised to see

initially that the Minister was not making a recommendation for us to adopt “Beautiful Jersey” or “*Man bieu p’tit Jèrri*” as Jersey’s anthem. This appears to be, we are told in the report, because it only had 50 per cent of respondents saying yes, so a 50/50 split. It feels to me, and the reason I put this amendment, is that we would be missing an opportunity here not to debate the anthem for Jersey because it formed an integral part of that consultation. We have never had the opportunity, I do not think, certainly not in my time in it, to discuss whether or not (a) we should have an anthem for Jersey and (b) what that anthem should be. But of course the consultation did ask that question of people and I think it is only right that we then reflect the consultation that took place and make a decision one way or the other now today, and actually effectively put the matter to bed. Because we are in a strange position where of course the Council of Ministers have said: “Look, we do not want you to proceed, Minister.” I suspect she would have been quite happy to propose “*Man bieu p’tit Jèrri*” as the anthem for Jersey but she did not have the support of the Ministers, and they did not feel they could do it on a 50 per cent response in a consultation. The point I would make, it was not a 50 per cent response. It was actually, if we look at the numbers and split them, those who responded yes to “Beautiful Jersey” and I will use the titles interchangeably - they mean the same things - 1,237 voted yes for “Beautiful Jersey” and only 870 said no, that they did not want “Beautiful Jersey” to be the anthem. That is not 50 per cent, that is much less. It is somewhere in the 30s. And of course 359 said they were not sure. But even as a total. if you combine the nos and the unsures together, we have got 229. So in my maths every time 1,237 trumped 1,229 and if this had been put to a referendum, even though it is a very slim majority ... if this was Brexit, Brexit would have still happened with 0.16 per cent of the votes. I think the matter has been put to bed and of course yes, well trumped those who responded no. So I think there is a mandate for the Minister to be bringing this today even if she does not have the support. The other strange point is that although the Council of Ministers do not feel able to support this anthem being adopted they are quite happy to tell sports clubs that they should play it, which I think is something of cognitive dissonance or a contradiction. They should either not give any instruction to sports clubs and say: “You play what you like. You can play a bit of Queen, you can play a bit of the Proclaimers” depending on what you fancy: “Or you can play ‘Ma Normandie’ or you can play ‘Island Home’” because of course without having made a decision either themselves - they seem to be incapable of making a decision on this - or the Assembly having been given an opportunity to make a decision on this I do not think they should be in a position to give direction as to what tune might be played on the podiums or elsewhere. But let us look at the case for why it should be “*Man bieu p’tit Jèrri*”. I think there is a case clearly for an anthem, and that is a political question. The majority, as I have said, were in favour of that. Of course it is self-selecting. In my report on why we might wish to have an anthem and why it might be “*Man bieu p’tit Jèrri*”. I looked at the words “*endgèrbéthie*” in Jèrriais, which is actually a new word. It is a neologism which was crafted by Dr. Kit Ashton, who is a student of Jèrriais in ethnomusicology. He is a Jersey person. Together with François Le Maistre, who is a mentor of ... an old Jèrriais speaker, if I can use that expression, a native Jèrriais speaker. They came up with this idea of “*endgèrbéthie*”, and he asks in his dissertation, which he did on Jersey culture among other things, saying: “How is your ‘*endgèrbéthie*’, which is pronounced as I just said. The word can be translated as togetherness. The word is actually, which I said was invented by both of them, comes from the root word “*eune dgèrb*”, which is a sheaf of wheat, which is bound together. And “*dgèrbéthie*” is the binding process. What it means is that how we bind ourselves together all around. This very much ties in with that idea of cultural identity, about Island identity. I commented to the Minister separately I think it is really important the fact she uses the word “Island” identity rather than necessarily “Jersey” identity because using that latter expression can for some be very exclusive. It can put up barriers saying that: “Well, you are Jersey, you are not Jersey.” But if we accept the fact that we all live on the Island together, we are all Islanders and this is our home, then I think we are making good progress. I do recognise the steps that she has already made in the framing of the wider debate. In her main proposition, the Minister for International Development also recognises that the Island anthem could provide a unifying way for Islanders to connect with Jerseyness in a

manner that is welcoming, accessible, and inclusive. In turn, this could foster long-term social benefits such as a stronger sense of community and belonging. These are good arguments for an anthem. Why should it be “Beautiful Jersey”? Again, in his thesis, Dr. Kit Ashton explains the history of “Beautiful Jersey”. Interestingly, it was not written by a Jersey-born person. It was written by somebody called Lindsay Lennox, an Englishman who sometime before 1906, when the song became popular, it was translated into Jèrriais before the Second World War by Frank Le Maistre. So that is François Le Maistre’s father, who I mentioned earlier. Since then, it has achieved cultural significance in Jersey, partly because it is publicly performed every year on 9th May on Liberation Day, which celebrates the long-awaited official surrender of the Nazi-occupied forces, as we know. The song “Beautiful Jersey”, “*Man bieu p’tit Jèrri*”, gained increased poignancy during the war years with its romantic - and this is a quote I think: “With its romantic and patriotic lyrics sung in a rousing, overtly emotive and nostalgic vocal style typical of an early 1900 music hall ballad. Passionate, extroverted and employing a certain amount of vibrato.” It depends who is singing it, I guess. He goes on to make the case for it is an anthem for Jersey. So in somewhat esoteric terms, if I may say, he says: “Beautiful Jersey started life as a pop song and it has always been a people’s anthem, so it has never been designated as the official anthem by the States of Jersey. But it has musical features consistent with anthems that emerge during periods of moderate or even low socio-political control relating to a socially diverse public.” Again, that directly ties to the liberation and the Occupation and why this song might have gained prominence during the Occupation, especially the fact that it could be sung and was sung in Jèrriais, a language not immediately understood by the Nazi occupiers. He goes on to say that: “This is characterised by the use of variable dynamic and embellished symbolic codes”, this is the esoteric bit, by the way, just in case you did not know, “with the idea being that where the national audience subscribes to multiple foci, so multiple focuses or foci, the characteristics of such an embellished code will be more effective at generating audience attention.” I must try that sometime. So in other words, what he is saying is it is a catchy tune. It is a catchy tune that sprung up naturally, has popular support, and speaks to a wide cross-section of people on many different levels. It is the kind of song that makes an ideal anthem, perhaps. As a tune, I think “Beautiful Jersey” is highly suitable for a popular anthem for Jersey. It has both words in English and Jèrriais. It has a variation between verse and chorus. It can be played classically or more rhythmically, a shortened version, a chorus can be played as an abridged anthem and singing is optional. The tune itself is strong enough and evocative enough I think with or without words to pass muster as an anthem for Jersey. But let us face it, a bit like Liberation Day already being a de facto national day for Jersey, in reality I think we all know that “Beautiful Jersey” already is Jersey’s anthem hence why it has been sung at Liberation Days I think since 1995. This amendment seeks to put that beyond doubt. I do ask Members if they can, and of course I would like to hear what Members think. There are going to be counterfactuals. Members are going to stand up and say: “We do not need a national anthem” or if we do need one we do not need an anthem because we have got a national anthem. I have made the point that this is not that. Or they might suggest a different song. But I think it would be really good if we could have Members speaking on what they think, if they feel strongly about it one way or the other, to put that on record because I think that is what has been denied us and denied the public up until this point. Now I will go back to the idea of why I would like to propose effectively that we have national days as opposed to necessarily Liberation Day becoming the national day. I will start off again somewhat esoterically grammatically, if you like, is what is the difference between a definite and indefinite article? It is actually quite significant. It may sound as if it does not mean much. If we are to say that Liberation Day becomes the national day, which is what we are potentially adopting here today, that then of course becomes the focal point. I think it is absolutely right that Liberation Day should take precedence. It is an established holiday or it is a public holiday and it is well-known in the minds of both locals, I think, and tourists who come to the Island for Liberation Day. So the significance of Liberation Day is well understood. It is unsurprising that when the Minister asked the question: “Should Liberation Day be Jersey’s national day?” those who took part answered overwhelmingly yes, so it was 81 per cent. I think later

on we might want to look at the 19 per cent who did not say that, and some of the arguments may be quite interesting. But clearly numerically 81 per cent is a great overwhelming endorsement I think for the Minister to be able to bring this. But in recent years the prominence of 28th September has also started to capture the imagination of the public I think slowly, and for its significance as a contemporary celebration of a very important and unique day in Jersey's constitutional history. Both days are important for different reasons and I believe they both speak to different parts of modern-day Jersey. Both are very historically significant. Liberation Day represents the end of war, Occupation, the banishing of a tyrant and the restoration of liberty, peace and freedom, all highly relevant themes today. On the other hand, I would argue, there is nothing uniquely Jersey about Liberation Day in a sense.

[10:30]

I am not criticising it by the way, I am just stating some facts. Many countries also mark 9th May as a national day, if not the national day in their country. The European Union, for example, has 9th May as its national day. Meanwhile Netherlands, Denmark, Norway also celebrate liberation days on days around this time but also to do with their liberations from Nazi occupations, and needless to say Guernsey also celebrates Liberation Day on 9th May, so it is not going to be a uniquely Jersey day. Liberation Day is great for us, but it is not uniquely Jersey in that sense. Lots of other countries were liberated around that time, perhaps on the same day, on Liberation Day. But of course, our Liberation Day is important, it is not disputed. It cannot be, but it is not uniquely Jersey. Of course, the way that Jersey experienced the Occupation, and therefore the liberation, is unique to the Island and of personal significance to those who lived through it and, of course, I think their descendants, but the Corn Riots is a bit different. I am not just looking at the Corn Riots here, I am looking at the constitutional changes that happened after 1769 and then, more significantly, we are talking about 1771, the Code Civil that came in where it can be seen as a very significant day constitutionally for Jersey. The Corn Riots represents a uniquely Jersey day, this is a day that you will not find anywhere else. There might have been corn riots elsewhere but there was not a corn riot that led to these kind of deep-reaching separations of powers in one sense, but also constitutional change that was the basis really for our modern-day jurisdiction - I will use that - and also democracy. It can be seen as a coming of age for democracy in Jersey with ordinary people standing up for themselves in a peaceful but forceful manner to demand a fairer, better system of Government. These themes of democracy, auto-determination, fairness, justice, are also highly relevant today and highly complementary to those values of liberation. The Corn Riots is not simply a chance for celebration, music and culture, but also gives rise to Democracy Week, which is all tied in with the subsequent changes of that Code Civil of 1771 which was paramount in defining Jersey's legal and constitutional authority. The code also played a key role in defining the relationship between Jersey's domestic institutions, it transferred legislative authority from the Royal Court to the States Assembly, creating a separation of powers between the judicial and legislative arms of government. This is absolutely fundamental. That is why when we have the great work that the Greffe does, not just during Democracy Week, but all year round when social groups, civil society groups but also young people come into our Assembly, that is one of the first things we tell them about is: "That is the court over there, that is where the laws are interpreted, but this is where the laws are decided, this is where the voice of the people is given air." Of course, we do point out the Mace; I have seen that on the many times that we have come here, so that relationship with the Crown of course is being reinforced in the Code of 1771. The change introduced a cornerstone of modern democratic principles to Jersey. The code also formalised the mechanisms of legislation. Going forward, laws were to be passed by the States, confirmed by the Sovereign in Council, and registered in the Royal Court before promulgation. This process allowed for local appeal and, more importantly, it meant that legislation did not come into effect until the Crown's assent. I am not going to go right back into the background of how we got to the point of 28th September being recognised but we must remind ourselves that there is an existing commitment that has been made that 28th September should be recognised annually by the States of

Jersey as the anniversary of the Corn Riots. That was a decision that we made and also to agree that the events of 28th September, and the subsequent democratic reforms of 1771, would be added to the citizenship curriculum in schools. That has happened, it is something that forms part of our Island identity, it is taught in schools - that has not been rescinded and I do not think it should be either - and that on the 28th, or around the 28th, both institutions of the Royal Court and the States Assembly are open to the public. It is both a weekend of celebration, a day of increasing, I hope, celebration, but also something of an education opportunity, not just for young people, but for the wider population. With all this in mind, it is clear that there exists this commitment from us, as a States Assembly, to recognise the Corn Riots annually, to mark the events of 1769 annually. The day now forms part of all of that programme I have talked about. For added clarity, this amendment does not seek to make the 28th either a public or a bank holiday, simply an additional national day with continued cultural and constitutional significance. I will address that point now because I had been quite worried that the hares have been set running. You sometimes get feedback - and I have had a lot of feedback - most of it positive saying: "Yes, this is great." In fact, prior to this I was getting lots of messages from local bands but people who also wanted to know if they could book the weekend off or clear some time so that they could prepare to start coming to the Corn Riots and make a weekend of it. I have said: "Well, yes, I am sure that is going to happen" and I think the case for it having caught the public imagination is quite clear. What was quite frustrating is that I then get people contacting me saying: "We do not agree with your proposition to make Corn Riots a bank holiday" and I am saying: "Well that is interesting because I am not proposing that." It has even been published, the reporting in the paper was quite clear, my report is quite clear, and I was scratching my head to find out where this was coming from. I even got some quite - I do not think they were abusive - but one email was quite robust saying: "This absolutely cannot be a bank holiday." I said: "Well that is great because I am not proposing that either, I am simply saying it should be a national day but not a bank holiday." Then I started talking to a couple of the Constables and I said: "Why are people saying it is a bank holiday? Why is the word going out around the Island I am proposing a bank holiday when I am not?" They said: "Oh right, well it will be a bank holiday." I said: "No, that is absolutely not what is being proposed here." We can have days of national importance like the Air Display, like the Battle of Flowers, which hopefully will happen this year in the scaled-down form and get back to basics. Those are not bank holidays, they are not public holidays, it does not stop them being of cultural significance to the Island. Eventually they may also be part of the wider portfolio of national days that we have in the Island. This is simply saying: "We have already made a decision around this to make it important" and a national day is not a legal construct, I do not think. The Minister is not moving any new legislation here, she is just saying make Liberation Day a national day, make the Corn Riots a national day. Of course, there will be other contenders that come forward and point out the fact that our Island status, our nationhood, if you like, our special relationship constitutionally with the Crown or even the way we existed before that, those are all potential dates for national days as well. Of course, it is much more difficult to pin down an exact day the further you go back in time. One suggestion I had was that: "Why not 1204?" I am sure we could find a day around 1204. It is absolutely correct - well, it is partly correct - because of course there is a lot of smoke and mirrors around 1204; these constitutional changes did not happen specifically, it is historically true. They did not happen specifically bang on a particular day in 1204, there was a great period of actual turbulence and decision-making back and forward and then looking at who benefited, et cetera, but ultimately of course, that is the date that we have chosen. The year is probably not correct absolutely - that is certainly making John lost the lands in France - but it is not the exact year when Jersey made its constitutional changes. To pinpoint an exact day in 1204 when it did not happen anyway is going to be much more difficult but I am sure we could do it. I would be up for that because I think there were various signposts through Jersey's long history. Even before it became a possession of Normandy, of course, it had strong links with Brittany. We know the standing stones that we see all throughout Jersey are testament to the fact that there was a pre-religious and a pre-Norman period that existed in our Island. Maybe we should have 365 days that

are national days, except on a leap year, of course. I do make the case that there are countries around the world which are much more comfortable in their national identity and even regional areas. I heard, strangely enough, the Newcastle team which - to my wife's chagrin - beat Liverpool only last week in the League Cup. I think most Liverpool supporters were quite magnanimous, they were quite pleased that Newcastle had some much-needed silverware in their cabinet. The national ITV newsreader ...

Deputy K.F. Morel:

Would the speaker give way for a point of clarification?

Deputy M. Tadier:

It is relevant.

The Deputy Bailiff:

A point of clarification? On the football, I hope?

Deputy K.F. Morel:

Would he clarify that not all Liverpool supporters agree with him on that point about Newcastle having silverware?

Deputy M. Tadier:

I think Newcastle do have silverware; whether it is seen as a good thing or not I think is another matter. In my experience, Liverpool supporters tend to be a bit more magnanimous than supporters of some other clubs but we will not go into that today. The point I was making is that this ITV reporter said that there was great celebration happening in the nation of Newcastle, which I had never heard that expression used ... or he might have even said: "In the Geordie nation." I think he said: "The nation of Newcastle." It shows that these ideas that we have sometimes of nationhood being specifically linked to a particular geographical country are not shared everywhere. When I was at a recent conference in Kosovo, for example, their idea of nationality is completely different. An anthem would not work in Kosovo because they see themselves as ethnically national rather than necessarily their nationhood be conferred on them by a particular geographical or political state. For example, you get ethnic Albanians who might prefer to sing an Albanian national anthem. But we look at places like Scotland, and Scotland has, I think, an official national day; it has certainly got its saint's name of St. Andrew's Day, which is on 30th November. I had to look up when St. Andrew's Day was but Burns Night is much more common. I pretty much could have told you that Burns Night happens at the end of January and it is not an official national day in Scotland but it is an important day, I think, for many Scottish people, but not just for Scottish people. We went out and made sure that we bought our neeps and tatties and our haggis. We did not have any whiskey this time because we wanted to stay sober but it was something that is celebrated far beyond Scotland and it is well known to be part of the core now. Whether it is universally celebrated up there, I do not know, but it is part of Scotland's identity in the same way that I think Liberation Day, but also the Corn Riots, can be part of Jersey's cultural identity. It can, more importantly, be part of our offering to those wishing to move to the Island or to come to the Island as tourists. In a practical sense, when I am thinking about this, looking at both sides of the calendar, in the summer you have got Liberation Day, which falls perfectly on 9th May. It is a time when tourists are starting to come over anyway. As you get into the end of September, the beginning of October, that is also a period that we should be looking to encourage tourists to come to the Island because these are both great periods for visiting our Island. Of course, event-led tourism was a big buzz word I remember in the 2005, 2008 Senatorial elections when Minister after Minister, pretenders for the position of Minister for Economic Development or Minister for Treasury and Resources, were all saying how important event-led tourism was for the Island. I am going to sit down now because I have said enough. I hope that I have made the case at least for why we might wish to have an anthem for Jersey, why that anthem

might be “Beautiful Jersey” and also why Members could, and I hope should, be open to the idea of having national days existing in the Island. It does not need to be something that should be a big area of contention, it is just something that we could be comfortable doing, let it develop organically, and see how the public respond to the fact that we have backed some important dates in our calendar which could of course be added to.

The Deputy Bailiff:

Is the amendment seconded? **[Seconded]**

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

It is an interesting debate. I think the Deputy has made a good case for a national day of a cultural event, a very important cultural event in our history, the Corn Riots, as an additional day; I suppose that is a valid point. Then we got on to the subject of an anthem and it is very interesting. I went to bed too early last night, at 4.30 a.m., about 5.00 a.m. this morning when the sun was glinting through the curtains and I could hear the birds singing outside, I was laid there thinking about an anthem for Jersey for some reason. I was thinking: “Well we have to compare with other songs” and I started to go through my head as to what other songs we might have. It is all about the lyrics. There are a plethora of songs from the wonderful Billy Bragg.

[10:45]

For some reason, something from “Must I Paint you a Picture?” came into mind: “The temptation to take the precious things we have apart to see how they work must be resisted for they will never fit together again” and I thought: “That is a little depressing” so we will not go into that one. For some reason I thought perhaps Deputy Southern, who is a great fan of Tom Waits, there was not a single song I found there. Then I thought from the Deputy’s speech this morning he said something about being “romantic and rousing”, although I have to admit I had written “arousing”, I crossed that out. Sorry about that; apologies for that one. Romantic and rousing, and he said that singing is optional. Well I think we need an anthem where singing is an option that everyone wants to join in. I know one song I always join in with is from the wonderful, the King himself, if I may mention Elvis Presley obviously, which is the “Wonder of You” which says: “When no one else can understand me, when everything I do is wrong, you give me hope and consolation, you give me the strength to carry on. You are always there to lend a hand with everything I do, that is the wonder, the wonder of you.” That is an anthem; that is a wonderful anthem. In the end I settled on a suggestion that I would like to make which is from a poet, a wonderful poet, whose biography I just read, and it is a fantastic book, an absolutely fantastic biography. What an incredible life he has led. It is put to music by the Arctic Monkeys. I will explain to some of you who they are later. It is *I Wanna Be Yours* by the wonderful John Cooper Clarke, Dr. John Cooper Clarke; he has got credibility for his work as well: “I wanna be your vacuum cleaner, breathing your dust. I wanna be your Ford Cortina, I will never rust. If you like your coffee hot, let me be your coffee pot. You wanna call the shots, babe, I just wanna be yours.” There is one other line you could have here: “Secrets I have held in my heart are harder to hide than I thought. Maybe I just wanna be yours. I wanna be yours. I wanna be yours.” What a wonderful anthem that would be. I can envisage us all singing that before a football game, tears rolling down our eyes, commitment to the land itself. Seriously, I have no problem with the anthem that the Deputy is suggesting but I think it needs to have the content of some of these wonderful songs from the past which I am sure we all know. It is an absolute pleasure to quote the legendary Dr. John Cooper Clarke in this Assembly.

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

Can I start on the subject of the anthem, and I wholeheartedly support everything the Deputy has in his report. As I read it I found that the thoughts I had had before reading his report were just there. It is an anthem which we can sing in 2 languages, we do not need to sing it, we can play it and

recognise it. More importantly for me, we can use the chorus as a short 35, 40 second start of a really important sporting fixture, sing it with gusto, sing it a bit more slowly, get some enthusiasm going. It gets my 100 per cent support. National days. Growing up as a very young boy in a very strict Methodist household, an important day in the year was Good Friday, and certainly that is something which I held true all the way through my teenage, 20s, and in my working career. But as a teenager here in Jersey the most important day for me by far was Liberation Day, and how I harp back to those wonderful days of being able to go down to the harbour in the morning and get on the mail boat, as a 13, 14 year-old, and go to Guernsey for the day and watch the Muratti. I could never understand why the Muratti fixture had got taken away from Liberation Day because the 2 seemed synonymous to me. Liberation Day has always been important. I have to say to the Deputy, I have to admit, and I have to be embarrassed, that until I came into this Assembly, and until, really, 2020, 2021, I had no knowledge of Corn Riots. I certainly did not identify - we have talked about Island identity - with the Corn Riots at all but I accept now that they are a very important part of our Island history, the movement of constitutional power from a building a little bit further west into the States Assembly, and since 2021 we have recognised it. I do not want to talk too much about bank holidays, I think I may have been one of those few that thought that it was going to be a bank holiday. It certainly was in 2021, and we have had a couple of years off since then, but I do not want to go back into that but, anyway, 1771 Corn Riots. Getting back to Methodism, 1775 the start of Methodism in Jersey, and this year - in fact, next month - we are going to celebrate 250 years of Methodism in Jersey. I am not proposing for a minute that some date in April becomes a national day but Methodism has had a huge part to play in this Island, particularly in the countryside since those days. Let us go forward another 6 years from 1775 to 1781 and the Battle of Jersey. It is not a date where you would particularly try to attract tourists to the Island on 6th January. In fact, the Constable of St. Brelade will have their Mardi Gras at a peculiar time of the year; it is a great success but you cannot guarantee the weather. Anyway, Battle of Jersey, something I have certainly taken a lot more part in in the last few decades, I have walked from every corner of the Island into town on the required day, stood on Westmount, and come down into the square outside for the re-enactment. I have to say to the Deputy, while I accept that it is an important day in our history, I am really not sure about making it a national day above others which are still to be made national days. I am not 100 per cent convinced by this but I will see how the debate goes.

2.2.4 Connétable A.N. Jehan of St. John:

They say every day is a school day and today I think I have learnt why Deputy Ward is a drummer and not a singer. [Laughter]

Deputy R.J. Ward:

I am sure there is a Standing Order against that outrageous comment.

The Connétable of St. John:

I rise to speak in support of Deputy Tadier's amendment to adopt an anthem for Jersey and I do so predominantly on behalf of sportsmen and women across the Island. As the report to the proposition states, there is a need for a Jersey anthem to be used at sporting and cultural events where Jersey are represented independently. On occasion, embarrassment has been caused when our athletes win medals and stand proudly on the podium with no one knowing what should be played to recognise their achievement on behalf of their Island. The Island Identity report also highlighted that an Island anthem could provide a unifying way for Islanders to connect with Jersey in a manner that is welcoming, accessible, and inclusive. In turn, this could foster longer-term social benefits such as a stronger sense of community and belonging. Many of our competitors compete on an international stage. Indeed, later today we have a cricket team, Jersey's Farmers, who will be competing in Spain in the finals of the European Cricket Championships. I am sure that the Jersey supporters there today will be singing their hearts out as they always do to "Beautiful Jersey" and I would ask Members to

join me in wishing the team every success. **[Approbation]** Today it is a club side but also when Jersey Cricket play in I.C.C. (International Cricket Council) matches, anthems are played before the game, and again organisers use the tune “Beautiful Jersey”. Later this year, Jersey will once again take part in the Island Games. Would it not be good if it was the first games that we had officially adopted “Beautiful Jersey” as our anthem for Jersey, an anthem that Islanders can fully get behind. “Beautiful Jersey” has been played at every Island Games since at least 2011. Probably the highest standard the Island’s sports people can represent Jersey is the Commonwealth Games and I understand that since 2010, following a vote of the Jersey Commonwealth Games Council, “Beautiful Jersey” has again been used at both the Games and the Commonwealth Youth Games so as to mirror the Island Games. As Deputy Tadier stated in his amendment, as a tune “Beautiful Jersey” is highly suitable for a popular anthem for Jersey and, as Deputy Luce explained, both the English and the Jèrriais versions. I believe that “Beautiful Jersey” already is Jersey’s anthem and the amendment seeks to put the question beyond doubt. I am aware of the competition that was held in 2008 to find an anthem and the declared winner, “Island Home”, an interesting concept of inclusion and consultation where a panel of 5 - selected by who, I do not know - each had a vote with the 600-plus members of the audience sharing just one vote. To say the result was controversial would be an understatement. While acknowledging the musical quality of the piece, it was not, and still has not, proved to be popular. The audience at the Opera House and the wider Island community were, shall I say, more than a little disappointed then, as they are now. “Island Home” simply has not been adopted as our Island anthem, and I have been at sporting events where it has been played, and Islanders have simply looked bemused. The general public were asked in the recent consultation their view on adopting “Beautiful Jersey” and we had 1,237 people said yes, 870 people said no, with 359 unsure. I would ask Members to get behind adopting the anthem, this would enable it to be the official Jersey anthem in time for our Liberation celebrations in 48 days’ time. While I wholeheartedly support the need for an anthem and the adoption of Liberation as our national day, I still need a lot of convincing about the adoption of 28th September as a second national day.

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

I am glad to follow the previous speaker because this is one where I could take it or leave it because this feels like I would want to say: “Now we are debating the important things” but I really do not feel like we are. To stick to this amendment, I spoke to Deputy Tadier about the options in his amendment. Unfortunately, the way I read it is we cannot choose a national day in this; we can either choose to have zero Liberation Day or Liberation Day and the Corn Riots. We cannot say: “We want the Corn Riots but we do not want Liberation Day” which is something I will explain I do not think is appropriate for Jersey in the main debate so, Corn Riots, I could take it or leave it. I think we should celebrate it, I think we should find days we can celebrate our heritage, our history, but again we have to take it with Liberation Day, so I will talk to that in the main debate, regardless of where this falls. To the song, Deputy Tadier gave some great musical theory; however, Members may still be slightly forgetful of the song, so if he could, in his summing-up, just remind us how it goes. Anyone sitting on the fence will perhaps feel different. Deputy Rob Ward gave some interesting other examples. Frankly, I spoke to a few people about this, most people did not think this should be the top of our agenda as an Assembly, but one suggestion for a song to represent Jersey was “Big Yellow Taxi” by Joni Mitchell or covered by Counting Crows: “Don’t it always seem to go that you don’t know what you’ve got till it’s gone? You’ve paved paradise to put up a parking lot.” I think that sums up the challenges we have in Jersey as our identity more than sometimes just looking to the past; we always have to look to the future. My version might replace “parking lot” with “3 Horizon blocks” but take it or leave it for your choice. I do not know why really we have to debate this now, I think there is a lot we could debate, and so I will leave it there.

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

Recently I have been dipping in and out of a book called *Politics: A Survivor's Guide* for a number of reasons, and it mentions something about national pride and distinguishing it from nationalism, and one is coming together, which the Deputy has mentioned in his report, that Dr. Kit Ashton has described in Jèrriais "*endgèrbéthie*" as opposed to a course for divisiveness. When it comes to paragraph (c) and the adoption of a national anthem, and thinking about the components, I would say that it does help if it encourages an element of sentimentality and bits are easy to remember. It is rather challenging of Deputy Alex Curtis to suggest that the Deputy remind him of the song in the States when he is not allowed to sing in the States Chamber, but it does have a rhythm "dah-dah, dah-dah-dah, dah-dah, dah-dah-dah" if anybody cannot remember. Now, recently I had occasion to ...

The Deputy Bailiff:

Deputy Scott, you need to stop, sorry, we are inquorate, so Members can return to the Assembly. Yes, you can resume now. We are now quorate, are we not? You can now resume, Deputy.

[11:00]

Deputy M.R. Scott:

I would like the thought that the threat of me singing did not drive Members away from the States Chamber. I recently attended an occasion that was hosted in Granville. It was part of a Twinning Association event of my constituency, St. Brelade. I had occasion for envy because there are all these different ... now Granville twins with so many different towns that I really think that you could be accused of polygamy but they all were at this event and at one point they played all their different anthems associated with their countries. They started off with Granville itself, which has this song, *La Granvillaise*, which I cannot sing and I will try to capture the rhythm and it is pretty catchy. I could get into this. "*Ah, ah, ah, ah, c'est la Granvillaise, fleur de la falaise.*" Wow. Then they came to Jersey; what did they play? "*Ma Normandie*". It is like the losing song in the Eurovision Song Contest. **[Laughter]** The words are not even about this Island; they are not saying: "I love this Island." They are talking about a region that is much bigger than ours. Now, "*Man Bieau P'tit Jèrri*" is less lively, but it is still catchy and, dare I even confess, it does bring tears to my eyes when I try to sing it sometimes. Here is one of the challenges, you see. I think we need to have a stance on the language in which it should be sung first. I have been a student of Jèrriais and it is pretty tricky singing it in Jèrriais, even now. In fact, our adorable guests, I mean Granville even invited me to sing it to the assembled crowd, which I declined for their good and mine. The thing about Jèrriais is it includes lots of elitisms(?), so where in French they might say: "*Je suis,*" generally we say, "*Jé sis*" instead. Vowels get reintroduced where you have 3 consonants together in a row; how people speaking this work this out, well, that is a different challenge. I think you have to practice it lots. So, there is a challenge singing it in Jèrriais. When it comes to the actual ability to have people adopt it and really sing it, I think there is a lot of work to be done. What order do you suggest people sing it? Do you have a go at singing in English or ... anyway, that is a point for a different time. And yes, we do know it was written by an Englishman. Anyway, I do believe that Deputy Tadier has given a reasoned case based on public consultation. When I turned to paragraph (b) and the second national day, there seems to have been a different process here. I totally accept that the date of the Corn Riots is a date of historical significance. I note, somewhat ironically, that the States Assembly supported it being recognised by the title of Reform Day, which I think, given there is a political party by that name, could give some cause for confusion. But it is a really important day in the history: a day to celebrate the advancement of social justice when Islanders rose against an abuse of power and resulting constitutional amendments were made, albeit on another day. Were these riots peaceful? That is debatable, but it is certainly ... and the 1771 Code was historically significant. Is it the first historical event of significance mentioned in the Island's history to visitors? Well, somebody wrote to the *J.E.P. (Jersey Evening Post)* just recently suggesting that a possible or even more important day of significance was the day that the Island was granted independence from the U.K. (United Kingdom) by King John of England. But the simple point is we have not had this backed by

consultation. I, like others who have expressed an opinion, do question whether it is appropriate to introduce that now and also whether you need celebration to celebrate the day, because might it not be like Burns Night, albeit without being confronted with a haggis?

2.2.7 Deputy P.F.C. Ozouf of St. Saviour:

Just trying to get my remarks. Bear with me, Sir. Sorry, I beg your pardon. I would like to address the Assembly, if I may, in our native language, if I can get my words out. I would like to start by saying (10 seconds of Jèrriais spoken). That, in the French, is a translation of a well-known Jersey saying that is really quite important. I am going to get my technology right, Sir. Sorry. I beg your pardon. Right, there we go. (13 seconds of Jèrriais spoken) We are not a people without history, but a people with times to remember and voices to make heard. (23 seconds of Jèrriais spoken) Jersey now has the chance to choose a day for the soul, but let it not do so without due reflection, nor without looking properly into our souls and our shoes. Liberation Day - so central to this proposition - was not always the grand, unifying commemoration that we now know. It took decades for that to happen, and I am looking back on to the back row because I know that it was a former postholder as Bailiff, Sir Philip Bailhache, in I think the 1980s who brought the solemnity and the public dignity that that day now carries. Prior to that, there were only events around the Parishes and there was not that national day. The underlying proposition I agree with and these are in the context of the remarks about the contents of Deputy Tadier's amendment. There is no doubt, of course, that Liberation Day now carries that solemnity and we celebrate with great enthusiasm the 80th anniversary, but that is maybe an issue for the main debate. The issue about whether or not we should adopt the Corn Riot day as the secondary day I think has not been the subject of any particular consultation. We have not actually asked anybody. If we were to be here in this Assembly in 1935, my understanding is that that day that the Minister for the Environment, the Deputy of St. Martin and Grouville referred to, which was the Battle of Jersey. I, this year, attended the Battle of Jersey commemoration in the Royal Square. We did the walk from the Parish Hall of St. Martin's and we walked through those places and we reflected on Westmount and it was a really great day. I know it was January and I think I was the only elected Member there. I make no criticism of that, because I have not done them before. I know the Constable of St. Helier has been a really important driving force behind marking the Battle of Jersey Day. Maybe we are embarrassed to say that was the last time the French invaded us; I am not sure. But basically, my understanding is that the Battle of Jersey commemoration was effectively really important in Jersey prior to those dark years of occupation. Deputy Tadier's enthusiasm for cultural identity is undoubtedly correct and sincere. I will comment also on the Minister who is bringing this underlying proposition; her absolutely brilliant work on Jersey identity is not something that we have had the opportunity of celebrating and actually saying thank you to the Minister for what she has been doing [**Approbation**], because it is a work that is very important, I think. I do not always agree with everything - that is democracy - but she is doing a great job and getting it ... all that other things we will talk about that later. We must ensure that any national day consideration is made through proper thought and proper consultation. The people were asked about Liberation Day to be our national day; they were not asked about the second one. On the matter of "Beautiful Jersey" - "*Man P'tit Jèrri*" - it is undeniably beloved. It is sung annually, no doubt about it. I would welcome the comments of the individual who I know was at the driving force of the other anthem that never caught on. I know it stopped short - the proposition - of saying it is our national anthem. If I may say, the United Kingdom's national anthem which is sung - properly - contains one line that I believe is very important to Jersey people. I do not think it is in the first verse. I think it is the second verse, often not sung, but we like singing it in Jersey because it said: "May he - formerly she - defend our laws." That is not merely a lyric; it is an expression of our constitutional contract we hold as a Crown Dependency. If we were to elevate "Beautiful Jersey" to the anthem status, maybe please consider adding an additional verse - maybe a first verse - to ensure that that enshrines our allegiance to the Crown, the rule of the law, the shared civic values. That would be a fitting step forward. Maybe Dr. Kit Ashton - delighted he has got his doctorate - could help us with the

construction of a third verse. National anthems have third verses. So, I am happy to go along with it, but I want to hear Deputy Tadier summing up; I would caution against adopting any anthem without ensuring that it is a really uniting paragraph that says what our identity really is about and, as rightly said, through consensus. Let us honour Liberation Day but let us remain also open to enriching our civic tradition. You are the civic head of Jersey, Sir; I have never known really what that is. It is not in the statute, I do not think. But we must always ensure that we do marking of national identity, national days ... not a word that is used in these parts for quite a long time; they use it in the Isle of Man. They use “national” quite a bit; we do not use that in Jersey a lot, but maybe we can in the future as we develop ... I was delighted to hear some opening marks in the original proposition, which is relevant to the amendment, that was in the film that was done when we did the £100 note. I know that who wrote that and was very pleased when we did that ... it was not quantitative easing; it was Q.E. (Queen Elizabeth) to mark the ... we were not printing money. But there are lots of symbols of nationalism. We have our flag; nobody has mentioned the flag. Not only the flag, we have ... I have not brought forward an amendment, but I say I will petition you, Sir, or the Bailiff, to ensure that the Jersey flag has its winter option, which is a pennant which also can be flown from all ... it is fantastic to see the Jersey flag flying. The Bailiff’s protocol is being respected, I am delighted to see it. The largest flag ever flown is supposed to be on the Fort Regent, and I bought one after my father’s stomping here when he came here for Liberation Day. Our flag is part of our identity, but so is the Union Jack. So, I say those words - very respectfully to the amendment - I do not think I am persuaded to have the Corn Riots without a consultation, and I am happy to have “*Man bieu p’tit Jèrri*”. I have got the words for it, if Members want. It was done by François Le Maistre. (7 seconds of Jèrriais spoken) I will not carry on. We have got it; I can send the words around it.

[11:15]

(6 seconds of Jèrriais spoken) I am not sure whether we are going to be here this afternoon, but I will sit down; I hope my remarks have been at least informative and one of the only people that spoke in Jersey French in this Assembly so far.

2.2.8 Deputy P.M. Bailhache of St. Clement:

I think this is an interesting debate and more relevant than the 3 days we spent on Senators. **[Approbation]** I am pleased to speak to the amendments of Deputy Tadier because many of the sentiments that he expressed, I absolutely share. It is a little sad for me, I think, that I am unable to support any of the amendments that he has brought. We are talking about the cultural identity of Jersey; we are not part of Hampshire or part of England. We have our own characteristics and I always think that one of the most important characteristics of a Jersey person is a stubborn independence and a refusal to do what one is told to do. **[Approbation]** Tell a Jersey person to do something and he will usually do the opposite. 28th September 1769 was a day of a riot; it is true that it was a significant riot in the sense that it led, ultimately, to the exclusive jurisdiction of this Assembly to make laws, and it removed the legislative authority of the Royal Court. But the day was just one of a number of steps along the road to autonomy which we have travelled. Arguably, the most important step on that road to autonomy was taken in 1204, when the Constitutions of King John were issued and the autonomy which the Island enjoys - its ability to be governed by its own laws and its ability to have its own administration separate from that of England - was conferred by the King. If we were to acknowledge another day apart from Liberation Day, it seems to me that that would be a much more appropriate one to choose. But my real reason for not supporting this particular amendment is that it seems to me that it would diminish the importance of Liberation Day. We can really only have one national day, and if we are going to have a national day, it must be Liberation Day. That is the day that most Islanders feel is the most significant one for the Island, and it is the one it seems to me we should celebrate without muddying the water by adding another day to it. The anthem is more difficult. I personally think that the Council of Ministers has taken the

right decision in electing to take this slowly, to choose to approve the use of “Beautiful Jersey” on occasions that the Constable of St. John has identified, and I see no objection to that in the slightest. But dignifying it as our national anthem or our local anthem or whatever we like to call it, seems to me to be a bridge too far. It is true that “Island Home” has not bedded in as the appropriate anthem to use; it is perhaps a little bit too hymnal to engage public acceptance. I was quite interested by an idea expressed in the *Jersey Evening Post* by one of its correspondents who suggested that one should take a tune - he actually suggested the tune of “*Ma Normandie*” - and commission a competition to put words to that particular tune. It need not be “*Ma Normandie*”; it might be another tune. But the context of an anthem seems to me that it should be uplifting, inspirational, generating pride in who we are - all those characteristics which make a good national anthem. I think one of the best is “*La Marseillaise*”; it makes the blood course through the veins when one hears it. “Beautiful Jersey” ticks some of those boxes but not all of them. Even if one takes the survey as being representative of public opinion, it is hardly a ringing endorsement of “Beautiful Jersey” as the anthem to be adopted; 1,237 people voted in favour, 870 people voted against and 359 were unsure. The negatives and the unsure add up to 1,229, which is more or less the same as the 1,237 people who supported it. It seems to me that to approve an anthem, we need to have a little more enthusiasm than a halfway house like that. I thank Deputy Tadier for his amendments and I am sorry that I am not able to support either of them.

2.2.9 Deputy S.Y. Mézec of St. Helier South:

Can I thank Deputy Tadier for bringing this amendment? I thought his speech was really interesting and it is very thought-provoking to consider all of the issues that it raises. It is a good opportunity to reflect on Jersey’s very rich musical heritage. As a proud member of the heavy metal sub-community, I take great pride when I go off-Island to heavy metal events and get talking to people and get to tell them that some of Iron Maiden’s best material was written in Jersey, as they would rent out a hotel at Corbière over the winter to write some of their best songs. “The Number of the Beast” album was written here; the “Piece of Mind” album was written here. I was thinking of some of their lyrics to think if there were any with particular relevance to Jersey that I could mention in this debate, but sadly I think I have come to the conclusion that quoting them would probably be against Standing Orders, given the type of themes that they cover. But locally, there are obviously lots of great contenders for songs that could unite the Island, beyond just that referred to in the wording of this amendment. “Proud to be a Bean” by Sergeant Pipon’s Lonely Hearts Club Band would surely have to be a contender. That song refers to all of Jersey’s Parishes, but of course it does so equally so perhaps could be accused of gerrymandering, especially after the last few days of debate, so perhaps not. There is of course “*Jersey Mon Vie*” by Hedley Le Maistre, which was one I used to take great pride in listening to when I was a student at university although none of my compatriots there had the faintest clue what any of it was about. But I guess that is one of the things that makes it special. I have to say, I have a soft spot for a particular song; I hope it does not embarrass Deputy Tadier to raise this, but Badlabecques’ “Little Green Shoots” I thought was a fantastic contribution. They produced that for the campaign to save the headland at Plémont, which was a campaign that, at the time, I was not that keen on but have retrospectively been converted to it and think it was the right thing to have done at the time. But there was a particular line in that song that struck me at the time as that campaign was gaining ground. The line was sung in English; unfortunately I cannot remember the exact words of it but it referred to asking the rich in Jersey to pay their fair share to make this an even more special place for everyone, which I thought was great to have included that in that. But, I apologise for getting a bit soft at this point, I have to say I will always fall to the side of “Beautiful Jersey” for one very simple reason. I remember when I was a student at university having a great time in London, I would come back to Jersey; often, I would get a flight back here just before dusk and I would look out the window and on the horizon there I would see Jersey, the beautiful gem of the sea that my heart had been longing for when I was not here, always waiting forward to that moment when I came back. For all of the objections raised by Deputy

Bailhache just now about what boxes a song may or may not tick, I think you have got to go with your heart at the end of it, and the themes in that song invoke that within me remind me why I am so lucky to be from this place, forgetting about all of the politics and everything else that goes with it. At the end of the day, if you cannot really muster a better explanation for it, then just how you feel inside, I think that is actually the best explanation for it and that is why I support the amendment.

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

I fear that after all that wonderful eloquence and waxing lyrical, I am going to ground this a bit. I am pleased to hear Deputy Alex Curtis' commentary about the business community, because right now we have Liberation Day, which is a bank holiday, and obviously - dare I say it - encourages double pay to all staff. I am sure Deputy Mézec would be very pleased to hear that. But on top of that, we have other holidays, or semi-holidays: Battle of Flowers - who knows where that is going? - Battle of Britain. We have got days we have been talking about here today: Battle of Jersey, the 1204. There are so many days which we can pick out. As much as they do not become bank holidays inherently, what happens is they become de facto holidays. I know in our business, half our business basically shuts down on the afternoon of Battle of Britain, which may be not a bad thing, but what it means is there are wages being paid out and no revenue stream. That happens with the other days as well. I think we must always bear in mind the economic impact of sharing days around and increasing numbers of days. I know Deputy Tadier, when he was asked about I think the Corn Riots and having a bank holiday, I think on a particular anniversary, you were told by the Government that it was going to cost between £15 million to £17 million. It was a big number, anyway; it was a big number. I know when the King and Queen visited the Island, it was turned into a bank holiday and that did have a negative impact of around £15 million to £17 million on the Island. What I am just saying is, it is great and it is fantastic to hear all of this heritage, but at the end of the day we have got to worry about our economy. We need to focus on our economy and make sure it remains strong. For me, let us stick with - and I follow Deputy Bailhache's commentary - let us keep Liberation Day as the big day. The other days, yes, recognise them simply as part of our heritage, part of our history, without this national day confusion muddying the water; I think Deputy Bailhache used that term. I am tempted to use the word K.I.S.S.; keep it simple, stupid. I think that is what is great about Liberation Day. We all recognise it. We all know it is the big day. With regard to the anthem, take it or leave it. "Beautiful Jersey": fantastic. I, for once in my life, agree with Deputy Mézec and I think there is something about that which is special and it is very familiar. I do not want to go around reinventing the wheel; I sense we have also been debating this for the last ... well, I do not know how long. Surely, we have got to move on. We have got to start thinking about our economy. We have got to start thinking about the people of this Island who are struggling. Let us move on this debate, please.

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

A lot of what I wanted to say has already been said, but it is an important debate and I did want to make some comments so that they are on record. I completely concur with the Connétable of St. John. I am not going to support part (b) and I am not going to support the main proposition either because I do not agree that we need a national day, but I will talk more about that in the main proposition. I do, however, want to support part (c) of this proposition. A long, long time ago at St. Lawrence School we were taught "*Ma Normandie*". I can still remember most of it. I do not know when "Beautiful Jersey" took hold, but I do associate that as our anthem for Jersey, not least as it is always sung at Liberation Day and other events. When it comes to our official anthem, which is supposed to be "My Island Home", even though I am a singer, I probably could not get you past the first line and I certainly could not even hum you the tune, and I am interested in music.

[11:30]

What I do want to say about "Beautiful Jersey" as well is a bit nostalgic, I suppose, but I do remember during COVID that on BBC Radio Jersey, every morning at 8 o'clock we had a lovely radio presenter

called Ashlea Tracey, who has recently left us and gone to the Isle of Man. She played a different version of “Beautiful Jersey” at 8 o’clock every morning. I actually found that very comforting during a very difficult time for Jersey, and I know a lot of other people did too. I am not a natural athlete; in fact, you can tell I am no sort of athlete at all. But if I was able to compete at a very high standard and I was able to win medals, I would want “*Man Bieau P’tit Jèrri*” played on the podium as I received my medal. Certainly not “*Ma Normandie*” and certainly not our “Island Home”. It is a very well-known song. There was a majority, albeit I agree a very small one, in the survey but it does provide an opportunity to sing in both English and Jèrriais in whichever way you wish to twist the start. I think another thing of significance is “*Man bieau p’tit Jèrri*” has been taught in Jersey primary schools for a very long time and has, therefore, gained traction among our young people; they know the words and large choirs of children sing it beautifully. We have heard that over the last few years at Liberation celebrations and otherwise. It clearly has huge significance for a large proportion of our population. Finally, I think about what the late Connétable Sadie Le Sueur would have said about adopting this and I think she would have probably said: “Yes, let us go for it.”

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

Earlier in the week I have thought that I would not speak in this debate but I am inspired to do so by a t-shirt that I saw in the window of a shop on the way home on Tuesday evening which had some wording on it, which made me think about the subject of anthems, and I will come back to that. But what I have been thinking is that, much as Deputy Bailhache has said, I think it is difficult to specify an anthem because anthems must have public adoption. The public and the people singing them have to want to sing them. They have to have some degree of emotional significances. As Deputy Bailhache says, they have to get the blood pumping. People have to want to sing them. If they do not want to sing them, if they do not like them, there is very little point in specifying. An example I would give you is a quick bit of Wikipedia, a bit of Google searching this morning tells me that in Scotland we do not have our official national anthem but there are 2 general contenders. There is “Flower of Scotland” or “Scotland the Brave”. I imagine if you walked along Argyle Street in Glasgow and asked people to sing you a verse of each, very many more people would be able to sing you “Flower of Scotland” than can sing “Scotland the Brave”. Like Deputy Miles, I could probably hum you the tune to “Scotland the Brave” but I have no idea what the words are. “Flower of Scotland” is a relatively modern song, I believe it was written by a folk group called The Corries in either the late 1960s or early 1970s. I remember having a Corries L.P. as a teenager, which my parents came home with from a function where The Corries performed, and it really caught; that song caught the public imagination. I remember when I was much younger absolutely loving it. I am not sure that I do love it quite so much now as an adult for a whole number of reasons, which I will not bore you with and because I may have my rights of return barred. But partly because in the wrong hands it can sound like a bit of a dirge and not at all inspiring, although I have to reflect, as I am sure many of you will have seen, that some of the renditions of it we saw during the Euros in Germany last year were absolutely spine-tingling. I believe the Scottish Government decided in 2015 not to specify an anthem but I think it really matters; anthems are something that people want to sing. For what it is worth I really like “Beautiful Jersey”. I think “Beautiful Jersey”, gem of the sea captures what most of us say to people. When people say to me: “What is it like living in Jersey?” What I always say is: “It is beautiful and it is a lovely place to live.” That is what we all say, that I am sure those are the first words any of us say: it is beautiful and we love living here and it is safe and it is green and it is beautiful. That is why most of us, I think, are here. I think Visit Jersey might do well to consider “Beautiful Jersey: gem of the sea” as an advertising strapline, not quite as exotic as “Penang, Pearl of the Orient” but it describes what Jersey is. Returning to the question of anthems, and we are getting closer to the t-shirt, I have no idea why “Sweet Caroline” is the celebration party song of English football. I do not understand how that has come about but it is a great song. People love singing it. You can jump about and dance and it is a great song and I am sure Neil Diamond is absolutely delighted it has become the party song of English football. To the t-shirt, I am equally

baffled as to why “Yes, Sir, I can Boogie”, the words on the t-shirt, has become the party song of Scottish football. But, again, it is a great song, people like to sing it and jump about and celebrate. To conclude, yes, Sir, I can boogie, and I am going to look at that t-shirt very closely when this sitting is over.

The Deputy Bailiff:

Does any other Member wish to speak on this amendment? I call upon the Deputy to reply.

2.2.13 Deputy M. Tadier:

I am very happy to follow the last speaker and because she has got a lot to boogie about, I would suggest. Can I compliment her also on her patriotic dress today? [Laughter] Sorry if I made her cough. I suppose that I was not thinking along these lines but the Deputy has reminded me - and I think this needs to be a theme in our wider considerations - that it is possible to hold multiple identities at any one time and you can feel belonging in lots of different ways. I think this has got to come out during the debate because we should not in any way be seen to be trying to impose one kind of homogenous view either of Jersey or what we think its identity is or should be because it means many things. It is almost like Schrödinger’s cat I suppose, in the sense that as soon as you try and define it it becomes elusive. It is much more beneficial if we can get to a point there is an organic sense of what it means to be an Island or to be Jersey. That is why I think, if you like, the contradictions in the counterpoints between the universals and the personal elements are where it really is all at. I thank Members in advance, in case I forget at the end, because I think it has been a constructive debate after a long and maybe difficult week in terms of some of the content that we have been discussing. Because this does have the potential for us to seek where those commonalities are, and I think we have found some of that already in this debate. I am more interested in many ways, unlike some debates where you are absolutely keen to make sure that you absolutely win. I would have liked of course all parts of my amendment to get through. I am much more interested in the spirit of this debate and what Members are saying, rather than necessarily what the ultimate outcome and whether we vote (a), (b), (c), a mixture of all of them or in fact none of them. Because I think this debate, hopefully, will serve to move the conversation forward and it is not one that we often have in this Assembly. I think that is very important, not least to the Minister for International Development but also for Island identity. It is very bizarre speaking to somebody who is behind me, I am sorry that the Minister has to look at my back; she is used to looking at the back of my head, I think, anyway. We have had some very good contributions here and where to start? Let us start, I think, around the anthem because I think there is some consensus around that. I will not do this in the order in which people spoke necessarily but, first of all, I do not want to necessarily be too sycophantic but I think it needs to be recognised that Liberation Day did not just happen out of the blue, as Deputy Ozouf said. There was a concerted effort from some people in this Assembly, and I look across to now Deputy Bailhache who during his time of Bailiff saw that there was an opportunity to do something really positive for Island identity which could bring a level of cohesion to mark a significant event, which at that time was a 50th anniversary of liberation. I am always reminded when I go to Liberation Square because that is truly one of the most iconic sculptures that we have. Again, that did not just come out by chance. It was because there was a group of individuals in Jersey who thought that sculpture was important; a public sculpture was absolutely important. They set up the Public Sculpture Trust I think around 1994. They lobbied, they corralled and they made their arguments. They said: “We do need public sculpture” and Liberation Square was created a number of years earlier, and of course that was to be the centrepiece but it was not without controversy. Because of course there was then a debate about whether or not there should be a flag or whether there should be doves that would be released from the Liberation statue, the Liberation sculpture. The original vision of the sculpture, Philip Jackson, was that there should be a flag, it was a patriotic moment and there was a flag present at Liberation Day. Politicians got involved and said: “We think we would like to change the flag to doves because doves signify peace and reconciliation.” Strangely

enough that was a controversial idea, a lot of public pushback against that idea, especially from those who remembered the Occupation and who remembered the war. They said: “This was a moment where the British flag, which we had not seen for 5 years, was so important to us; doves less so.” There were not any doves left after the Occupation, perhaps for obvious reasons, so the flag was put back in its place. That sculpture, which remains on our £1 note today, is of course I think of central importance. That idea of how something can become an icon, both tangibly and also symbolically, I think is a good example of something that could be unifying. Let us turn to “*Man bieu p’tit Jèrri*”, I do not think we are going to get unanimous support but I think that we can build up some consensus around this. Of course we all have tunes that we love. I think that sense which you get, that phenomenon when you get the hairs on the back of your neck or even just that sense that you get when you hear a particular piece of music or even see something, I think it is called synaesthesia, if I am pronouncing correct. It is a physical response to an external stimulus and I have certainly had that and I have had it when I have been listening to different songs, including “Beautiful Jersey”, but there are also some other songs I might touch on. Of course things are subjective and I have had interaction on social media recently when people say: “We do not want that song. We do not need a national anthem. We do not want ‘Beautiful Jersey’, it is a terrible song.” I say: “Have you listened to it and have you listened to a modern version of it?” Then you send people the link and they say it is not bad. One person said: “No, I still do not like it.” When I sent it to them I think they had made up their mind, which is fine because it is also quite political in a sense. But people who are willing to keep an open mind, people who are aware of the song and aware of the fact that songs can be played in different ways and can be renewed in their interpretations, that there will no doubt be lots of pop songs which you like some versions of but you do not like all the versions of and that is why covers of course routinely get made. I get where Deputy Ozouf is coming from when he said he would like some verses to be added that make it a bit more patriotic, that talk about our history in 1204. But I would say in doing that I think we would be spoiling the song. Because one of the strong advantages we have of “Beautiful Jersey” is that it is inherently apolitical and it is something that, as Deputy Millar said, I think, the last speaker, has hit the nail on the head there, it is something that everybody in Jersey can relate to. I would go one step further, it is not just something that Jersey residents can relate to, it has also partly been written with visitors to Jersey in mind. When we look at the words like: “*Y’a un coin d’tèrre qué j’aime, qué j’n’oubliéthai janmais - Dans mes pensées tréjous preunmyi. Car jé n’vai rein à ses bieautés. Dans touos mes viages à l’étrangi.*” What they are saying there is that I will never forget Jersey, I am always thinking about it. It is the first thing I think about and there is nowhere else in the world that you could compare to the beauty that you have in Jersey. I am getting that synaesthesia even as I just read this; in all my voyages abroad and you will never find somewhere as beautiful. I often say that to people, I know, having travelled extensively when I was younger, that you see so many beautiful places, you see beautiful beaches that are equally beautiful to Jersey and they are different, they have got palm trees, they have got golden sand. But I say that they might be beautiful places but there is nowhere that is better. There are lots of places that can equal Jersey that are different but when you come home, when you go walking on the northern cliffs with or without your dog or if you go down to Beauport, one of my favourite beaches in the Island, other people love Portelet, you will not get any better than that. That is something which we can all relate to as Jersey people but as visitors as well.

[11:45]

Of course I am mindful of the fact in a different debate, Deputy Southern might have said but you cannot eat the countryside and that is absolutely true. When it comes to the political realities of living in Jersey there are divisions but this is something that can unite but I think all of us, not just those who live here. Of course then it talks about, the chorus: “*Man bieu p’tit Jè, la reine des îles - Lieu dé ma naissance, tu m’pâsses bein près du tchoeu; Ô, tchi doux souv’nin du bouôn temps qu’j’ai ieu. Quand j’pense à Jèrri, la reine des îles.*” Okay, so maybe you do have to be Jersey-born to appreciate that particular bit. But I think we can treat that metaphorically. My beautiful Jersey, the queen of

the islands and what beautiful memories I have when I think of you and the beautiful times that I have had in Jersey, when I think of Jersey, the queen of the islands. You have just won silver, you have just won bronze, you have just won gold and you are on that podium and you hear your national anthem or your anthem, whatever that means to you. You are not hearing the same anthem of the team that you have just beaten because in fact the Jersey pétanque team has just beaten the England team, I think for the first time it happened last year. Very strange if they have both got to play the same anthem, is it not? God Save the King, that is fine, it has got its place but it is not what Jersey should be playing on a podium at a pétanque match where it has just beaten the English again, like they did in 1066. That is not the anthem we want, thank you very much; something that relates to the Duke perhaps. I was very pleased a couple of days ago with my St. Brelade colleague, Deputy Miles and the Minister, Deputy Morel, to attend the Sports Council sports awards and sitting there you just realise the amount of passion that people have for Jersey, for their sport. They are not just doing that of course because they love the sport, and they do, they are supporting each other but they are also going off-Island to celebrate and to represent us. Whether they win medals or whether they do not, they are representing the Island in that sense as well. It is not just a case of us playing an anthem here but it is playing an anthem when we get to those places. Whether it is in the U.K., whether it is in France, all of those countries in the Island Games, they say: “What has happened here? Jersey has now got its own anthem, which is being officially endorsed by the Assembly of its own country, so to speak, of its own Island. Wow, that is brilliant that they are supporting them.” I also think that there are some great other songs. I think the Sergeant Pipon or Wet Wet Le Geyt or Hedley Stardust and the Spider Crabs from La Mare, the band that used to change its name routinely. I grew up with them; they were brilliant. In the days before social media and the internet you had to hear it almost by word of mouth: where are they going to be playing? What are they going to be called this week? Their songs were absolutely both hilarious but also poignant, if you could understand what they were saying, and they were not always the clearest. I think Deputy Farnham probably knows one of the band members quite well, he might speak on that later.

Deputy L.J. Farnham of St. Ouen, St. Mary and St. Peter:

Can you give way just very briefly?

Deputy M. Tadier:

Yes.

Deputy L.J. Farnham:

I think you forgot to mention the Libéré City Rollers.

Deputy M. Tadier:

Indeed and I also forgot to mention Elton Jean. **[Laughter]** The list goes on. It is the gift that keeps giving. Of course their song, “Proud”, would make a really great anthem and it is a song that Badlabecques covered, and “Proud to be a Bean”. Again, you can sing in Jërriaise and in English. I have to put my hand up and say that if the Minister had been proposing “Beautiful Jersey” today I would have put an amendment in to say, can we have “Proud to be a Bean” instead? Let us have a debate because I think one of the issues we will get back to is that I think this consultation, if there is any criticism to be made of it, and I understand that it is built on a previous piece of consultation, it was quite limited in its scope of what it asks. I think that there was an opportunity of course for people to put other suggestions forward. “Proud to be a Bean”, if you have not heard it and you have not heard the band’s version, I suggest you listen to it because it is great fun but it is also really simple and it talks about the idea that you can either be a bean or a crapaud and the 2 are not necessarily mutually exclusive. Let us talk about the crapaud now, so I am going to jump around a little bit, it is a good segue. I get that there are other dates out there. What I am disappointed at and I fully agree with that. When I was briefly Assistant Minister for Economic Development, Tourism, Sport and

Culture and I specified to then Senator Farnham that I really wanted to get a report published which had been commissioned by my predecessor about culture, arts and heritage. One of the key recommendations that they made in that report when it was published was that we should make culture, arts and heritage more visible through key events and anniversaries, and that is absolutely what we should be doing. I make no apologies for singling out both now and in the past, and I will do it in the future, about the importance of 28th September. It is one of the many dates that are important in our calendar, it is already becoming established. Irrespective of whether Members vote for this today to make it a second or an additional national day, I hope that I can count on Members' support to make sure that we do not forget it, that we celebrate it and we accept that there needs to be both anniversaries but also events in our calendar that speak to different parts of our population because I think that is really important. But let us look at the 1204 date because I think that is critical. What have we done to celebrate 1204? It is difficult to find a particular day where we might look at those constitutional changes, the very fundamental ones that took place around about then. But there is a specific day that we could choose. If we wanted to have a date that celebrates 1204, when might it be? I will give you a suggestion, I will give Members a suggestion. It should probably be the date that we unveiled in 2004, the crapaud sculpture at Charing Cross. Because the crapaud sculpture has now been in place for 20 years. Did that anniversary of the 20 years of the crapaud have any kind of anniversary linked to it? No, it did not. I tried to get something done behind the scenes. I had been emailing both the sculptor of the sculpture, he is called Gordon Young. He is a great, what we call, a typographical sculptor. He has done pieces of work all over the world and in the U.K. too. He did the famous Blackpool Comedy Carpet, which is obviously 2-dimensional; it is vast. It is just outside Blackpool Tower. To have a piece of work from somebody of his calibre in Jersey which celebrates our own unique history but in a particular way, in a slightly comic but also poignant way, on a plinth which is surrounded by an inscription from the Code Le Geyt from 1698, I think it is. It speaks to our local culture in a particular way but 20 years anniversary meant nothing. Unfortunately, I was in correspondence with an officer to bring him over at my own expense or, if the department could not do it, to have a talk put on by him about what that sculpture means. The talk would have been called "The Toad and the Code" because it would have talked about both the toad and the Code Civil or that particular Code Le Geyt rather. It would have been an opportunity for us to focus both on current day culture and on what happened in 1204 and why this sculpture, which is fascinating both to locals and visitors alike, is important. I would suggest we have not missed that opportunity yet because this year is the 21st anniversary of the toad. The toad is, effectively, coming of age this year. I would put the challenge out to everybody who thinks that 1204 should be celebrated as a significant date, is that we look to make that date in December when the sculpture was unveiled. Also, a date where we have a celebration where we do invite Gordon Young over to come and give a talk. We can have him over earlier in the year if we need to. We celebrate the significance, both of that sculpture and of our wider links with Normandy and our constitutional links with the U.K. I am absolutely up for that. The point I am making is that none of these things are mutually exclusive, otherwise we enter into what aboutism. What about 1981 when we got to put the emblem on our flag? Should that be an important date? Yes, arguably, it should but somebody else needs to do that. I cannot do all of these things. My particular passion is around the Corn Riots, about the changes in 1771. If anyone is concerned that this is just focusing on the Corn Riots and it is just a niche interest, if you go to the website of Bedell Cristin, where I took some of my references from, they talk about the significance of the Corn Riots in an article just this year. With no influence from me they just decided that they want to talk about the historical significance of what the Corn Riots were and why 1771 was an important date, to the point that they are willing to write about it on their website. It has got a wider following than just a niche political or some niche cultish cultural following. Deputy Bailhache said that Jerseymen do not like being told what to do. I think that is absolutely right and I think that is why the Corn Riots is so fundamental. It is about people in the countryside, probably an emerging middle merchant class who found that they were being mistreated by a political set up and a balance of power and the fact that could not eat and they could not afford to buy corn and they could not

afford to pay for things in corn either. They took things into their own hands and they said: “Yes, let us get off our posteriors and let us march down to the Royal Square, let us demand a change in the system.” We know that when Colonel Bentinck came to the Island he said: “Yes, we do need some changes in Jersey” but they were changes which, ultimately, were adopted willingly by the people of Jersey and which helped people and moved society forward. It is good to remind ourselves that some of Iron Maiden’s best albums were produced here in Jersey or written here, I do not know if they were recorded here; they were written here, in the same way of course that lots of Victor Hugo’s best work or some of it was written in Jersey. Of course he did not have much time, unfortunately, he only had 3 years in Jersey because we were a little bit mean with Victor Hugo in hindsight. We could suggest that 31st October, rather than being a national day, that could be called Stupidity Day or Unintended Consequences Day because that is the day in 1855 where the Constable and Centenier of St. Clement knocked on the door of Victor Hugo, sorry, that is the day he left but a few days earlier they knocked on his door and said: “You have got to leave, mate, we want you to go.” I do not know if they said it in those tones but probably in French and he said: “Okay, you have got a week to go” and he went to live in Guernsey. Why is that important? Because it talks about the vision that we might have because in kicking out temporarily the greatest literary author, the most well-known throughout the world, we had a lack of vision there about what we could be doing culturally. I would suggest that we need to always be vigilant of having these things at the forefront of our mind. We could have the Battle of Flowers, yes, absolutely. We could have the Battle of Britain. We could have the Battle of Jersey. Why are we so obsessed with battles though I wonder? Not every national day needs to be a battle. In fact I used to call it the Air Display and not the Battle of Britain. I think those are all important dates for different people. But I think in an increasingly mature Island, which is confident in its own sense of identity, there is nothing wrong with having more than one national day. In fact it is perhaps less controversial to have a number of national days than one specific national day. I am going to finish on this one because let us go back to “Beautiful Jersey”, I think that is where the debate is to be won. I have been to Granville a few times and one of the regrets is that the Granville Carnival is great but it just seems to happen at the wrong time of the year. You cannot really get into the spirit of Mardis Gras when it is a rainy February or March and that you are shivering. I would much prefer to be maybe in Rio or in Trinidad or in Notting Hill in the summer or in Jersey in the summer indeed. But I can imagine and I do understand that when Deputy Scott says it brings tears to her eyes when she sings “Beautiful Jersey”, I can just imagine the French when she was talking to them and they said: “Deputy Scott, I can assure you that when you sing ‘Beautiful Jersey’ it brings tears to our eyes too.” **[Laughter]** With those final words I sit down and make the amendments and ask Members to vote for both parts.

Deputy P.F.C. Ozouf:

Sir, can I ask a point of clarification?

The Deputy Bailiff:

A point of clarification, will you accept one from Deputy Ozouf?

Deputy M. Tadier:

Sorry?

The Deputy Bailiff:

Will you accept a point of clarification from Deputy Ozouf?

Deputy M. Tadier:

Yes.

Deputy P.F.C. Ozouf:

I did not hear the mover of the proposition, he is obviously a Back-Bencher but do we know why the Government is supporting this and are they entirely?

Deputy M. Tadier:

I cannot speak for the Government. My understanding is that there is a free vote on the Council for all parts of this, which means that they can vote for it if they want to and I would encourage them to.

The Deputy Bailiff:

Deputy Scott, a point of clarification?

Deputy M.R. Scott:

Yes, please. Could the Deputy confirm he will be taking his amendment in parts, please?

The Deputy Bailiff:

It is a matter for you. Deputy, would you prefer to take it in 2 parts or ...

Deputy M. Tadier:

I will, Sir, yes.

The Deputy Bailiff:

Yes, all right. The appel has been called for and Members are asked to return to their seats. We are taking it in 2 parts, the first part is that 28th September should be adopted as Jersey's second national day. I invite the Greffier to open the voting. If all Members voting have cast their votes, I ask the Greffier to close the voting. I can announce part (a) has been rejected.

Pour: 17		Contre: 27		Abstained: 0
Connétable of St. Martin		Connétable of St. Helier		
Deputy G.P. Southern		Connétable of St. Lawrence		
Deputy C.F. Labey		Connétable of St. Brelade		
Deputy M. Tadier		Connétable of Trinity		
Deputy L.M.C. Doublet		Connétable of St. Peter		
Deputy K.F. Morel		Connétable of St. John		
Deputy M.R. Le Hegarat		Connétable of St. Clement		
Deputy R.J. Ward		Connétable of St. Ouen		
Deputy C.S. Alves		Connétable of St. Mary		
Deputy S.Y. Mézec		Connétable of St. Saviour		
Deputy T.A. Coles		Deputy S.G. Luce		
Deputy C.D. Curtis		Deputy S.M. Ahier		
Deputy L.V. Feltham		Deputy I. Gardiner		
Deputy H.L. Jeune		Deputy I.J. Gorst		
Deputy R.S. Kovacs		Deputy L.J. Farnham		
Deputy A.F. Curtis		Deputy P.F.C. Ozouf		
Deputy M.B. Andrews		Deputy Sir P.M. Bailhache		
		Deputy D.J. Warr		
		Deputy H.M. Miles		
		Deputy M.R. Scott		
		Deputy R.E. Binet		
		Deputy M.E. Millar		
		Deputy A. Howell		
		Deputy T.J.A. Binet		
		Deputy M.R. Ferey		

	Deputy B. Ward		
	Deputy L.K.F. Stephenson		

[12:00]

The Deputy Bailiff:

Moving to part (b) that “Beautiful Jersey” should be adopted as the Island’s official anthem. 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. I can announce that part (b) has been adopted.

Pour: 33	Contre: 9	Abstained: 2
Connétable of St. Helier	Deputy K.F. Morel	Deputy T.A. Coles
Connétable of St. Lawrence	Deputy S.M. Ahier	Deputy M.R. Scott
Connétable of St. Brelade	Deputy I.J. Gorst	
Connétable of Trinity	Deputy P.F.C. Ozouf	
Connétable of St. Peter	Deputy Sir P.M. Bailhache	
Connétable of St. Martin	Deputy M.E. Millar	
Connétable of St. John	Deputy A. Howell	
Connétable of St. Clement	Deputy T.J.A. Binet	
Connétable of St. Ouen	Deputy A.F. Curtis	
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 M.R. Le Hegarat		
Deputy R.J. Ward		
Deputy C.S. Alves		
Deputy I. Gardiner		
Deputy L.J. Farnham		
Deputy S.Y. Mézec		
Deputy D.J. Warr		
Deputy H.M. Miles		
Deputy C.D. Curtis		
Deputy L.V. Feltham		
Deputy R.E. Binet		
Deputy H.L. Jeune		
Deputy M.R. Ferey		
Deputy R.S. Kovacs		
Deputy B. Ward		
Deputy L.K.F. Stephenson		
Deputy M.B. Andrews		

2.3 A National Day for Jersey (P.6/2025) - as amended (P.6/2025 Amd.)

The Deputy Bailiff:

Now moving back to the proposition as amended. Does any Member wish to speak on the proposition as amended?

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

I am sure Liberation Day is a really special day for lots of people who live in Jersey for all sorts of different reasons and my involvement in the celebrations in particular that are held on Liberation Day goes back over 20 years. So before I was elected to this Assembly, some Members may know that I was actively involved in the thanksgiving and re-enactment celebrations on Liberation Day itself, both in the preparation for the events and on the execution of the parades and the bands and the vehicles in the march past at the end through the Bailiff's office. One of the best parts about doing that role was, not just getting up early on Liberation Day and walking into town, helping to set out all the seats and labels and meeting with parishioners and people who are survivors from the Occupation, but after, at the conclusion of the event, we would retire to the Pomme d'Or, and in the early days when I was involved it was a free bar. So people who were here during the Occupation had a chance to have a drink and loosen up a bit and, while it was a joyous occasion, emotions sometimes bubbled to the surface when people had had one or 2 drinks just after the sun was over the yardarm. I remember particularly speaking to an individual gentleman, who has now sadly passed away, who was here on Liberation Day. I asked him: "What was it like in the couple of years after Liberation Day?" because we always think about such a joyous occasion, but what was the rebuild like? What was the atmosphere like? He was very clear, he said: "We just wanted to forget about the whole thing. We just wanted to rebuild our lives and erase everything that we could see that had to do with the Occupation." That is why guns were lobbed over cliffs and bunkers were filled in, because people were sick of it, they just did not want to see it anymore. He said: "Bizarrely, now all I want to make sure is that no one forgets what happened." So it had come full circle and I am so glad that I got to speak to that gentleman on more than one occasion because his recollection of those years after the Occupation were really strong to him. So, in my view, raising the status of Liberation Day to a national day in effect will make sure that that memory never dies. The main theme that comes from Liberation Day is one of freedom. Yes, of course, we celebrate our liberation from occupying forces. But the ongoing legacy about Liberation Day is a celebration of our freedom at a time when lots of places around the world are full of oppressed people, it becomes even more poignant. So, for me, the way we keep the legacy of Liberation Day going is to make it a national day. Of course there will always be the negative connotations associated with how Liberation Day came about, but if we focus on the positives, which is the celebration of our freedom, while not neglecting the memories of what people endured over here, that is the way that we can take Liberation Day forward into the future and make sure that we keep celebrating it for the right reasons.

2.3.2 Deputy A.F. Curtis:

I hopefully, like the former speaker, will be brief. I really appreciated his commentary about the nuance in this and, like many of us who come from a family whose relatives lived through this period, it shaped generations in their approach. The celebratory nature that Liberation Day is, for many, not one that I relate to at all. In fact remembering a Liberation Day too prior, where celebrations of a rugby club oversaw what is quite a sombre day for many, jarred with me and I know with other Members. So turning this to a national day is something, a day we celebrate, is a hard one for me. Also, as Deputy Ferey says, about throwing and moving on, I look around and I see the fortifications left by the Nazis and know for many that I know the reverence we give them with their grade one listed status jars again. We have got enough, we could get rid of a few more still, and that is a valid opinion I think people should have about how we move on and evolve. But I think making it a national day also undervalues the fact that this was 5 years and a lot of impact and influence on people, but it was only 5 years of what is an incredibly rich and long history and I do not think it defines the best day for our nation. The only other reason I rose to speak was, in reflecting conversations I have had with parishioners and Islanders, and a couple of words said by the lodger

of this proposition included that: “The values of freedom and resilience which Liberation Day embodies. Deputy Ferey talked about freedom and Deputy Tadier talked about the removal from our lands of a tyrant. It is all well and good that we can value those in theory, but this Assembly still does not really want to have a voice for that in practice in other lands across the world. We have people genuinely afraid to use their voice in this Island now for fear that they will be taken to our courts, that they will be treated differently because the values that they wish to represent, the values we are talking about today, are not held in the same regard when talked about certain places. Principally, right now, we all know that the hardest place or one very visibly talked about is of course that of the Palestinians in Gaza, and this Assembly has not done much to show that the values we are talking about, the values we care that we were granted on Liberation Day, are those we also want to see fought for and defended for those who also want to take the words quite frankly, the removal from lands of a tyrant. So, until I know that this Assembly and this Island gets behind a voice for people and makes that known beyond platitudes and the words that: “We have to be careful for soft diplomacy”, sometimes in the very way we mask ourselves. I find this jarring as well, that we were very happy to receive our freedoms, we want to celebrate them, but we do not always go the distance to say how we want to protect others, and especially in the context now of those who speak for the freedoms of Palestinians in Gaza, not to mention the ongoing challenges around the world, whether it be in Asia, Africa. We need to do better and I think before we start celebrating how good that day was for us, we need to look deeply at ourselves and think how can we do better to make sure what we value is valued by so many more around the world.

2.3.3 Connétable K.C. Lewis of St. Saviour:

In a similar vein, many years ago when I was a young man, as many Members know, I worked on the BBC “Bergerac” series; the original one. When that show finished, I was contracted to work for Bavaria Films, a German crew coming over. We were all of a similar age, probably late 20s and early 30s, and we were filming at what was the Lobster Pot on the north-east coast, no longer with us. During filming we had a tea break and we were all standing, looking out to sea, and one of the gentlemen sat next to me sort of brushed his foot on the floor and said: “Kevin, what is this?” and I said: “Sorry, what is what?” “What is this here, this concrete?” I said: “Oh, it is a German bunker.” Everyone looked at each other in amazement. They had not been taught in schools that Jersey was occupied by Germany, and they got extremely embarrassed about it. So it is something we definitely need to preserve. They got even more excited 2 days later when they said: “Kevin, we are going back to Bavaria, we are all going up to Berlin. Please come with us. You have had your freedom. We are going to have ours now. We are going to be dancing on top of the Berlin Wall.” I said: “Are you crazy, the Russians would never allow that.” But sure enough, within the week, they were all dancing on the Berlin Wall. So we all have our freedom and this is a memory that must be preserved.

2.3.4 Deputy M.R. Scott:

I just wanted to respond to a point made by Deputy Curtis. I once read a study that talked about the gap, the gap between what you are trying to achieve, but also how far you have come. I believe that Liberation Day has been a great opportunity for Members, whether it is the Bailiff or the Chief Minister, to highlight this ongoing struggle to secure freedoms for the community. In terms of freedom of speech, I believe that the Minister for International Development, who is exploring this or endeavouring to create a cohesive Island identity for us, has really sought the expression by the public as to what they want. So I recounter that to not support this proposition is in fact not respecting that invitation to express an opinion and to implement it, and we may have issues, that is undeniable, but I believe that what he is saying is not relevant to the point in hand, which is to respect an expression of public opinion.

2.3.5 Deputy P.F.C. Ozouf:

A national day should be not just about a moment in time, I believe it should be to recognise our past, our present, and our future. I am more than happy to agree to Liberation Day being our national day.

[12:15]

As the then Bailiff, when making one of his landmark speeches on Liberation Day on behalf of the people of Jersey, many of which are texts which I have reflected on, and they were great, he said that we should celebrate Liberation Day for ever. I agree with that because what happened during those dark years was joy as well as sadness and recognition. I would like just to say in this concluding part of the debate that Liberation 80 should be about recognising where we have come from in the last 80 years. But maybe we should also think about what we need to do to make Jersey the fantastic place that we all want it to be, the thing that unifies all of us. That is why we are here. What we can do in the next 80 years to make Jersey the great place that it should be. I am not sure that, with the greatest of respect, we have done ourselves, and maybe even me taking time up now in speaking in this debate, that we are dealing with the people's priorities. I have said it in earlier debates, this is important but we need to basically be making changes for the future of Jersey that are sometimes difficult, that the future is not evidenced, but we have a guide to it, the last 80 years, the last years since 1204. Deputy Bailhache said about the enduring parts of a Jerseyman that they are stubborn and they are contrary. Maybe I have displayed that, I am sorry if I have, but it is about the future, not just the past, and the present is where we need to get on and deal with the people's priorities, because there is a lot of people that are not happy in Jersey. They are suffering and we need to deal with that and we need to be mindful of that.

2.3.6 Deputy H.M. Miles:

I do not really want to speak for very long, but I am going to vote against this proposition. I just really wanted to explain why. I just do not feel that Jersey needs a national day. I think we have Liberation Day as a de facto and I do not think that needs to be official particularly. My mother-in-law and her family were deported to Biberach during the Occupation. Liberation is very important to our family and it is something that we recognise and indeed celebrate at home every day. I think if she was here now she would see Liberation Day as a demotion or a dilution if it was to be made our national day. Again, not a perspective that everybody shares, but certainly one that I wanted to share.

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

I was prompted to rise up following Deputy Miles because I 100 per cent concur with her views and opinions that Liberation Day is a day of national importance on its own and I feel by making it a national day for Jersey, I think it is diluting things which still live in our memories today. That is not to say in 50 years' time we may want to reconsider, but at the moment, while we still have people still alive to remember our liberation, I think the day should remain as it is and we can consider something else for a national day.

2.3.8 Deputy M. Tadier:

I will be supporting this, but I do think it is important to put a different point of view on record because I think there are those like people who Deputy Miles has spoken to or family who simply have asked the question: why do we need a national day, it is effectively our national day? So, in doing my research for the proposition, I typed in "Liberation Day, Jersey" and in fact I typed in "List of national days around the world" and the internet already thinks Liberation Day is our national day, so that is good, so at least the internet knows that. That could be seen as an argument either for just officially making it our day, which I would suggest is probably what we need to do, but there is the counter-argument which says why do we need it. There is also the argument, which I did not want to dwell on too much, is that for a lot of people the Occupation and liberation means very different things. It is right that Deputy Ferey pointed out that immediately after the Occupation a lot of people

did not want to talk about it, especially perhaps those returning from war or returning as evacuees. We must not forget about the evacuees. There were some very difficult feelings there. I go back to the Liberation sculpture. Next time you are in Liberation Square, look at the different people that are in that set of sculptures and you will see one of the elder gentlemen with a kind of clenched fist. That clenched fist has always intrigued me because I think it was put there deliberately by the artist. I do not know if it is just coincidental, if it is a clenched fist of anticipation or if it is something that he still retains anger over something that has happened during the Occupation, maybe one of his sisters, daughters, a family member got deported and never came back from the camps. We think of Louisa Gould, but there were many others. Or is it the fact that he knows that now the Occupation is over, things do not just go away? He has still got to live next door to the people who maybe denounced his family. When we think of the Claud Cahun, Marcel Moore, Lucy Schwob and Suzanne Malherbe, who lived in St. Brelade, they were released from prison on Liberation Day or just before on the 8th, but they had to go back to a house which had been completely ransacked, despite their heroism during the Occupation, only to find that it had not just been ransacked by the Germans, it had been ransacked by locals and they could see women in Jersey wearing their clothes, their *haute couture* from Paris, and thinking: "How did you get that?" and a lot of the furniture in other people's homes around Jersey. So the liberation was a complex thing. Of course there were those asking themselves the question, we would not have had to be liberated in the first place if we had been defended properly. I know that is a contentious statement to make, but of course there were those who feel like it and I think, on balance, most historians recognise the fact that the Island was probably undefendable, if you like, but it is certainly not a question that goes without contention. Of course, we do get back to the treatment of Jews during the Occupation in Jersey and other groups. I am always reminded of the fact that, when I go to visit the grave of Suzanne Malherbe and Lucy Schwob in St. Brelade's church, only a few headstones away, just behind there, is the headstone of a certain Monsieur Orange who, after the war, was a jurat, but during the Occupation he was one of those who too zealously registered Jews in the Island. This is recorded in one of the many books of the Occupation, and nobody really knows why he took so much care in making sure that people who probably should not have been registered as Jews during the Occupation were and then possibly led to consequences or deportations because of that; certainly consequences. So it was a complex period, the Occupation, and not everybody necessarily sees it, especially if they were the ones here at the time. During our discussions as a Scrutiny Panel, we were mindful to look at the basis for evidence. I am not going to go right through our comments, by the way, because strangely enough I think we had forgotten that our panel is the main respondent to this proposition. You did not forget, Sir, but I think during the debate we may have. There are considerations to be made about the extent to which the consultation could be critiqued. But it comes back to the bottom line that I would have been very interested to have more of a breakdown. We know that there is a breakdown from young people who were consulted. They also thought Liberation Day should be Jersey's national day, but it would have been helpful, I think, to have a particular breakdown from those who were either in the Island during the Occupation, what does that group think, what do those who are of that age, even if they were not in Jersey but who lived through the Second World War elsewhere, and possibly those who were evacuated, do they also see Liberation Day is an important day? I suspect very much it would not differ because 81 per cent is a very significant response to, albeit a self-selecting survey, but I think it is important to voice those other concerns. Can I also just congratulate Deputy Alex Curtis on his courage in standing up today because I was thinking exactly along the same lines. We are sent, often, many emails in recent weeks and months, even by members of the public who are very concerned about what is going on in Israel and Palestine and Gaza, and they are asking us why is there such silence from Government and from this Assembly about the atrocities that are unfolding in that part of the world. We know it seems like an intractable decision, and there is blame on both sides, but I for one do want to stand up in this Assembly and tell Israel that what they are doing is completely disproportionate. The loss of life that we are seeing daily often on our TV screens of babies, young people being killed, those who cannot even possibly in any way be said to be involved with the

organisation of Hamas that Israel is fighting. Those are not the ones who by any means, any stretch of the imagination, should be paying for any of what is going on in that area. So it does bring us back to the fact that Jersey was occupied, but there are parts of the world that are living under occupation, even before this most recent flare-up in the conflict, which is having deadly consequences. We know that the Palestinians are under an occupation and have been and, while the solutions may be more difficult than the problem itself to resolve, we do need to be mindful and not stay silent because, if it becomes meaningless, is this just an opportunity to rubberstamp a proposition for a national day where we do not think about what our Islanders were going through. It has to be said, a relatively peaceful period of 5 years, very difficult, of course, but compared to what other occupations and other occupied people are suffering around the world, we must not stay silent in that. Of course we do ask our Government to make sure they take steps to make sure that they are not in any way and cannot be seen to be complicit with that situation

The Deputy Bailiff:

Thank you, Deputy. If no further Member wishes to speak, I call upon the Minister to reply.

2.3.9 Deputy C.F. Labey:

I would like to thank those Members who have spoken and their contributions. I would especially like to thank Deputy Tadier for making his amendments so we can have a different perspective to the debate, which was quite good humoured for most of it, and I think it gives us the opportunity and it is been good to hear some of the sentiments expressed about Jersey. Because, in many ways, I feel that we do not always speak ourselves up. We do not always speak about Jersey in a positive light and I think sometimes we have got to reflect on that and consider where we are and where we come from. I will just touch on some of what some people have said. With regards to Alex Curtis, as he probably knows, we were one of the only jurisdictions on British soil during the war, and I think to this day, to have received international aid in Jersey. Had we not received it, many, many Islanders would not be here today. In my capacity, my areas of responsibility, I feel we pay some of that kindness back. We do send aid to Gaza and Palestine, and that is what I can do. But I hear you and it is something that this Government I think should consider.

Deputy A.F. Curtis:

Sir, just a point of order. If you could gently rule whether a Member should be referred to as a Deputy and not just by a first and last name as I just was. Just so we maintain that ...

The Deputy Bailiff:

Yes, it should be Deputy Curtis.

Deputy C.F. Labey:

I apologise, I missed "Deputy". I said his first name to differentiate him from Deputy Catherine Curtis.

The Deputy Bailiff:

Yes, you are right. Correct.

Deputy C.F. Labey:

Yes. I hear what Members have said about the significance of Liberation Day and I think I made clear in my opening remarks, but I will make clear again, that by giving Liberation Day the status of the national day, it most certainly does not detract from that. In fact, it gives it the international status it deserves. I think it cements that recognition for the future and future generations can get behind it. Obviously young people, and many of us, did not live through the war, but I think the sentiments of freedom and resilience is something that we can all consider and all celebrate. So, in conclusion, I would like to urge Members to support my proposition and, as I say, to give Liberation Day the status

it deserves and recognise it as our national day. With 82 per cent of the respondents to the consultation in favour, the results were decisive. Liberation Day was the overwhelming choice for Islanders that responded. By making it a national day, I believe we honour the past, strengthen the present and inspire the future. In a rapidly changing world, asserting Jersey's distinct identity has never been more important.

[12:30]

Recognising Liberation Day as our national day, while referring to it as Liberation Day is a tangible step towards building a stronger, more unified community where the whole community can get behind a national day and understand the significance. I would have liked another day. There is no end to how many national days we can have. We are not asking for public holidays or bank holidays, but we can have more than one day, which is why I was quite happy to support Deputy Tadier. But this decision I feel is more about than just selecting a date or dates on the calendar. It is about defining who we are as a people and the importance of that. So I ask Members to take this step towards reinforcing our shared identity to help instil some pride in Jersey.

The Deputy Bailiff:

Is the appel called for, Minister?

Deputy C.F. Labey:

Yes, it is.

The Deputy 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 opportunity of casting their votes, I ask the Greffier to close the voting. The proposition has been adopted.

Pour: 34		Contre: 7		Abstained: 1	
Connétable of St. Helier		Connétable of St. Ouen		Deputy M.E. Millar	
Connétable of St. Lawrence		Deputy G.P. Southern			
Connétable of St. Brelade		Deputy S.M. Ahier			
Connétable of Trinity		Deputy R.J. Ward			
Connétable of St. Peter		Deputy T.A. Coles			
Connétable of St. Martin		Deputy H.M. Miles			
Connétable of St. John		Deputy A.F. Curtis			
Connétable of St. Clement					
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 K.F. Morel					
Deputy M.R. Le Hegarat					
Deputy C.S. Alves					
Deputy I. Gardiner					
Deputy I.J. Gorst					
Deputy L.J. Farnham					
Deputy S.Y. Mézec					
Deputy D.J. Warr					
Deputy M.R. Scott					

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

3. Appointment of Members: Rate Appeal Board (P.7/2025)

The Deputy Bailiff:

The next matter is Appointment of Members: Rate Appeal Board lodged by the Minister for Treasury and Resources, the main respondent is the chair of the Corporate Services Scrutiny Panel. I ask the Greffier to read the proposition.

The Greffier of the States:

The States are asked to decide whether they are of opinion - in pursuance of Article 44 of the Rates (Jersey) Law 2005 (a) to re-appoint for a further 3 year term: Messrs. John Refault; Barry Le Beuvant; and Scott Hollywood as members of the Rate Appeal Board until 27th March 2028; (b) to re-appoint for a further one year term: Miss. Christine Vibert and Mr. Ron Treby as members of the Rate Appeal Board until 27th March 2026; and (c) to appoint for an initial 3 year term: Mrs. Marilyn Wetherall and Mr. Mark Dawson as members of the Rate Appeal Board until 27th March 2028.

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

Today I am seeking Members' approval for the reappointment of 5 individuals to the Rate Appeal Board and the appointment of 2 new members to that board. Members may be aware that the Rate Appeal Board is established under the Rates (Jersey) Law 2005. Its members are required to hear and determine appeals against rateable values in accordance with the law, and they do so with no remuneration. We are very fortunate and indebted to Islanders who put themselves forward voluntarily for these honorary positions. The tenure of the existing members of the board ends on 27th March this year. I am grateful that 5 of the members have put themselves forward for reappointment and I would like to thank these members for their continuing voluntary service to the board. The members I am proposing for reappointment for a further 3-year term are Messrs. John Refault; Barry Le Beuvant; and Scott Hollywood. The members I am proposing for reappointment for a further one-year term are Mr. Ron Treby and Miss. Christine Vibert. This will be Miss. Vibert's ninth year on the board and this will complete her term of office, and I would like to express my gratitude to her for her lengthy voluntary service to the board. Brief biographies for all the reappointments are included in the report. The individuals I am proposing for appointment, are Ms. Marilyn Wetherall and Mr. Mark Dawson. Again, brief biographies are included in the report. As you will have read in those biographies, the proposed individuals have a diverse range of experience both on and off Island. I propose the nominations.

The Deputy Bailiff:

Thank you, Minister. Is the proposition seconded? **[Seconded]** Does any Member to speak on the proposition?

3.1.1 Deputy P.F.C. Ozouf of St. Saviour:

Just very briefly. Should I declare a former Constable of St. Peter, one of the candidates, I know quite well. I have not spoken to them about this though. Is the Minister able to say in any way, and I am sorry if I have missed this from the report, how many appeals there are and whether or not the current issues that are known about in one Parish concerning rates are going to be able to be dealt with, in the right thing that she says, that these people are acting in an honorary capacity when there are significant question marks over the way that rates are being done? I know that she is aware of it. I do not want to make a long point of it, but there is a need for a Rates Appeal Board that can deal with some of the issues that are underlying it. Does she agree and are they aware of this?

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

If I may just come in perhaps to assist the Minister for Treasury and Resources in response to Deputy Ozouf. There were several appeals this year from Grouville particularly, and I think there were 13, I stand to be corrected on that, of which 12 were rejected and one succeeded, and the existing board dealt with those in a very professional manner in the correct way.

The Deputy Bailiff:

Do any other Members wish to speak? Yes, Minister.

3.1.3 Deputy M.E. Millar:

I am grateful to the Constable of St. Brelade, because I am afraid I do not know the answer to that question myself. I am quite sure that if there was a significant volume of appeals the board would be given appropriate levels of support to help them administer and deal with the appeals. I believe in the ordinary course the number of appeals are relatively few each year. Can I propose the appel?

The Deputy Bailiff:

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

Pour: 40		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 St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
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 I.J. Gorst				
Deputy L.J. Farnham				
Deputy S.Y. Mézec				
Deputy P.F.C. Ozouf				
Deputy T.A. Coles				
Deputy D.J. Warr				
Deputy H.M. Miles				
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				
Deputy M.B. Andrews				

4. Social Security Tribunal: Re-appointment of Panel Members (P.12/2025)

The Deputy Bailiff:

The next item is Social Security Tribunal: Re-appointment of Panel Members, lodged by the Minister for Social Security. The named respondent is the chair of the Health and Social Security Scrutiny Panel and I ask the Greffier to read the proposition.

The Greffier of the States:

The States are asked to decide whether they are of opinion - to appoint, in accordance with Article 33A of the Social Security (Jersey) Law 1974, further to a process overseen by the Jersey Appointments Commission, the following persons as panel members of the Social Security Tribunal for a period of 4 years: Mr. Robert Douglas; Ms. June Summers-Shaw; Mrs. Susan Cuming.

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

I am pleased to recommend that the Assembly reappoints Mr. Robert Douglas, Ms. June Summers-Shaw and Mrs. Susan Cuming as panel members of the Social Security Tribunal for a final 4-year term. The 3 individuals have served as panel members since 2020, and I am grateful that they have all indicated that they wish to continue as members of the tribunal for a final 4 years. The Social Security Tribunal has been in place since 1974 and hears appeals on a range of benefits under the Social Security Law 1974, as well as aspects of other legislation administered by the Employment, Social Security and Housing Department, such as income support and health insurance laws. Article 8 of the Social Security (Determination of Claims and Questions) (Jersey) Order 1974 provides for the constitution of the Social Security Tribunal and the tribunal comprises a chair or a deputy chair holding a qualification in law and 2 lay members from a panel of up to 12 other members. I am confident that all individuals have the skills necessary to uphold the fairness and integrity of the tribunal system. I am pleased to recommend the appointments to the Assembly and to make the proposition.

The Deputy Bailiff:

Thank you, Minister. Is the proposition seconded? [**Seconded**] Does any Member wish to speak on the proposition?

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

First, can I confirm that I shall be supporting the proposition and indeed I thank the appointees for allowing their names to go forward for a further term. The reason I wish to speak is to draw Members' attention or remind Members of the report of the Jersey Law Commission on the subject of improving administrative redress in Jersey in October 2017. One of their recommendations was the creation of a new J.A.A.T. (Jersey Administrative Appeals Tribunal), which would effectively replace the 8 smaller tribunals, of which this forms one part, for better administration and hopefully saving costs. That has not yet been progressed and perhaps in the context of further tribunals in the offing, in connection with the Residential Lettings Law and I think the Employment Control, which comes to the States next time, I think this is an important subject which the Council of Ministers would do well to consider in bringing forward as soon as possible. The further point I mentioned is that, if a J.A.A.T. were established, it would also have, as envisaged by the commission, the ability to consider appeals from decisions of departments, which at the present time fall to the Minister concerned. It cannot be right, in the interests of natural justice, that an appeal against the decision of a department goes to the Minister. So there is a further benefit in establishing this J.A.A.T. as soon as possible, in my belief. But to repeat, I support the proposition to reappoint these members and I again thank them for allowing their names to go forward.

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

Just briefly, I would like to draw the Minister's attention to the statement that justice delayed is often justice denied. That I find the increasing length of time that it takes to achieve consensus or decisions on a panel are becoming a serious fault that I think needs addressing.

4.1.3 Deputy P.F.C. Ozouf of St. Saviour:

I wanted to echo the remarks of the Constable of St. Mary because he is absolutely right, and this has been an issue which has been long overdue in the case of the caseload of the tribunal. I will be supporting the proposition of course, the people that are doing this are doing absolutely the right amount. But, as we are seeing in jurisdictions elsewhere, and even, dare I say it, the Labour Party in the U.K. is now wanting to create the conditions where there is a greater incentive to work and we have got, and the Minister will be aware, that there are a lot of people on long-term sick and I am concerned about that. I know the tribunal is going to consider these ... well, they cannot consider the matters that is before them, but we do need, does the Minister not agree, to deal with both the - absolutely fair - in the case of people needing support and to echo every appeal heard, there is a heartbeat of someone out of work striving not for advantage but for fairness. But we also need to encourage people back to work and this tribunal is at the heart of it, is it not?

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

Can I ask the point the clarification please?

The Deputy Bailiff:

Will you accept a point of clarification, Deputy Ozouf, from Deputy Ward?

Deputy P.F.C. Ozouf:

It is not for me to comment back on what I have just said, unless it is a point of clarification on the facts that I have just said.

Deputy R.J. Ward:

It is, thank you. The Deputy said that there are a lot of people on long-term sick. Can he explain what he means by a lot of people?

Deputy P.F.C. Ozouf:

The numbers speak for themselves - I can circulate the numbers - but it is not for me to be the Minister for Social Security. He will know the numbers himself.

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

If he could circulate the numbers that would be good.

[12:45]

The Deputy Bailiff:

Does any other Member wish to speak on this proposition? Minister.

4.1.4 Deputy L.V. Feltham:

I thank the Members that took time to speak, and I thank the Constable in particular for reminding us of those recommendations that have been made in the past. I will say to Deputy Southern, if he could also discuss cases that he is concerned about with me then I will undertake to take any necessary action as required. Deputy Ozouf's comments about the number of people on sickness benefit I think are quite unfortunate. We have almost full employment here on the Island. The department has been working very hard as well to improve the provisions, particularly with our Work Well scheme, which enables people on short-term incapacity allowance to return to work and helps employers to help them do that. So, I call for the appel.

The Deputy Bailiff:

Do you wish to ask the Minister to give way?

Deputy K.F. Morel:

Sorry, yes please, just for a point of clarification.

The Deputy Bailiff:

Are you prepared to give way, Minister.

Deputy L.V. Feltham:

Yes.

Deputy K.F. Morel:

Thank you. If the Minister could just outline exactly what long-term incapacity allowance means, because it is my understanding that people can still be in full-time employment and have access to this?

Deputy L.V. Feltham:

Yes, the Deputy's understanding is absolutely correct. It was short-term incapacity allowance that people could not work and receive, but that has been rectified via the Work Well scheme, which is working very well.

The Deputy Bailiff:

Thank you very much. Those in favour of adopting the proposition kindly show. Thank you very much. The proposition is adopted.

5. Income Support Medical Appeal Tribunal: Re-appointment of Members (P.13/2025)

The Deputy Bailiff:

The next item is Income Support Medical Appeal Tribunal: Re-appointment of Members, lodged by the Minister for Social Security and the main respondent is the chair of the Health and Social Security Scrutiny Panel. I will ask the Greffier to read the proposition.

The Greffier of the States:

The States are asked to decide whether they are of opinion - to appoint, in accordance with under Article 15 of the Income Support (General Provisions) (Jersey) Order 2008 and further to a process overseen by the Jersey Appointments Commission, the following persons as lay members of the Income Support Medical Appeal Tribunal for a 4-year period: Mr. Robert Douglas; Ms. June Summers-Shaw.

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

I am pleased to recommend the Assembly reappoints Mr. Robert Douglas and Ms. June Summers-Shaw as lay members of the Income Support Medical Appeal Tribunal for a final 4-year term. The 2 individuals have served as lay members of the Income Support Medical Appeal Tribunal since 2020 and I am grateful that they have indicated that they wish to continue as members of the tribunal for a final 4 years. The Income Support Medical Appeal Tribunal hears appeals on the award of the impairment component under the income support system and any other decisions made on medical grounds. It may also hear appeals regarding case requirements for home carers' allowance and the case assessments for long-term care. Article 15 of the Income Support (General Provisions) (Jersey) Order 2008 provides for the composition of the Income Support Medical Appeal Tribunal and the terms of appointment of its members. The tribunal comprises of the following: a chair or deputy chair holding a qualification in law, a panel of up to 5 members who are medical practitioners, and a panel of up to 5 lay members with experience with disability. The tribunal is constituted of a chair or deputy chair, a medical practitioner and a lay member. I am confident that both individuals have the necessary skills to uphold the fairness and integrity of the tribunal system and I make the proposition.

The Deputy Bailiff:

Thank you very much, Minister. Is the proposition seconded? **[Seconded]** Does any Member wish to speak on the proposition?

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

In the interests of speed, can I simply ask that my comments in relation to the last proposition apply equally here?

5.1.2 Deputy P.F.C. Ozouf of St. Saviour:

I do correct, it is the Social Security Analysis of Claimants Report 2023 that did say that it was income support. So my comments on the previous one were incorrectly suggesting, because there is indeed the good work that has been done in relation to this. However, the report does show, and this is the tribunal that will be dealing with it, and the Constable's comments are right that there was effectively, according to the Minister's own report, 3,050 households at which one working-age adult was not in full-time work. I know that is full-time work but that ...

The Deputy Bailiff:

Is this relevant to the appointment of these Members?

Deputy P.F.C. Ozouf:

Yes, it is. Well, it is because that is the work that they have to do. So I will sit down and just say that they have got a lot of work to do.

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

Again, just briefly, has the Minister got any plans under consideration for radical change of the terms and conditions under which people can receive income support through medical benefits or is that because I feel that the terms and conditions to be met are somewhat old fashioned.

The Deputy Bailiff:

Is this relevant to the appointment of these Members, Deputy Southern, on to this particular Tribunal?

Deputy G.P. Southern:

Yes, because, if we were to change the conditions under which they operate, they would have a different set of decisions to make.

The Deputy Bailiff:

If no other Member wishes to speak, Minister.

5.1.4 Deputy L.V. Feltham:

I thank all the Members that have spoken. I am quite happy to take Deputy Southern through my Ministerial plan, which goes through all of my planned work programme for this year and other Members and members of the public can find the departmental business plan online on the government website.

The Deputy Bailiff:

Those in favour of adopting the proposition 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 chance of casting their votes, I ask the Greffier to close the voting. The proposition has been adopted unanimously.

Pour: 41		Contre: 0		Abstained: 0
Connétable of St. Helier				
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 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 I.J. Gorst				
Deputy L.J. Farnham				
Deputy S.Y. Mézec				

Deputy P.F.C. Ozouf				
Deputy T.A. Coles				
Deputy D.J. Warr				
Deputy H.M. Miles				
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				
Deputy M.B. Andrews				

6. Jersey Police Complaints Authority: Appointment of Member (P.14/2025)

The Deputy Bailiff:

I have assumed Members are content to continue with the business and not to adjourn. Yes, thank you. The final item is Jersey Police Complaints Authority: Appointment of Member, lodged by the Minister for Justice and Home Affairs, and the main respondent is the chair of the Children, Education and Home Affairs Scrutiny Panel. I ask the Greffier to read the proposition.

The Greffier of the States:

The States are asked to decide whether they are of opinion - in accordance with Article 2 of, and the Schedule to, the Police (Complaints and Discipline) (Jersey) Law 1999, to appoint the following person as a member of the Jersey Police Complaints Authority for a period of 3 years, commencing immediately: Mr. David Porter.

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

May I just ask a quick question, I think I have asked this before and I cannot remember the answer. As a member of the Jersey Police Authority, can I vote on this or do I have any conflicts of interest?

The Deputy Bailiff:

I think you can vote on it. Yes. Thank you, Deputy, for raising that.

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

I am very pleased to recommend that the Assembly reappoints Mr. David Porter as a member of the Jersey Police Complaints Authority for a second 3-year term. Mr. Porter has served on the Police Complaints Authority as a valued member for one 3-year term. As one of the most experienced members of the authority in post, I am grateful that he has indicated a wish to continue to serve in that important role. As Members will be aware, the Jersey Police Complaints Authority supervises the investigation of complaints against the States of Jersey Police. This independent oversight is crucial to maintaining and building trust and confidence in our police force. The authority is constituted under the Police (Complaints and Discipline) (Jersey) Law 1999 and in accordance with that law must consist of a chair as well as not less than 6 and no greater than 8 members. I am sure the Assembly will join me in paying tribute to all members of the authority who all serve on a

voluntary basis and give up their time to serve on the authority for no remuneration. I am pleased to recommend the appointment to the Assembly and make the proposition.

The Deputy Bailiff:

Thank you, Minister. Is the proposition seconded? [**Seconded**] Does any Member wish to speak on the proposition? Those in favour kindly show. Thank you very much. The proposition is adopted. That concludes the public business for this meeting.

ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

The Deputy Bailiff:

I invite the chair of P.P.C. (Privileges and Procedures Committee) to propose the arrangement or public business for future meetings.

7. Connétable K. Shenton-Stone of St. Martin (Chair, Privileges and Procedures Committee):

At the moment we have 7 items listed for our next sitting on 1st April. I expect that we may be sitting for 2 days and, however, please keep the subsequent 2 days free in case we have a longer debate. I propose the arrangement of business.

The Deputy Bailiff:

Is that seconded? [**Seconded**] Does any Member wish to speak on the proposition of the Chair?

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

I just wanted to ask, if Members are going to move propositions could they please let us know as soon as they possibly can, because there have been a lot moved recently and it would be great, and particularly if they are going to be withdrawn, then we would know.

The Deputy Bailiff:

Are Members now content to adjourn? The Assembly is adjourned until Tuesday, 1st April at 9.30 a.m.

ADJOURNMENT

[12:56]