

# STATES OF JERSEY

## OFFICIAL REPORT

**TUESDAY, 24th JUNE 2025**

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[9.30]

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

## **COMMUNICATIONS BY THE PRESIDING OFFICER**

**The Deputy Bailiff:**

### **1.1 Tribute to Jurat Catherine Mary Newcombe**

Members will be saddened to learn that the former Greffier and Jurat Catherine Mary Newcombe, known to all as Mary, passed away last week. Although born in London, Jurat Newcombe's family had a strong connection with the Island, and her father Sydney, who was an architect, worked on a number of developments in Jersey after the war, including the maternity hospital in St Saviour's Road. When the Blitz in London began, both Jurat Newcombe and her sister were sent to their grandparents' home in Llanelli, South Wales. After the war, she returned to London and notably performed along with her school choir on a children's favourite long-playing record in the early 1950s. She left school and joined a company called Impact, making animated films alongside Sylvia and Gerry Anderson who later created the Thunderbirds franchise. In October 1963, when she was 26 years old, Jurat Newcombe decided to emigrate to Canada, but came to visit with family friends in Jersey en route and was persuaded to stay until the springtime. Of course, she never left. She began working with the British and Overseas, a subsidiary of J.W. Huelin on the Esplanade, and then became aware of a vacancy as a committee clerk at the States Greffe, applied and was the successful candidate. Canada was soon forgotten and there then followed a long and illustrious career at the States Greffe, during which time Jurat Newcombe became chief committee clerk, executive officer of the newly created Policy and Resources Committee, before being sworn in as Deputy Greffier of the States in 1991, and Jersey's first ever female Greffier 9 years later in 2000. She retired from the States Greffe in October 2002 and was elected a Jurat of the Royal Court in July 2004, serving until her retirement in 2009. Those who were lucky enough to work alongside Jurat Newcombe, including our current Greffier, admired her ability to juggle the many competing demands of her role, taking it all in her stride, often surrounded by a cloud of cigarette smoke. She was generous, loyal and kind, and as the first woman to hold the role of Greffier, was an inspiration to all other women. It was therefore fitting that last October a room was named after her in this building, although sadly, owing to her declining health, she was not able to attend in person. Our thoughts are with her family at this sad time, and I invite Members to stand for a brief moment of reflection. **[Silence]** May she rest in peace.

**Deputy R.J. Ward of St. Helier South:**

Before we start can I just say, this afternoon I have a medical appointment, which I cannot change. So I may not be here for an hour or so after lunch. As there is no mechanism to be excusé due to medical appointments for a vote, if I miss a vote it will be seen as not present for the vote but I want to make clear for Hansard the reason why I may not be here if there is a vote.

**The Deputy Bailiff:**

Thank you very much.

## **QUESTIONS**

### **2. Written Questions**

#### **2.1 Deputy M.B. Andrews of St. Helier North of the Chief Minister regarding the practice of 'gazumping' or 'gazundering' of property purchases (WQ.232/2025):**

##### **Question**

Further to comments he has previously made, including in a Facebook post on 21st January 2016, will the Chief Minister advise whether it is his assessment that legislation should be introduced to

prevent ‘gazumping’ or ‘gazundering’ of property purchases and, if so, what consideration, if any, has he given to undertaking consultation on the introduction of pre-sale agreements; and if there has been no such consideration, will he explain why not?

### **Answer**

I support the principle of measures that ensure smooth and cost-effective property sales, particularly for young islanders who cannot afford to spend extra on fees and charges for transactions that fail at a late stage.

Voluntary measures – such as a decision to enter into a pre-sale agreement – are already available to vendors and purchasers to help mitigate the risk of a transaction falling through.

It is my assessment that the Government has a responsibility to complete an effective impact assessment and consider findings before it applies any new layers or regulation or legislation. However, in light of existing priorities, I would propose that the next Government follows up on this matter.

## **2.2 Deputy M.B. Andrews of St. Helier North of the Minister for Social Security regarding employment practices in Jersey (WQ.233/2025):**

### **Question**

Will the Minister advise whether she is aware of any instances in Jersey of employers taking a ‘fire and re-hire’ approach and facilitating the removal of a particular contractual benefit by firing an employee then offering to re-hire that employee without that contractual benefit; and if she is aware of such practices, will she state how common this type of activity is and whether any consideration has been given to the introduction of legislation to curtail this type of activity?

### **Answer**

I am not aware that this is a practice that is prevalent – if at all – in Jersey. If any employee were to be made redundant or dismissed for a reason that was not valid under the provisions of the Employment or Discrimination Laws, then the employee might have a case to claim unfair dismissal, or to pursue a claim for breach of contract where an ultimatum was being given by an employer relating to terms and conditions of employment.

The Employment Law has detailed provisions relating to the redundancy process, particularly in cases where there are multiple redundancies proposed.

The Jersey Advisory and Conciliation Service (JACS) provides advice and assistance to employers and employee on all matters relating to employment legislation. JACS has no record of any queries relating to this issue. The Jersey Employment and Discrimination Tribunal has not – to date – received any claims from employees arising from the practice of fire and re-hire.

I have no plans to introduce further legislation at this stage. If the Deputy has specific examples of this type of practice, then I encourage him to share them with me.

## **2.3 Deputy M.B. Andrews of St. Helier North of the Chief Minister regarding the potential use of the Strategic Reserve Fund to fund the Island regeneration programme (WQ.234/2025):**

## **Question**

Will the Chief Minister advise whether there is any intention to use the Strategic Reserve Fund to fund the Island regeneration programme, previously known as Project Breakwater, and, if used for this purpose, does the Government have any intention to replenish the Fund?

## **Answer**

There is no intention to use the Strategic Reserve to fund the above-mentioned initiatives.

The programme and its funding remain in development. Once finalised and agreed by the Council of Ministers, there will be a full briefing for Scrutiny and all States Members on the programme and the proposed funding sources, which will be subject to States approval via the budget process.

## **2.4 Deputy L.M.C. Doublet of St. Saviour of the Minister for the Environment regarding a masterplan for Five Oaks (WQ.235/2025):**

### **Question**

Further to [Oral Question 33/2025](#), will the Minister advise what funding it is estimated would be required to progress a masterplan for Five Oaks; will he state whether he intends to bid for resources to develop such a masterplan and, if so, what progress does he anticipate will be made before the end of the current political term; and if he does not intend to progress this masterplan, why not?

### **Answer**

The level of resource required to deliver a masterplan for Five Oaks will be dependent upon the scope of the brief. Any brief would be developed in consultation with local elected members.

The need to bid for resources for any such works would be dependent upon whether there is scope to deliver the requisite work from the existing professional capacity of the public service. This is, however, currently limited and so other support is likely to be required.

Therefore, I do not anticipate that much progress will be made during this current political term. Existing limited professional capacity is directed to the delivery of this government's priorities, focused on the reform of the planning service. Whilst funding has been allocated to deliver other bridging Island Plan proposals, such as the west of island planning framework, this cannot progress until professional resources are available to direct and manage the project: any work on a masterplan for Five Oaks would follow.

The States Assembly has approved the proposal to deliver a masterplan for Five Oaks and I intend to progress this. As already stated, however, the timing of this work is dependent upon the availability of resources to do so.

## **2.5 Deputy I. Gardiner of St. Helier North of the Minister for the Environment regarding the Supplementary Planning Guidance for Housing outside the built-up area (WQ.236/2025):**

### **Question**

Will the Minister provide a comprehensive list of all property types that would be considered as 'existing buildings' for the purpose of the [Supplementary Planning Guidance for Housing outside the built up area](#)?

## Answer

The [supplementary planning guidance: Housing outside the built-up area](#) provides an interpretation of those building types to which the provisions of the Bridging Island Plan Policy H9: Housing outside the built-up area, apply. It includes the following (emphasis added):

### 3.2 Buildings

*Both Policy SP2 – Spatial strategy; and Policy PL5 – Countryside, coast and marine environment state that residential development outside the built-up area will only be supported where it involves the conversion, extension and/or subdivision of existing buildings.*

*The pre-amble to both policies - together with Policy H9 – Housing outside the built-up area itself - make it clear that in the context of these policies, ‘buildings’ refers to **existing dwellings; traditional farm or listed buildings; and some employment buildings**.*

The substance of any supplementary planning guidance has to be complementary to the provision of the Island Plan: it cannot change or undermine the policies of the Island Plan and has to be consistent with it. This is important because it is the States Assembly that approves the Island Plan.

The meaning of ‘existing buildings’, in the context of Policy H9: Housing outside the built-up area is, therefore, already defined by the approved bridging Island Plan, as amended.

As clearly set out in the bridging Island Plan (and also in the draft plan<sup>1</sup> that was lodged *au Greffe* (P.36/2021) for amendment and issued for consultation in April 2021) under the section entitled ‘How to use the Island Plan’ it states that ‘it is important to have regard to the plan as a whole and not to treat a policy or proposal in isolation.’

What this means is that when considering a proposal to develop new housing outside the built-up area, reliance cannot just be placed on, for example, the strategic policies of the plan (such as SP2 and PL5). Consideration needs to be given to the plan as a whole and must include all relevant policies. For the development of new homes outside the built-up area this must, therefore, include the detailed policy that specifically deals with housing outside the built-up area (i.e. Policy H9): the provisions of all of these policies (SP2, PL5 and H9) need to be considered together.

Thus, the BIP Strategic Policy SP2 – Spatial strategy; and Policy PL5 – Countryside, coast and marine environment state that residential development outside the built-up area will only be supported where it involves the conversion, extension and/or subdivision of existing buildings; and Policy H9 – Housing outside the built-up area, qualifies those forms of existing buildings that might be allowed to be developed for the provision of new homes.

Policy H9 states, on its face, as amended and approved (see appendix 1), that proposals for the development of new housing (leading to the creation of a separate household) will only be supported in respect of the following building types (subject to other specified tests):

- the sub-division or extension of an **existing dwelling** (Policy H9 (2));
- the optimal use of a **traditional farm building** (Policy H9 (3));
- the optimal use of a **listed building** (Policy H9 (3)); and
- the conversion of an **existing redundant employment building** (Policy H9(4)).

No other building types are defined on the face of the policy.

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<sup>1</sup> [P Bridging Island Plan.pdf](#)

The addition of the explicit reference in the strategic policies of the plan (at SP2 and PL5) to ‘*the conversion, extension and/or subdivision of existing buildings*’ outside of the built-up area was approved by the States Assembly as an amendment to the plan<sup>2</sup>.

This amendment also made minor amendment to Policy H9 (Policy H8 of the draft plan); as did the amendment of the Minister<sup>3</sup>. These amendments, as approved, were faithfully translated into the published plan.<sup>4</sup>

Neither of these amendments to Policy H9 (then H8) sought to change the types of existing buildings that might be converted, extended or sub-divided to create new homes over and above those building types already explicitly provided for on the face of the policy.

It is the definition of existing buildings set out in Policy H9, as approved by the States Assembly, that has thus been faithfully adopted in the Minister’s guidance.

## **APPENDIX 1**

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<sup>2</sup> [States Assembly | P-36-2021\(Amd\)\(26\)\(Re-issue\)](#)

<sup>3</sup> [States Assembly | P-36-2021\(Amd\)\(92\)](#)

<sup>4</sup> See [R Bridging Island Plan pre-publication draft - Strategic policies.pdf](#) and [R Bridging Island Plan pre-publication draft - Housing.docx](#)

#### **Policy H9 – Housing outside the built-up area**

Proposals for new residential development outside the built-up area will not be supported except where:

1. in the case of an extension to an existing dwelling it remains, individually and cumulatively, having regard to the planning history of the site, subservient to the existing dwelling and does not disproportionately increase the size of the dwelling in terms of gross floorspace, building footprint or visual impact
2. in the case of an extension or where it involves the sub-division of part of an existing dwelling that would lead to the creation of separate households:
  - a. the accommodation is required to provide independent accommodation for someone who requires a high degree of care and/or support for their personal wellbeing and health; or
  - b. the accommodation is capable of allowing the creation of additional households, where they meet minimum internal and external space standards and specifications for homes, within the existing or extended dwelling; and
  - c. it does not facilitate a significant increase in potential occupancy; and
  - d. where the accommodation is capable of re-integration into the main dwelling.
3. the development would represent the optimal viable use of a traditional farm building, where no alternative employment use is appropriate; or, a listed building.
4. in the case of the conversion of other existing employment buildings, where the redundancy of employment use is proven and the principle of change of use to residential development is acceptable having regard to other policy considerations; where its re-use and adaptation delivers demonstrable environmental benefits through reduced intensity of use and visual improvement to the building and its setting.
5. in the case of the redevelopment of existing dwellings, involving demolition and replacement, the replacement dwelling:
  - a. is not larger than that being replaced in terms of gross floorspace, building footprint and visual impact, except where any increase can be justified having regard to functional needs or necessary improvements to the standard of accommodation; and
  - b. gives rise to demonstrable environmental gains, contributing to the repair and restoration of landscape character.
6. in the case of redevelopment of existing buildings in employment use, involving demolition and replacement, where redundancy is proven and the principle of change of use to residential development is acceptable having regard to other policy considerations, significant environmental gains can be delivered through improved design and appearance of the land and building(s); the repair and restoration of landscape character; and reduced intensity of occupation and use.

Proposals to extend the boundaries of new or existing residential development into agricultural or open undeveloped land in the green zone or Protected Coastal Area will not be supported.

#### **2.6 Deputy D.J. Warr of St. Helier South of the Minister for Education and Lifelong Learning regarding apprenticeships in the plumbing, electrical, engineering, welding, construction, automotive, and hairdressing sectors (WQ.237/2025):**

##### **Question**

Will the Minister advise how many apprenticeships in each of the Plumbing, Electrical, Engineering, Welding, Construction, Automotive, and Hairdressing sectors have been taken up each year from 2022 to date, and advise whether any data has been collected on the impact of increasing the minimum wage on the number of apprenticeships taken up; and if no data is being collected, will he explain why not?

##### **Answer**



Apprenticeship	Academic Year			
	2024-25	2023-24	2022-23	2021-22
Plumbing	47	43	42	36
Electrical	125	124	130	127
Engineering	8	8	9	9
Welding	19	19	17	14
Construction BTEC	<5	0	10	0
Construction HNC	9	0	14	0
Construction Management BSc	11	0	0	0
Construction Trades (Carpentry, Painting & Decorating, Brickwork)	68	79	84	90
Automotive	46	32	41	26
Hairdressing Highlands	11	8	7	15
Hairdressing Neon	8	10	15	13

Officers in CYPES monitor apprenticeship enrolment trends and engage with educators and industry to understand underlying drivers. Overall, enrolments have generally remained consistent across the listed sectors.

Jersey Business also provide regular updates on uptake of the apprenticeship grant under the Better Business Support Package. CYPES officers will collaborate closely with colleagues from Economy to review this data. This will further inform our understanding of industry demand for apprentices.

## 2.7 Deputy R.S. Kovacs of St. Saviour of the Minister for the Environment regarding the Climate Emergency Fund (WQ.238/2025):

### Question

With regard to the Climate Emergency Fund (CEF), will the Minister advise –

- the amount of funding allocated to the Fund each year since its formation, and the total amount assigned to the Fund to date;
- the sources of funding for each year, the amount allocated from each source, and which of these sources are still active;
- what activities have been funded by the CEF each year to date, including the amount spent;
- the current balance of the Fund;
- the ongoing approved expenses from this Fund for 2025 onwards, broken down by activity and associated cost; and
- the projected amount to be allocated to, and spent from, the CEF each year from 2026 to 2029?

## Answer

- (a) The creation of the Climate Emergency Fund (CEF) was approved in accordance with the proposals set out in Annex 3 of the draft Government Plan 2020-2023. See Table 1 below for funding allocations to date. The creation of the CEF pre-dated the development of the Carbon Neutral Roadmap (CNR) which was approved by the Assembly in April 2022.
- (b) See Table 1 below for annual sources, amounts and status of CEF funding. It should be noted that receipts from fuel duty and Vehicle Emissions Duty (VED) are transferred to the CEF at quarterly intervals. There are no specific allocations for any of the funds received by the CEF for particular CNR policies or other activities.

	INACTIVE SOURCE OF FUNDING	ACTIVE SOURCES OF FUNDING		
	Transfer from Consolidated Fund	Hypothecated fuel duty	Hypothecated VED	<b>TOTAL</b>
2020	5,000	0	0	<b>5,000</b>
2021	-	3,969	0	<b>3,969</b>
2022	-	3,604	309	<b>3,913</b>
2023	-	3,671	489	<b>4,160</b>
2024	-	3,526	390	<b>3,916</b>
2025*	-	800	176	<b>976</b>
<b>TOTAL</b>	<b>5,000</b>	<b>15,570</b>	<b>1,364</b>	<b>21,934</b>

*Table 1: CEF Sources of funding 2020-2025- all figures rounded to nearest thousand. \*2025 allocations to end of Q1*

- (c) Annual CEF expenditure since the fund's inception is set out in Table 2 below. Activities are grouped by the five principal policy groupings within the CNR and approved pre-CNR and other actions.

The CNR outlines the approved policies and allocates a budget for their delivery for the period 2022-2025 as well as the SMART objectives, assumptions, dependencies and deliverables expected against each policy. Appendix 2 of the CNR (pp.87 – 149) provides details of each policy and an overview table can be seen in Part 10 – The Delivery Plan 2022-2025 (pp. 72 – 78 of the CNR).

CNR Strategic Policies (SP), including programme management and offshore wind.					
<b>Expenditure</b>					
<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025*</b>
0	0	326	516	595	365

CNR Transport (TR) Policies, including delivery of the Electric Vehicle Purchase Incentive (EVPI), Electric Vehicle Charger Incentive (EVCI), E-bike grant, support for transition fuels, active travel (including infrastructure projects) and bus service development trials.					
<b>Expenditure</b>					
<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025*</b>
0	0	353	1,397	4,029	530
CNR Heating (HT) Policies, including delivery of the Energy Performance Certificate subsidy and the Low Carbon Heating Incentive.					
<b>Expenditure</b>					
<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025*</b>
0	0	68	933	1,508	566
CNR Other (OE) Emissions Policies, including promoting low carbon lifestyles and reducing construction sector emissions.					
<b>Expenditure</b>					
<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025*</b>
0	0	18	89	89	83
CNR Enabling (EN) Policies including, decarbonising Government, Creation of a Net Zero Network, Delivering the COP26 Education Pledge, Blue Carbon, biodiversity and sequestration, and the Marine Spatial Plan.					
<b>Expenditure</b>					
<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025*</b>
86	300	601	669	835	65
Pre-CNR actions and other policies including support for the Bridging Island Plan, Sustainable Transport Policy development, active travel and air quality monitoring.					
<b>Expenditure</b>					
<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025*</b>
227	1,675	0	78	97	3

Table 2: CEF expenditure 2020-2025 - all figures rounded to nearest thousand. \*2025 expenditure to 22<sup>nd</sup> May 2025.

- (d) The balance of the CEF as of 28th May 2025 is £5,833,000, rounded to nearest thousand.
- (e) The 2025 CEF expenditure forecast for each of the activity areas is provided in Table 3 below. It should be noted that these figures are provisional and therefore subject to change. See part (f) for allocations from 2026 onwards.

CEF Activity area	2025 Forecast
CNR Strategic Policies	1,159
CNR Transport Policies	2,789
CNR Heating Policies	1,972
CNR Other Emissions Policies	197
CNR Enabling Policies	397
Other Policies and actions	74
<b>Closing Balance</b>	<b>6,588</b>

*Table 3: CEF 2025 expenditure forecast - all figures rounded to nearest thousand*

- (f) Forecasts for CEF funding allocations and expenditure from 2026 to 2029 will be presented in the forthcoming draft Budget 2026-29 for debate and approval by the Assembly in late 2025.

## **2.8 Deputy R.S. Kovacs of St. Saviour of the Minister for the Environment regarding housing sites approved in the Bridging Island Plan 2022 to 2025 (WQ.239/2025):**

### **Question**

Will the Minister provide an update on the progress of each of the housing sites approved in the [Bridging Island Plan](#) 2022 to 2025 to include, but not be limited to, information regarding –

- the current stage of development for each site and any related projects;
- the type of housing planned for each site to include specific reference to first-time buyer properties and to properties intended for the rental market; and
- whether delays are affecting any sites and, if so, the reasons behind the delays?

### **Answer**

Planning permission has been granted for the following sites:

- H5 (1) – Field J1109, La Grande Route de St Jean, St John

P/2024/0050 - 37 residential units - Approved 20 May 2024

55% (20 dwellings) to be sold to Eligible Persons who are also First Time Buyers

45% (17 dwellings) to be transferred to the Approved Social Housing Provider to be social rented accommodation

Development has commenced and is progressing on site

- H5 (11 and 12) – Fields P655 and P656, La Route de Beaumont, St Peter

P/2024/0413 – 42 residential units - Approved 23 October 2024

45% (19 dwellings) to be transferred to the Approved Social Housing Provider to be social rented accommodation

55% (23 dwellings) to be sold to Eligible Persons who are also First Time Buyers

Development has commenced and is progressing on site

- H5 (13 and 14) – Fields S415A and S470, Le Grande Route de St Martin, St Saviour

P/2024/1368 -38 residential units - Approved 15 May 2025.

45% (17 dwellings) to be transferred to the Approved Social Housing Provider to be social rented accommodation

55% (21 dwellings) to be sold to Eligible Persons who are also First Time Buyers

Building application submitted and pending

Development has not commenced

The following sites are currently subject of pending planning applications:

- H5 (15) – Field T1404, La Grande Route de St Jean, Trinity

P/2025/0409 – 16 residential units

Resubmission after refusal of previous permission

45% (7no. dwellings) to be social rented

55% (9no. dwellings) to be discounted purchase.

- H5 (8, 9 and 10) – Fields P558, P559 and P632, La Route du Manoir – St Peter

P/2025/0256 – 128 residential units

Scheduled for determination by Planning Committee in the near future

45% (58no. dwellings) for social rented.

55% (70no. dwellings) to be affordable homes for purchase.

- H5 (6) – Fields 0594 and 0595, Le Clos de la Fosse au Bois, St Ouen

P/2024/1482 - 37 residential units

Scheduled for determination by Planning Committee in the near future

45% - (17 no. dwellings) socially rented homes

55% - (20 no. dwellings) affordable housing units for purchase

Planning permission was refused for the following site:

- H5 (15) – Field T1404, La Grande Route de St Jean, Trinity

P/2024/1065 – 16 residential units – Refused 16 January 2025

The following site has been assessed and pre-application advice has been provided by the Planning Applications Team:

- H5 (4) – Field MN410, La Rue des Buttes, St Martin

32 residential units.

The following sites have not yet been subject to pre-application or planning application procedures:

- H5(7) – Field 0785, La Rue des Cosnets, St Ouen
- H5(2) – Field J229, La Route du Nord, St John
- H5(3) – Field J236, La Rue du Cimetiere, St John
- H5(5) – Field MY563, La Rue de la Rosiere, St Mary

Developers and landowners are in control of when development comes forward on the housing sites, and I have not been informed of any specific reasons why development has not come forward on any of the sites.

## **2.9 Deputy R.S. Kovacs of St. Saviour of the Minister for Children and Families regarding making the Youth Service a statutory provision (WQ.240/2025):**

### **Question**

Further to the adoption of [P.28/2024](#), as amended, will the Minister provide the following regarding the evaluation and consultation process for making the Youth Service a statutory provision –

- (a) a copy of the scoping document outlining the process;
- (b) the current status of the process;
- (c) the identity of all stakeholders involved;
- (d) confirmation of those already consulted and details of the topics or aspects of their consultation; and
- (e) the date the consultation process commenced or, if it has not commenced, explain why not and provide a date for its commencement?

### **Answer**

Only preliminary work has been undertaken at this stage, in the form of conversations, to evaluate the benefits and drawbacks of making the Youth Service a statutory provision. I welcomed Deputy Kovacs' proposition in 2024 and was pleased that the [Amendment](#) was adopted, however, to ensure the swift progression of the delivery for a Youth Centre in St Helier, officers have needed to prioritise other workstreams for the time being.

I remain committed to bringing forward this piece of work and will closely review this workstream to meet the commitment of the Amendment (to come back to the Assembly in March 2026 with the outcome of this evaluation).

## **2.10 Deputy K.M. Wilson of St. Clement of the Minister for Children and Families regarding online harm of children and young people (WQ.241/2025):**

## Question

Will the Minister advise what actions, if any, his team is taking to protect children and young people from online harm and advise whether he and the Minister for Education and Lifelong Learning are working together on this issue; and if so, will he detail any agreed priorities and the timescale for delivering relevant policy and legislation decisions on this matter?

## Answer

The Deputy may be aware that I recently attended a public hearing with the Children, Education and Home Affairs Scrutiny Panel, on Friday 23 May, to discuss this subject. As explained during this hearing ([link to video](#)), I am working collaboratively with the Minister for Education and Lifelong Learning, as well as the Minister for Justice & Home Affairs and the Minister for Sustainable Economic Development, and their respective Departments, to ensure that a coordinated cross government approach is secured to keeping children safe from the risk of online harms.

There are some key challenges that both the Minister for Education and Lifelong Learning and I share in this policy area, which include.

- All settings including schools, youth clubs and children's residential homes have the most robust digital platforms that can protect children from risks of online harms.
- Ensuring staff are supported by an up-to-date policy that gives clear guidance. An updated operational policy and guidance is scheduled for publication later this year.
- Children and Young People have a voice and are listened to when arrangements to safeguard children are being put in place. There is a school council network meeting scheduled for November 2025 which will have e-safety as its key theme. The Joint Office of the Information Commissioner will also be supporting this event.
- Parents are signposted to credible websites containing practical advice and guidance on how they can support their children to stay safe online.

The combination of practical support for parents, aligned operational procedures, and an open dialogue with children themselves will complement the broader legislative changes currently being developed by the Minister for Sustainable Economic Development. As part of this work, the Minister is also considering changes to the Data Protection framework to improve provisions for internet users to request the removal of images from online platforms.

As mentioned during his public hearing with the Children, Education and Home Affairs Scrutiny Panel on Friday 16 May ([link to video](#); [link to transcript](#)), the timeline for the progression of this work is currently under consideration.

## 2.11 Deputy I. Gardiner of St. Helier North of the Chief Minister regarding the Aarhus Convention (WQ.242/2025):

### Question

Will the Chief Minister advise whether the Government of Jersey intends to adopt the principles of the Aarhus Convention, in particular the public's rights to access environmental information, to participate in environmental decision-making, and to access justice in environmental matters; and, if so, will he provide the estimated timeframe for its adoption; and if not, what alternative framework is being used to ensure transparency, accountability, and public participation in environmental decisions, such as those relating to PFAS contamination and land-use policy?

## **Answer**

The Government of Jersey recognises the importance of the principles of the Aarhus Convention, which are taken account of in Jersey's planning system both in the development of land-use policy in the Island Plan, and in the application of that policy in the determination of planning applications. Both processes are set out in legislation and require a transparent, open and rigorous process of public engagement and public involvement in environmental governance.

The Government Engagement Framework has been created to help government staff engage with the public on policies and proposals. It contains best practice guidance, tools and resources for effective public engagement. It also includes practical considerations for engaging with underrepresented groups in Jersey. The principles in the Engagement Framework provide for public engagement and participation on all policy areas, including environmental. It applies to the current discussions and research into PFAS, for which there has been a series of public meetings and engagement that will be ongoing.

The Government will continue to review engagement practices to ensure they remain effective, inclusive and responsive to the needs of our community.

The Government is also mindful that Jersey's governance arrangements must be proportionate, adaptable and fit for purpose, and must also reflect the unique needs and scale of the Island. Therefore, there are currently no plans to seek the extension of the Aarhus Convention to Jersey at this stage. Any formal extension of the Convention would be effected in the normal manner following engagement with the UK Government as State Party to the Convention.

## **Additional information**

The process of developing an island plan is prescribed in legislation and involves a transparent, open and rigorous process of public engagement and involvement in the creation of all environmental policy adopted in the island. This includes public consultation and engagement on the strategic issues and options that the plan should address; public engagement, as appropriate, on the development of the plan's evidence base; consultation on the draft plan itself; participation at an examination in public conducted by independent planning inspectors; before the plan is considered for amendment and adoption by the island's elected representatives. Throughout this process, all of the material related to the plan and its adoption is in the public domain.

The operation of the planning applications service is similarly transparent and open to public engagement, where the requirement to invite public comment about development proposals is prescribed in law; where any such comment is material to any subsequent decision; and where both first- and third-parties have rights of appeal to an independent party, should they be aggrieved by a planning decision.

## **2.12 Deputy I. Gardiner of St. Helier North of the Minister for Infrastructure regarding infrastructure that is suitable for the increasing ageing population (WQ.243/2025):**

### **Question**

Will the Minister advise what action his department is taking to ensure Jersey's infrastructure is suitable for the increasing ageing population; and will he provide details of any existing current strategies, policies, and guidelines that are supporting this work?

### **Answer**



A range of targeted actions, guided by established policies and ongoing consultation, are being taken to ensure that the Island's infrastructure is increasingly inclusive, accessible, and age friendly.

### **Strategic Framework**

A number of key strategies and policies guide this work, including:

- **The Sustainable Transport Policy (STP)**, which underpins the long-term development of accessible and inclusive transport infrastructure, particularly vulnerable road users such as elderly users.
- **Casualty and Collision Reduction Plan**, which seeks to improve road safety for all users, including older drivers and road users, and will include evidence led targeted interventions to reduce risk factors, recognising the unique challenges this group faces.
- **Planning and Building Policies**, which require that accessibility, including provision for disabled and elderly users, is considered when commenting upon development applications.
- **Public Realm Guidelines (under development)**, which ensure new public spaces meet modern accessibility standards and reflect best practice as set out in the national Manual for Streets.
- **Disability Strategy for Jersey**, this addresses transport and infrastructure as key components in enhancing accessibility for Islanders with a disability.
- **Inspiring an Active Jersey Strategy**, which acknowledges the importance of creating “lifelong opportunities to be active,” with a specific focus on older age groups. The strategy aims to ensure that everyone, regardless of age or ability, can access opportunities to move more often and live healthier lives. This initiative is facilitated through the sports infrastructure maintained and operated by the Department.

### **Infrastructure and Accessibility Improvements**

In terms of tangible action, the department is actively working across several areas:

#### **1. Safe and Accessible Transport**

- **Taxi Service Improvements:** The department has undertaken a programme of reform and modernisation of the taxi service, which includes efforts to increase the number of accessible vehicles and equipment available and the introduction of updated licensing requirements to ensure broader service coverage and consistency. DVS has issued 64 new badges to applicants over the past 12 months to combat ageing drivers slowly exiting the industry.
- **Bus Service Enhancements:** Jersey's bus fleet is now fully modern and compliant with the UK's Disability Discrimination Act (DDA), featuring kneeling buses, low floors, and priority seating. Raised kerbs at many bus stops have been installed to improve boarding, particularly for those with mobility difficulties. An extensive programme of bus shelter provision has been rolled out over the last fifteen years to provide both shelter and a place to rest for bus users.

Pensioners also benefit from concessionary bus passes, and a plus one concession for carers, making the service more affordable and accessible.

- **Public Service Vehicle (PSV) Driver Training:** Disability awareness training is a requirement of all PSV taxi drivers, LibertyBus mandate the same training for their PSV bus drivers and station staff.
- **Road Safety and Driver Licencing:** To ensure the safety of drivers and other road users, more stringent eyesight requirements have recently been introduced for drivers of both group 1 (light vehicles) and group 2 (medium to heavy vehicles) licence categories. Moving forward to ensure reciprocity of driving licences, the Department will continue to review mutual legislative standards established in the UK and forthcoming in the EU requiring medicals for drivers over a set age when renewing licences.
- **Road Safety Improvement Programme:** Improvements to infrastructure to reduce the risk of road traffic collisions and the provision of crossings and footways to reduce community severance to support the movement of vulnerable road users.

## **2. Public Realm and Streetscape**

- **Pedestrian Improvements:** Through the STP and public realm projects, significant investment has been made in upgrading pedestrian crossings, installing dropped kerbs, tactile paving, smooth granite paving and improved lighting. These upgrades are designed specifically to assist those with mobility and visual impairments. Walkable parish village schemes support the movement of vulnerable road users, particularly the young and elderly, a particular focus of these schemes has been to improve connections between sheltered housing and key village amenities.
- **Consultation with Visual Impairment and other Groups:** The department works closely with EyeCan and other relevant organisations to ensure projects are informed by lived experience, incorporating features like colour contrast surfacing, tactile paving and appropriate street furniture placement.
- **Benches and Resting Points:** In accordance with national best practice guidance in the Manual for Streets, seating is provided across town and routes elsewhere, providing regular resting opportunities for older Islanders and those with limited mobility.
- **Streetworks:** Policies and training for all statutory undertakers working on the Island's roads and footways recognise the need to maintain accessibility for all user types – these are enforced by the Department through its streetworks inspection processes. Scaffolding likewise, though in St Helier inspections are by the Parish, by agreement. The streetworks route hierarchy, which sets the conditions placed upon statutory undertakers and prioritises reactive maintenance, recognises the location of care homes and other important community facilities.
- **Cycle routes and e-bike grants:** The Minister for Environment launched an e-bike grant scheme, and many of the people who benefited were the elderly, who reported an increase in

activity and freedom as the Island opened up for them, no-longer constrained by hills. All improvements to cycle routes by their nature also benefit users of electric mobility vehicles.

- **Parks, gardens and coastal promenades:** The ongoing provision of multi-generational accessible outdoor green spaces, with sensory spaces and areas to meet, rest and relax, some of which provide for refreshments and programmes of entertainment.

### **3. Parking and Development Planning**

- **Disability Parking:** The number of disabled parking spaces across the Island has been increased, and their quality improved, including better signage and surface condition. New guidance is under development, reflecting the STP's parking priorities, to ensure spaces are well-positioned and safely accessible. Also, working with the disability inclusion unit, additional mapping location data is being prepared. The Blue Badge scheme parking regulation remains under ongoing review.
- **Shopmobility:** The Department supports shopmobility providing space and storage within its infrastructure.
- **Beachability:** The Department supports beach access providing space for the storage of beach access wheelchairs.
- **Planning Requirements:** All significant planning applications are now required to demonstrate how they provide for accessibility, including designated disabled parking spaces, level access to buildings, and appropriate circulation space. The Department's comments on new developments provide guidance to developers on these matters as part of the planning process.

### **4. Sports facilities and Playing Field Infrastructure**

Physical activity and community wellbeing also form a key part of Jersey's infrastructure response to an ageing population. Under the Government's Inspiring an Active Jersey strategy, there is a strong focus on promoting lifelong activity to support physical and mental health, reduce isolation, and maintain independence.

Sports centres such as Les Quennevais offer a range of low-impact classes suitable for older adults, including aquafit and mobility sessions. Many of these services come with reduced rates for pensioners, supporting affordability. The Island's playing fields and open spaces also provide valuable free opportunities for informal exercise and social activity, such as walking or other exercise, which are important for health and wellbeing in later life.

Facilities are increasingly being upgraded to modern accessibility standards, and many programmes are delivered in partnership with health services to support rehabilitation, falls prevention, and encourage social inclusion.

Working in partnership with Jersey Sport makes use of this infrastructure to support older adults in leading more active lives through a variety of initiatives. These include the Move More Referral programme, as well as walking and swimming sessions, many of which are integrated with community-based activities such as walking football.

## **Ongoing Commitment**

The Department maintains an ongoing review of infrastructure through the lens of inclusivity and ageing, coordinating with parish authorities, specialist government departments and third sector organisations as required. As part of wider efforts to promote wellbeing and independence in older age, the department is committed to:

- Embedding age-friendly design principles in all capital and maintenance projects.
- Continuing cross-departmental collaboration
- Involving community representatives and user groups in the design process wherever possible.

In summary, while much has been achieved, the department recognises that the work to create an accessible Island for all ages is continuous. The Department is committed and focused upon adapting Jersey's infrastructure to meet the needs of its ageing population, both now and in the future.

### **2.13 Deputy H.M. Miles of St. Brelade of the Minister for Infrastructure regarding La Route de Noirmont (WQ/244.2025):**

#### **Question**

In respect of La Route de Noirmont, will the Minister state –

- (a) what evidence, if any, exists to support the claim that removing the central white line will lead to improved road safety, and what are the underlying mechanisms which explain this effect; and
- (b) whether his department consulted the States of Jersey Police prior to agreeing to a six-month trial before the central white line could be reinstated?

#### **Answer**

- (a) Several studies (see further notes below) and real work trials, including within the UK, indicate that the removal of the road centreline can, on certain types of road – typically on rural or low-traffic urban streets (roads less than 6.5m wide) – improve safety by lowering speeds (lower vehicle speeds correlate with fewer and less severe crashes, especially for vulnerable road users like pedestrians and cyclists.) and increasing driver attention. This effect is largely behavioural and hinges on uncertainty regarding right-of-way and shared responsibility, two key behavioural triggers in traffic calming.

The key mechanisms are:

1. Increased Uncertainty

- Road markings provide visual cues that promote confidence and faster driving.
- Removing the centre line creates perceived uncertainty about right-of-way, which leads drivers to slow down and pay more attention to the environment and other road users.

2. Narrower Perceived Lane Widths

- Without a centre line, drivers are less likely to assume symmetric, dedicated space for each direction.
- This perception of a narrower or shared space leads to slower, more defensive driving.

### 3. Reduced Perception of Road Ownership & Cooperative Behaviour

- Centrelines give a sense of entitlement to "half" the road.
- Without them, drivers perceive the space as more ambiguous and negotiate their use of the road more carefully.
- Especially on narrow or shared roads, the absence of a central line fosters informal negotiation, such as yielding or pulling aside for oncoming traffic.

### 4. Reduced Risk-Taking

- Marked roads can give a false sense of security, encouraging riskier overtaking or higher speeds.
- Unmarked roads disrupt this perception and discourage aggressive manoeuvres, drivers are less likely to overtake, especially on curves or where visibility is limited.

### 5. Encouragement of Lateral Shifts

- Without a centreline that demarcates "their" lane, drivers tend to keep more distance from the road edge and slowdown, which creates more space for cyclists or pedestrians on the roadside.

(b) The Department for Infrastructure's Transport Section as 'main road' highway authority did not consult the State of Jersey Police prior to the trial. While we work in partnership with the States Police regarding strategic road safety initiatives, such as the Island's 'Collision and Casualty Reduction Plan: 2025 – 2034', it would not be in line with normal practice to consult the States of Jersey Police about a specific operational matter such as a road traffic trial, or road improvement scheme, unless it required specific enforcement support, which was not the case in this instance. The Department for Infrastructure's Transport Section is the competent authority in relation to traffic and highway engineering matters.

## **Further Notes**

### Historic Road Safety Concerns (Before Trial)

The Infrastructure Department receives noticeable ongoing correspondence from members of the public, especially residents of the Noirmont area, regarding safety concerns for pedestrians and cyclists using La Route de Noirmont. A prevailing view exists that the route provides an unsafe road environment for those walking or cycling due to the lack of a continuous footway, limited carriageway width, limited visibility, multiple property access combined with perceived excess vehicle speeds.

The route is a single point of access to a large resident community and the route is an important link to sites enjoyed by islanders and visitors (i.e. Noirmont Headland and Common, Portelet Beach and Common, Ouaisne Beach, and Belcroute Bay).

### Department for Infrastructure Actions Since 2022

Following political representations in 2022 the Department (Infrastructure & Environment) carried out work to accurately identify measured vehicle speeds / volumes (Sept. 2022), pedestrian and cycle usage (August 2023), and Police injury accident records. Although work identified good speed compliance (with the speed at which 85% of vehicles travel recorded as being at or below 25mph) and a low police injury accident record, it accepted the need to create a better / slower traffic environment for vulnerable road users and to support active travel. As such, the Department prepared a coherent set of improvement options (awaiting funding). Due to the road's challenging geometry and roadside land ownership pattern, interventions focus on road layout changes within the road's available width, to accommodate a walking route such as a virtual footway, and traffic regulation changes, etc.

### The Reason for the Trial Removal of the Road Centreline

Taking into account the public's ongoing safety concerns and the Department's actions since 2022, the decision to not reinstate the road's centreline, following its scheduled resurfacing in February 2025, are in order to:

- Create additional space for pedestrians while also acting as a traffic-calming measure by encouraging greater driver awareness.
- Mitigate a likely increase in vehicle speeds due to the road's resurfacing (TfL Centreline Removal Trial - 2014 demonstrated that a possible average increase of 4.5 mph was mitigated by the none-reinstatement of the centreline after resurfacing to see an actual reduction in vehicle speeds).
- Avoid having to 'scrub' any reinstated centre line (scaring the newly resurfaced road) as part of any final scheme.
- Create a (trial) traffic environment in which practical observations can be made that will inform any final scheme (if needed), such as to identify locations where further support for pedestrians is required (and physical speed suppression measures).

The removal of the centreline along La Route de Noirmont is on a trial basis (initially 6 months) and is subject to the periodic monitoring of vehicle speeds using automatic traffic survey equipment at control points along the route. Site visits are being carried out on an ad-hoc basis to review changes in driver behaviour and pedestrian safety over time. Public feedback is being logged and assessed, and towards the end of the trial a community engagement will be carried out (Q4 2025). This will allow the department to gather input on the effectiveness of the road layout changes and other options. Further regulatory or physical interventions will be considered based on observed outcomes, community feedback, and available funding.

### Studies and Trials on the Effects of Removing the Road Centreline

### **Department for Transport - Manual for Streets – Guidance – Section 9.3 Common situations**

- The use of centre lines is not a legal requirement.
- On residential streets, there is little evidence that centre lines improve safety.
- They are often used out of habit, not based on clear data or safety outcomes.
- Evidence Suggests Benefits from Removing Centre Lines (Wiltshire Research): Found that the removal of the centre line led to a wider margin being maintained between opposing flows. At 12 test sites it resulted in slower speeds and reduced accidents and research carried out in 20 residential areas during the preparation of MfS found no relationship between white centre lines and recorded casualties.

### **UK Department for Transport Trials**

**Source:** Department for Transport (DfT), UK (TRL Report PPR700 - Title: Speed reduction by removing centre lines on rural roads)

**Findings:** On rural roads with low traffic volumes, the removal of centreline markings led to:

- Reduced vehicle speeds (by 2–3 mph on average)
- Improved lane discipline
- No increase in accidents—in some cases, a reduction
- Drivers became more aware of surroundings and exercised more caution.

### **Transport for London (TfL) Centreline Removal Trial**

**Source:** Transport for London (TfL), UK (Road Space Management Directorate- Title: Centre Line Removal Trial – August 2014 - Ryan Cooper & Sam Wrigh)

**Findings:** This trial on three stretches of road showed a “statistically significant” reduction in vehicle speeds – by a minimum of 5.4mph and maximum of 8.6mph.

Explaining the results, TfL suggests that “centre line removal introduces an element of uncertainty which is reflected in lower speeds”. TfL points to an earlier study by Wiltshire County Council which found that not reinstating white lines led to a reduction in injury collisions and traffic speeds, and to referenced research by TRL which concluded that there are safety benefits to be gained by removing centrelines in 30 mph zones.

### **Scottish Transport Application Research (2022) – Literature Review**

**Source:** STAR, UK (The impact of the absence of centre line road markings on traffic speed within 20 mph and 30 mph speed limits – 2022 - Adrian Davis)

**Findings:**

- Removing centre lines (CLR) has been shown to reduce driver speeds, potentially by around 2 km/h, with some studies suggesting even greater reductions (up to 7–8.6 mph).
- CLR could be used alongside other traffic calming measures (e.g., speed humps, lower speed limits) to improve safety, especially on low-speed urban or residential roads.
- CLR may benefit cyclists and pedestrians by shifting road design priorities away from motor-dominance.

### **University of the West of England**

**Source:** University of the West of England, UK (Influence of road markings, lane widths and driver behaviour on proximity and speed of vehicles overtaking cyclists - 2014 - Shackel & Parkin).

**Finding:** In the study "Measuring the influence of on-road features and driver behaviour on proximity and speed of vehicles overtaking cyclists," researchers observed that the absence of centrelines led to a reduction in the speed of vehicles overtaking cyclists. The study suggests that without centrelines, drivers are more cautious and adjust their speed and positioning when overtaking.

#### **Swedish and Dutch Experiments**

- **Sweden:** Some rural roads without centrelines saw fewer head-on collisions and lower speeds.
- **Netherlands:** Similar results were observed under the concept of "self-explaining roads" and "naked streets", which encourage cautious driving through minimalist design.

#### **Other Academic Studies**

- **Charlton et al. (2010):** Psychological research showed that drivers treat unmarked roads as **less predictable**, leading them to slow down and pay more attention.
- **Kaparias et al. (2012):** Found that removing road markings increases drivers' uncertainty, which results in more cautious behaviour.

### **2.14 Deputy H.M. Miles of St. Brelade of the Minister for the Environment regarding the safety of a building located on private land (WQ.245/2025):**

#### **Question**

In cases where a member of the public, or a public authority, has concerns about the structural integrity or safety of a building located on private land, will the Minister advise what powers, if any, he has to compel the landowner to undertake a survey and any required remedial work?

#### **Answer**

In instances where it appears that a building is in a dangerous condition, or is being used to carry a load or in a manner that makes it dangerous, the power to issue a dangerous building notice under Article 66 of the Planning and Building (Jersey) Law 2002 rests with the Chief Officer, not with me as Minister. Notices issued under this Article are required to specify the work needed to make the building safe, and the period in which the works must be undertaken. The Law does not provide a mechanism to compel a land owner to undertake a survey.

### **2.15 Deputy J. Renouf of St. Brelade of the Minister for Education and Lifelong Learning regarding 'out-of-catchment' requests (WQ.246/2025):**

#### **Question**



Further to [Written Question 184/2025](#), will the Minister state how many ‘out-of-catchment’ requests were accepted for secondary schools in each of the last 5 years; and will he provide further details regarding the policy around the allocation of secondary school places with particular reference to –

- (a) the weightings applied to the different criteria (such as residence in the catchment area) that are used to determine the allocation of places; and
- (b) whether residence in a catchment area is weighted in favour of those living closer to a school within a catchment?

## Answer

Out of catchment requests accepted					
	2025	2024	2023	2022	2021
<b>Grainville</b>	37	32	31	36	34
<b>Haute Vallée</b>	24	31	32	11	26
<b>Le Rocquier</b>	19	10	16	14	27
<b>Les Quennevais</b>	0	<5*	<5*	0	11

\*All after appeals

- (a) The criteria for allocating places at secondary schools is published in the [Admissions to Non Fee Paying Secondary Schools Policy](#)

If a school is oversubscribed, places will be allocated in the following priority:

1. children looked after and children who were previously looked after
2. have a special educational need and must attend a specific school
3. live in the school catchment area
4. have siblings in Years 7 to 10
5. attended a feeder primary school in the secondary school catchment area
6. have parents who live or work in the catchment area
7. have siblings in Year 11
8. have a good educational reason for attending a specific school

If a school is oversubscribed by pupils living in the catchment area during the annual Year 7 admissions, criteria 1 - 5 will be applied for in-catchment pupils and any remaining in catchment places will be allocated based on distance from home to the closest school with available space.

In practice this means that a child that lives in catchment and has a sibling in Y7 to 10 will have priority over a child who does not have a sibling at the school.

Similarly, a child that lives in catchment and attended a feeder school will have priority over a child that did not attend a feeder school.

Distance from the school is only considered when a school is oversubscribed by children living in the catchment area and after placement of children that have a sibling (Y7 to 10) and/or that attended a feeder school. If any places remain then each family will be mapped and the distance to school will be recorded. Priority is then given to those families based on the distance to the next closest school with available space, compared to the distance to the catchment school.

**2.16 Deputy J. Renouf of St. Brelade of the Minister for External Relations regarding the new UK-EU deal's impact on Jersey (WQ.247/2025):**

**Question**

Will the Minister state to what extent it is anticipated the recently negotiated deal between the UK and the EU will have an impact in Jersey, including (but not limited to) –

- (a) continuing access by French boats to Jersey waters and the terms on which they fish;
- (b) access by Jersey fish exports to EU, particularly French, markets;
- (c) the continuation of the French ID card scheme; and
- (d) the ability of people from Jersey travelling to the EU to use e-gates?

**Answer**

Although the question has been asked of the Minister for External Relations, the four sub-sections fall within the remit of the Department of the Environment (a & b) and Justice and Home Affairs (c & d). Information provided by the relevant departments is set out in the answers below.

(a) The recently negotiated deal between the UK and EU will have no impact on French vessels accessing Jersey's territorial waters. The Government of Jersey is the licensing authority and there will be no change to any licensing circumstances due to the agreement. Similarly, the terms under which French vessels fish will not change and are bound by the Trade and Cooperation Agreement, which was introduced following Brexit.

(b) The Crown Dependencies have the potential to be included within the territorial scope of a future Sanitary and Photo-Sanitary agreement. SPS arrangements generally refer to border checks for animals, plants and products of animal origin (mostly foodstuffs). While the detail of a new agreement is yet to be finalised, it is understood that it will cover fishery and aquaculture products and could therefore be beneficial in removing friction for our agri-food exporters to EU markets, including France.

(c) The French ID card scheme, which falls within the remit of the Minister for Justice and Home Affairs, is outside the scope of the UK-EU reset deal.

(d) A passport issued in Jersey is a British passport, and will therefore be subject to the same rules on the use of e-gates as all British passport holders. It is understood that new rules and procedures to enable British passport holders to access e-gates will be phased in between late 2025 and early 2026.

In addition to the above, no agreement has yet been reached on a youth-mobility scheme. However, I have made clear to the UK government that any such scheme should be accessible to Jersey residents and that we should be able to benefit from the arrival of young people from the EU.

**2.17 Deputy K.M. Wilson of St. Clement of the Minister for Children and Families regarding Le Squez Youth Centre project (WQ.248/2025):**

**Question**

Further to the approved business case in 2023 supporting the redevelopment of Le Squez Youth Centre and the subsequent reprioritisation of the St. Helier Youth Centre, will the Chief Minister provide the following information regarding the Le Squez Youth Centre project –

- (a) what design options are currently being considered;
- (b) when will a decision be made on the preferred design, or if a decision has already been made, which of the preferred designs underpinning the business case will be taken forward;
- (c) what progress, if any, has been made in relation to the finalising of plans and the feasibility, planning and procurement of the scheme, and when will such plans be made public;
- (d) details of how the scheme will be funded to ensure the revised 2027 delivery date; and
- (e) whether the Council of Ministers remain committed to delivering the full scope of the Le Squez development as originally approved in the business case in 2023 and, if not, why not?

**Answer**

**a) What design options are currently being considered;**

Officers from CYPES, Jersey Youth Service and Jersey Property Holdings have undertaken some feasibility work on various options. The original proposal would have incurred major disruption to the operation of Le Squez Youth Centre and the Youth Work offer, so officers will be undertaking a further review of the options to make sure value for money is achieved and that once any building works start, there is no disruption to the Le Squez Youth Centre.

**b) When will a decision be made on the preferred design, or if a decision has already been made, which of the preferred designs underpinning the business case will be taken forward;**

I am awaiting an update from officers before considering design options, and following this, CYPES officers will re-engage with Jersey Property Holdings to undertake further feasibility and design work. Any decision made on the final option will be in consultation with the Youth Project Committee and other key stakeholders, which will need to be factored into the timeline. I am, therefore, not currently able to confirm when this decision will be made.

I am of course happy to update States members on the delivery of this project as soon as I can, once these matters have been fully considered.

**c) What progress, if any, has been made in relation to the finalising of plans and the feasibility, planning and procurement of the scheme, and when will such plans be made public;**

Further feasibility work, building design, update of plans, public consultation and all the other work that is required before a planning application can be submitted will take approximately 12 months. This is now anticipated to be complete during 2026.

I am initiating conversations to consider utilising existing funds from CYPES capital budget, to begin building design work for this planning application and to help progress this project as far as possible within the current delivery timeframe.

**d) Details of how the scheme will be funded to ensure the revised 2027 delivery date; and**

At this time, I am not able to confirm how the scheme will be funded, as the full costs of this capital project are not established.

**e) Whether the Council of Ministers remain committed to delivering the full scope of the Le Squez development as originally approved in the business case in 2023 and, if not, why not?**

I will continue to keep the Council of Ministers informed of the progress for Le Squez as work develops and we will keep the Le Squez Youth Centre within the Capital programme.

It is important that the sequencing of any development is carried out in such a way that we continue to maintain the existing youth facility in the Le Squez area while projects that serve the north of Town are being developed.

**2.18 Deputy K.M. Wilson of St. Clement of the Minister for Sustainable Economic Development regarding the total economic contribution of the cannabis industry (WQ.249/2025):**

**Question**

Will the Minister set out the total economic contribution of the cannabis industry expressed in terms of GVA, tax receipts and licence fees, and number of jobs created, for each of areas permitted by licence –

- (a) cultivation:
- (b) processing for export;
- (c) research: and
- (d) prescription, marketing and sale of medicinal cannabis?

**Answer**

It is not possible to breakdown GVA or employment data to this level of detail.

As per the answer provided by the Minister for Treasury and Resources to OQ.233/2024 tax information cannot be provided where the number of taxpayers is fewer than 12 to avoid inadvertent breaches of taxpayer confidentiality.

It is anticipated that £14,708.80 will be raised through cultivation licence renewals during 2025. These are charged in accordance with the Misuse of Drugs (License Fees) (Jersey) Order 2020 (as amended).

Additionally, £8,700 was collected in export licenses issued in 2024 and to date, £8,150.40 has been collected in the first half of 2025 which indicates a noticeable increase in exports.

**2.19 Deputy D.J. Warr of St. Helier South of the Minister for Education and Lifelong Learning regarding the number of Year 1 and Year 2 classes available at each primary school (WQ.250/2025):**

**Question**

Further to the response to [Written Question 62/2024](#), regarding primary schools on the Island, will the Minister detail the number of year 1 and year 2 classes available at each school and the number of students in each class for the school year 2024/2025 and, if available, for 2025/2026; and will he provide the same information for reception classes at each primary school from 2019/2020 to date?

**Answer**

Class and pupil numbers will not be known for 2025/2026 until after the Autumn term school census (Sept/Oct 2025).

Academic Year	School	No. YR1 Classes	No. YR1 Pupils
2024/2025	Bel Royal	1	27
	d'Auvergne	2	28
			26
	First Tower	2	22
			21
	Grands Vaux	1	15
	Grouville	2	26
			26
	Janvrin	2	20
			20
	Jersey College Prep	3	24
			24
			24
	La Moye	2	18
			17
	Les Landes	1	21
	Mont Nicolle	1	24
	Plat Douet	2	19

		18
		21
Rouge Bouillon	2	18
		26
Samarès	2	25
		27
Springfield	1	26
St Clement's	1	20
St John's	1	26
St Lawrence	1	25
St Luke's	1	27
St Martin's	1	16
St Mary's	1	25
St Peter's	1	23
St Saviour's	1	29
Trinity	1	

Academic Year	School	No. YR2 Classes	No. YR2 Pupils
2024/2025	Bel Royal	1	27
			28
	d'Auvergne	2	27
			23
	First Tower	2	21
			16
	Grands Vaux	1	28
	Grouville	2	26
			22
	Janvrin	2	24
			24
			23
	Jersey College Prep	3	24
			18
	La Moye	2	20
			21
	Les Landes	1	27
	Mont Nicolle	1	

Plat Douet	2	25
		25
Rouge Bouillon	2	25
		24
Samarès	2	19
		23
Springfield	1	26
St Clement's	1	28
St John's	1	25
St Lawrence	1	27
St Luke's	1	24
St Martin's	1	27
St Mary's	1	26
St Peter's	1	28
St Saviour's	1	26
Trinity	1	26

Academic Year	School	No. Rec Classes	No. Rec Pupils
2023/2024	Bel Royal	1	28
	d'Auvergne	2	28
			28
	First Tower	2	21
			22
	Grands Vaux	1	13
	Grouville	2	25
			25
	Janvrin	2	22
			22
			23
	Jersey College Prep	3	23
			23
	La Moye	2	18
			19
	Les Landes	1	20

Mont Nicolle	1	25
Plat Douet	2	17
		18
Rouge Bouillon	2	21
		21
Samarès	2	24
		25
Springfield	1	27
St Clement's	1	28
St John's	1	22
St Lawrence	1	28
St Luke's	1	26
St Martin's	1	27
St Mary's	1	15
St Peter's	1	22
St Saviour's	1	25
Trinity	1	28
Bel Royal	1	26
d'Auvergne	2	26
		25
First Tower	1	28
Grands Vaux	1	13
Grouville	2	25
		23
Janvrin	2	19
		19
		22
Jersey College Prep	3	22
		22
La Moye	2	22
		23
Les Landes	1	16
Mont Nicolle	1	24
Plat Douet	2	27
		23

2024/2025



Rouge Bouillon	2	22
		25
Samarès	2	22
		22
Springfield	1	28
St Clement's	1	24
St John's	1	18
St Lawrence	1	24
St Luke's	1	25
St Martin's	1	25
St Mary's	1	15
St Peter's	1	28
St Saviour's	1	21
Trinity	1	27

Class information was not collected centrally before 2023/2024, therefore the below only shows total number of pupils in each school, not split by individual classes.

Academic Year	School	No. Rec Pupils
2019/2020	Bel Royal	24
	d'Auvergne	55
	First Tower	46
	Grands Vaux	15
	Grouville	51
	Janvrin	52
	Jersey College Prep	66
	La Moye	46
	Les Landes	26
	Mont Nicolle	28
	Plat Douet	50
	Rouge Bouillon	51
	Samarès	28
	Springfield	26
	St Clement's	27
	St John's	27

2020/2021

St Lawrence	27
St Luke's	27
St Martin's	29
St Mary's	19
St Peter's	28
St Saviour's	26
Trinity	26
Bel Royal	27
d'Auvergne	77
First Tower	47
Grands Vaux	24
Grouville	56
Janvrin	48
Jersey College Prep	66
La Moye	57
Les Landes	26
Mont Nicolle	28
Plat Douet	69
Rouge Bouillon	49
Samarès	46
Springfield	25
St Clement's	29
St John's	24
St Lawrence	29
St Luke's	27
St Martin's	30
St Mary's	28
St Peter's	27
St Saviour's	28
Trinity	47
Bel Royal	27
d'Auvergne	54
First Tower	49
Grands Vaux	22
Grouville	54

2021/2022

Janvrin	43
Jersey College Prep	72
La Moye	46
Les Landes	26
Mont Nicolle	28
Plat Douet	57
Rouge Bouillon	39
Samarès	45
Springfield	26
St Clement's	28
St John's	20
St Lawrence	27
St Luke's	27
St Martin's	27
St Mary's	15
St Peter's	28
St Saviour's	23
Trinity	27
Bel Royal	23
d'Auvergne	53
First Tower	45
Grands Vaux	13
Grouville	55
Janvrin	44
Jersey College Prep	72
La Moye	32
Les Landes	19
Mont Nicolle	27
Plat Douet	50
Rouge Bouillon	50
Samarès	42
Springfield	26
St Clement's	29
St John's	23
St Lawrence	25

2022/2023

St Luke's	27
St Martin's	29
St Mary's	26
St Peter's	25
St Saviour's	26
Trinity	27

**2.20 Deputy M.B. Andrews of St. Helier North of the Chair of the States Employment Board regarding secondary employment of Chief Officers of Government Departments (WQ.251/2025):**

**Question**

Will the Chair –

- (a) advise whether the Chief Executive or any Chief Officers of Government Departments have secondary employment and if so, will he provide the details of such employment; and
- (b) state whether he has been asked to give approval to any such employment and if he has, how many times he has approved or rejected secondary employment requests?

**Answer**

- (a) No Chief Officers of Government Departments have secondary employment.

Whilst the Chief Executive does not have secondary employment, as previously confirmed the Chief Executive continues to undertake a non-executive role as Chair of the Board of the Bank of Gibraltar.

There have been no occasions when I have been asked to approve or reject requests for secondary employment. The Chief Executive's non-executive role was approved by the States Employment Board.

**2.21 Deputy K.M. Wilson of St. Clement of the Chief Minister regarding the Integrated Jersey Reinvestment Programme (WQ.252/2025):**

**Question**

Will the Chief Minister advise which Minister has formal political responsibility for overseeing and leading the Integrated Jersey Reinvestment Programme (previously named Project Breakwater) and advise whether this Minister will be accountable to the Assembly and relevant scrutiny panels in relation to questions, decisions and proposals regarding the Programme?

**Answer**

The Investing in Jersey (IJ) initiative is a coordinated plan for the regeneration and long-term renewal of the Island and includes three interrelated workstreams:

- Immediate Investment (Project Breakwater),
- Medium-Term Investment (Island Regeneration Programme) and
- Long-Term Capital Plan.

The Council of Ministers has overall political responsibility for the initiative. The Deputy Chief Minister is the political lead for Immediate Investment (Project Breakwater) and the Chief Minister is leading on the Medium-Term Investment (Island Regeneration Programme) and Long-Term Capital Plan.

**2.22 Deputy C.D. Curtis of St. Helier Central of the Minister for Infrastructure regarding a timetable for improvements to Le Rocquier School and Community Sports Facilities (WQ.253/2025):**

**Question**

Further to the adoption of the Twenty-First Amendment to the [Government Plan 2024-2027](#), to improve access to sports facilities in the East of the Island, will the Minister detail the timetable for improvements to Le Rocquier School and Community Sports Facilities?

**Answer**

The commitment remains to improve community sports facilities in the east of the Island and support school sport in the delivery of such projects.

Some funds were utilised in 2021-2023 to support urgent refurbishment work on the sports facilities at Le Rocquier, pending delivery of a larger scheme. Further funding was utilised as part of the Inspiring Active Places workstream to develop options for the site.

Feasibility work is progressing on developing plans and funding options for a new 3G pitch and changing room facilities on the Le Rocquier site. Subject to funding being made available, it is hoped that detailed planning could commence in 2026/27, with delivery in 2027/28.

We are also working with the Parish of St. Clement to lease the Parish a parcel of land for a new play area and pump track near the Parish Hall.

I am also aware of the willingness that exists for significant private investment in sport facilities, including in the east of the island. We must continue to seek and support this investment, including partnerships with private investors, to deliver new and improved sport facilities.

**2.23 Deputy H.M. Miles of St. Brelade of the Minister for Treasury and Resources regarding Jersey currency bearing the name and image of His Majesty The King Charles III (WQ.254/2025):**

**Question**

Will the Minister advise what steps, if any, have been, or are being taken regarding the issuance of Jersey currency bearing the name and image of King Charles III, and provide an estimated timeline for the introduction of new notes and coins into circulation?

## **Answer**

The Government of Jersey currently holds a significant stock of banknotes featuring the portrait of Her Majesty Queen Elizabeth II. This is due to the need for large minimum print runs, which are required to achieve value for money in a smaller jurisdiction such as ours.

While the introduction of a new series of notes has been explored, current stock levels are such that it shall be some time before any final decision is made on whether a new family of notes is required, and which design options may be preferred. This approach ensures that unnecessary costs are avoided, and that value for money is maintained on behalf of the public.

## **2.24 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Minister for the Environment regarding the protection of trees (WQ.255/2025):**

### **Question**

Further to [Written Question 222/2025](#), regarding the protection of trees, will the Minister –

- (a) provide detail on the reasons why the decision to protect the trees at St. Joseph's was not made within 3 months, and how he will ensure that this expiration does not happen again in the future;
- (b) explain why the Ecological Impact Assessment (EIA) was not required to include an individual assessment of each of the trees identified in the Tree Survey of the site; and
- (c) advise whether the department will be conducting its own analysis on the trees in St. Joseph's?

### **Answer**

- (a) As stated in the response to [Written Question 222/2025](#), the use of the provisional listing to protect trees at St Joseph's was undertaken in response to an apprehended threat, as understood at that time.

Being a provisional notice, the listing was issued quickly and reactively applying a 'blanket' form of temporary protection covering all of the trees on the site. This was not supported by a detailed assessment of the specific nature, condition and value of each tree on the site, of which there are approximately 170.

Service of the provisional listing is considered to have removed the threat of immediate damage or loss to the trees at that time. The fact that a planning application was in train which, as a matter of course would need to be supported by an objective assessment of the nature and condition of all of the trees on the site prepared at the expense of the applicant, provided a mechanism to ensure that the relative value of all of the trees on the site could be objectively assessed in due course within the context of a planning application.

It may not, therefore, always be the case that the provisional protection of all trees will result in their consideration for retention on the List of Protected trees: this will be dependent upon the circumstances of the case and have regard to the proportionate use of powers and resources.

The operational policy being developed by the Minister for the use of listing powers, referred to in the previous response, will seek to specifically address this issue, amongst others.

- (b) As set out in the consultation response provided by the government's Infrastructure and Environment (Land resources management team), in respect of P/2025/0155,<sup>5</sup> *'the presented findings of the EcIA and further ecological surveys are accepted as sufficient to enable an evaluation of the likely biodiversity impacts of the development proposals and no further surveys are required on this site at this stage.'*

It is relevant to note, however, that the addition of trees to the List of Protected trees is currently undertaken *'in the interest of amenity of Jersey'*, using an assessment of their visual amenity value only.

- (c) It is the responsibility of the applicant to commission and provide an assessment of the trees on the site, in relation to the submission of a planning application, as specified by Infrastructure and Environment (Regulation).

A tree survey has been prepared and submitted in support of the application for development at St Joseph's by an established landscape architecture practice in Jersey in accord with an established industry standard (BS 5837:2012 *Trees in relation to design, demolition and construction*). This, together with an associated Arboricultural Impact Assessment (May 2025) and Tree Protection Plan (28.04.25), has been critically appraised by the Infrastructure and Environment (Regulation) Landscape officer, as set out in her published consultation responses.

The determination of the application may lead to the use of appropriate mechanisms to protect important trees on the site. This could include the use of an Arboricultural Method Statement (AMS) and Tree Protection Plan that could form part of any conditional planning permission; and/or the consideration of the addition of trees, or a group of trees, to the List of Protected trees.

## **2.25 Deputy P.F.C. Ozouf of St. Saviour of the Minister for Infrastructure regarding publishing correspondence relating to the lease extension of La Collette Fuel Farm (WQ.256/2025):**

### **Question**

Will the Minister agree to publish all papers, reports, correspondence and Minutes considered by himself or the Council of Ministers relating to the proposal to offer a 15-year lease extension to the incumbent operator of La Collette Fuel Farm, and explain the rationale for not exercising the break clauses available under the current lease expiring in January 2026?

### **Answer**

I cannot give a commitment to publish all papers, reports, correspondence and Minutes that I have considered in respect of this matter. Various Articles of the Freedom of Information (Jersey) Law 2011 will likely apply.

Matters regarding the publication of papers considered by the Council of Ministers are for the Chief Minister as Chair of the Council of Ministers.

As explained in the response to OQ.119/2025, the existing fuel farm is required as a strategic asset to give stability and resilience of supply, and thus continuing with the current operating arrangements is deemed to be in the best interests of the island. It should be noted that there are no formal break

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<sup>5</sup> [P/2025/0155](#): Construct 42 No. Over 55 Supported Housing Accommodation, comprising 38 No. 1 Bed & 4 No. 2 Bed Units with Parking, Amenity Area and Bin & Bicycle Storage. Construct Sub Station to Northwest of Site. Demolish Existing Garage. New Hard & Soft Landscaping at St. Joseph's Care Home, St. Johns Road, St. Helier

clauses in the current lease. The option was to issue an instruction to enact clean-up works up to nine months prior to termination, or to issue a notice to purchase the facility.

I am aware that Deputy Ozouf is to be invited to a future meeting of the Council of Ministers to discuss this topic and is to be provided with certain papers as part of that discussion.

**2.26 Deputy M.B. Andrews of St. Helier North of the Chair of the States Employment Board regarding curbing growth in the public sector (WQ.257/2025):**

**Question**

Will the Chair advise whether it is his assessment that the removal of seven senior roles across the public sector, as recently reported, constitutes progress in curbing growth in the sector; and will he also advise whether further redundancies will take place and, if not, will he explain why not?

**Answer**

The removal of seven senior roles, and ensuring they are not replaced, contributes to the progress in curbing the growth in the public sector.

Since taking office, this Government has removed 1,000 unfilled vacancies. We have also implemented a recruitment freeze and reduced the use of external consultants. Essential frontline posts have been protected.

While it is recognised that we have a very good and robust public sector, it has grown by more than 2,000 headcount since 2018, which is an increase of 33%. This has contributed to a rise of more than 50% in the cost of running the public sector over the same period, a level of growth that the Government considers to be unsustainable.

The growth in the public sector has stabilised, and the Government is considering proposals that will reduce staff numbers further as required.

**2.27 Deputy M.B. Andrews of St. Helier North of the Minister for Housing regarding the use of pre-sale agreements for land and property transactions (WQ.258/2025):**

**Question**

Further to the debate on P.34/2025, regarding the use of pre-sale agreements for land and property transactions, will the Minister advise what consideration he is giving to the process for buying and selling a property and to the use of pre-sale agreements to avoid instances of gazumping and gazundering?

**Answer**

I expressed my support during the debate on P.34/2025 that the process of buying and selling a property should be looked at to ensure that it is efficient, robust and provides certainty to vendors and purchasers.

The Council of Ministers, however, made clear in its Comments that how and when a review of the property transaction process is undertaken is something that will need to be considered in the next political term, in light of the priorities and resources available to the next government.



I am not, therefore, giving detailed consideration to a review and, as I stated to Deputy Andrews in my response to his Oral Question on 18 March 2025 (OQ.53/2025), it is not something that I could include within my priorities for the remainder of this term of government.

**2.28 Deputy M.B. Andrews of St. Helier North of the Minister for Sustainable Economic Development regarding travel grant applicants who have received funding to compete in off-Island sports competitions (WQ259/2025):**

**Question**

Further to the adoption of P.82/2024, as amended, will the Minister provide details of the successful travel grant applicants who have received funding for travel to compete in off-Island sports competitions?

**Answer**

45 sports organisations have received funding and these are listed below:

Jersey Rugby Football Club	Jersey Petanque Association
Jersey Hockey Limited	Jersey Table Tennis Association
Jersey Cricket	The Jersey Cycling Association
Jersey Football Association	Empire Skating Club
Jersey Netball Association	Regent Skating Club
Jersey Bulls Academy Limited	Caesarean Cycling Club
Jersey Spartan Athletic Club	Channel Islands Federation of Freshwater Anglers
Tigers Swimming Club (Jersey) Limited	Archery Association of Jersey
Jersey Softball Association	Jersey Fencing Club
Jersey Triathlon Club	Jersey Smallbore Shooting Association
Jersey Squash & Racketball Association	Skateboard Jersey
Jersey Secondary Schools Football Association	Jersey Judo Association
Jersey Bulls Football Club	Jersey Swimming Club
Bowls Jersey	Jersey Motor Cycle & Light Car Club
Channel Islands Surfing Federation	Jersey Academy of Dancing
Jersey Tennis Association	Jersey Golf Union
Riding for the Disabled Jersey	St Peter Football Club
Royals Rugby Football Club	Jersey Rowing Club
Jersey Water Polo Association	Futsal Jersey Limited
Jersey Aquatic Rescue Club	Regent Gymnastic Club
Jersey Touch Association	Jersey Boxing Academy
JM Dance Studios	Jersey Functional Fitness Association
Jersey Volleyball Association	

**2.29 Deputy L.M.C. Doublet of St. Saviour of the Minister for Sustainable Economic Development regarding the number of monthly passenger arrivals in Jersey (WQ.260/2025):**

**Question**

In relation to the number of monthly passenger arrivals in Jersey, will the Minister –

- (a) provide the data for March to May 2025 and explain whether there have been any delays in the publication of this information;
- (b) detail any conclusions that he has drawn from this data; and
- (c) advise what plans, if any, he has to address or action any such conclusions identified?

## Answer

- a) Data on passenger arrivals can be found on the Visit Jersey website here: [Visitor Statistics | Visit Jersey Trade & Media](#)

The March to April statistics were updated by Visit Jersey on 13<sup>th</sup> June 2025 following a delay caused by a scheduling error which led to more visitor heavy afternoon flights being surveyed in Q1 compared to morning flights. This led to artificially high visitor numbers which the Chief Statistician and 4insight have subsequently worked to correct.

The passenger statistics for May will be available on the Visit Jersey website by the end of June.

- b) Total passengers by air remain stable compared to 2024 but low levels of UK consumer confidence are likely to continue to impact jurisdictions like Jersey for much of this year<sup>6</sup>.

We expected the introduction of a new ferry service to have a short-term impact on visitor numbers by sea and these figures confirm that. However, passengers by sea represent a small portion of overall travellers and figures should grow year on year thanks to new marketing investment from DFDS.

- c) The Deputy will be aware that supporting the visitor and hospitality sectors are key focuses of the Government and a number of actions have already been undertaken to support this industry.
  - We have provided a **£20m** Better Business Support Package to provide funding directly to businesses. This includes:
    - **£4.6m** in productivity support
    - A further **£2m** in productivity support ringfenced for the visitor economy
    - **£4m** in destination marketing
    - **£2m** in route development
    - **£4m** in skills funding
  - We have secured new air links both to Europe and the UK including a significant expansion of [Jet2's services](#) which will see a **50%** increase in seats for 2026.
  - Visit Jersey has delivered a 12% increase in active website users this year and a 23% increase in hotel partner referrals

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<sup>6</sup> For example, Ireland's visitor numbers have seen a [23% decline](#) in Q1 2025.

- We have secured the continuation of the French ID card scheme.
- We have provided new funding for shoulder season events such as the Super League Triathlon which will return in late September 2025.
- We are delivering a new Alcohol Licensing Law following the relaxation of rules around drinks promotions.
- We have reduced the de-minimis threshold and digitalised the GST refund scheme for tourists via a new partnership with Global Blue.
- We have reopened the Visitor Information Centre.
- We have trialled free opening at the Jersey Museum, driving footfall not only to the weighbridge but also to the new Visitor Information Centre.

**2.30 Deputy I. Gardiner of St. Helier North of the Minister for Health and Social Services regarding compensation for healthcare workers who have been left with serious health issues or life-changing disabilities as a result of contracting Covid-19 in the course of patient care (WQ.261/2025):**

**Question**

Further to Oral Question 123/2025, regarding compensation for healthcare workers who have been left with serious health issues or life-changing disabilities as a result of contracting Covid-19 in the course of patient care, will the Minister advise –

- (a) what criteria were used to determine that compensation was not warranted and whether compensation schemes introduced in other jurisdictions were considered when reaching this decision;
- (b) whether he will engage with unions, professional associations, and affected individuals to explore alternative forms of support and, if not, why not; and
- (c) whether there are any circumstances under which he would consider revisiting this decision and, if so, what those circumstances are?

**Answer**

- (a) I have reviewed the situation in the UK; there is currently no such compensation scheme.
- (b) I have been, and will continue, to engage with unions, professional associations, and affected individuals, as appropriate and with the support of the Director for Workforce.
- (c) Any developments in the UK, will inform my future consideration regarding a compensation scheme for healthcare workers who contracted Long Covid in the course of their employment.

**2.31 Deputy P.F.C. Ozouf of St. Saviour of the Minister for Housing regarding completed residential properties (WQ.262/2025):**

## Question

Will the Minister publish a breakdown of all completed residential properties in Jersey for each calendar year from 2020 to date, with the data disaggregated as follows –

- (a) by unit type (one-bedroom flat, two-bedroom flat, three-bedroom flat, two-bedroom house, three-bedroom house, four-bedroom house or larger);
- (b) whether properties are for sale, or were sold, for owner-occupiers, first-time buyers or other categories (potentially non-qualified licensed accommodation); and
- (c) whether properties are, or are to be, rented, split by social housing providers, private landlords and licensed accommodation?

## Answer

Only the Minister for the Environment collects data for completed residential properties, which is available through the operation of the Planning and Building (Jersey) Law 2002. I do not currently hold this data, although I am keen to work with the Minister for the Environment to ensure a public update for housing completions is made, as soon as he is in a position to provide one. I expect this information would go some way to answer point (a) of the question.

As I do not hold the source data for completions, I cannot therefore hold any further specific information about such properties as described by (b) and (c). Whilst some elements of this information are naturally held by Government, we do not monitor the market to the extent described.

Much of the source of this information would need to be derived from other ministerial portfolios, such as the Minister for the Environment in the case of rented dwellings licences and the Chief Minister in relation to conditions that may be attached to a person or property under the Control of Housing and Work (Jersey) Law 2012.

I am therefore not in a position to commit to reporting data that belongs to other Ministers. Whilst I appreciate why the Deputy may be seeking the totality of this information, it is not collected or held in this way and it would require significant work to match and report the data in the manner requested.

Statistics Jersey monitor and report on overall housing market activity in Jersey, and I understand have aspirations to develop the level of their reporting of the rental market in light of data obtained through the rented dwellings licensing regime and, I hope, in light of my proposed changes to the Residential Tenancy Law which will provide an essential component of rental market data that we do not presently have.

## **2.32 Deputy D.J. Warr of St. Helier South of the Minister for Education and Lifelong Learning regarding the Victoria College energy, cleaning and grounds maintenance costs (WQ.263/2025):**

## Question

Further to [Written Question 221/2025](#), regarding the Victoria College energy, cleaning and grounds maintenance costs of £421,000 in 2024, will the Minister advise who negotiated these contracts and whether, at the time of negotiation, the Age Weighted Pupil Unit (AWPU) was adjusted to reflect any inflationary increases caused by the renegotiation of the contracts?

## **Answer**

Grounds maintenance contract negotiations (VCJ, VCP only, as initiated by the schools) and cleaning contract negotiations (all schools) were completed by the CYPES team using the standard Government purchasing framework and tender processes. This was supported by Commercial Services (T&E) to ensure the framework and supporting processes were applied appropriately.

Energy (electricity) contracts are subject to the normal JEC tariff increase.

The contract negotiations did not result in any adjustments to AWPU. However, the AWPU rates for each of these items are directly connected to pay inflation and consequently are increased by at least this percentage value.

### **2.33 Deputy S.M. Ahier of St. Helier North of the Minister for Treasury and Resources regarding the upcoming purchase of CTJ Housing Trust properties by Andium Homes (WQ.264/2025):**

## **Question**

Will the Minister, as shareholder representative, advise in relation to the upcoming purchase of CTJ properties by Andium Homes –

- (a) how much Andium are paying for these properties;
- (b) whether Andium will require additional financing to fund the purchase;
- (c) whether the CTJ tenants will see an increase in their rent; and
- (d) whether this acquisition will be referred to the Jersey Competition Regulatory Authority?

## **Answer**

The Christians Together in Jersey Housing Trust (“the Trust”), having taken the decision to cease operations, approached Andium to ensure the continued provision of housing for its tenants through transfer to another social housing provider.

In respect of the specific questions:

- (a) The negotiations between the Trust and Andium continue for the transfer of the properties. The Trust has existing borrowings of approximately £18 million across three of its developments. As part of the transfer arrangement, it is proposed that Andium will assume responsibility for settling this borrowing.
- (b) Additional funding would be required to settle the Trust’s borrowing which, in the short term, will be drawn from Andium’s existing Revolving Credit Facility.
- (c) The Trust’s tenants have been informed via joint communications from the Trust and Andium, that their rents will be aligned with Andium’s existing rent policy. This policy permits only one rent increase per year, on 1 January. The Trust’s tenants will receive an enhanced protection under the Andium rent policy because the single annual increase is limited to RPI + 0.75% with a maximum cap of 4%. Therefore, the Trust’s tenants will not see any rent increases before January 2026 at the earliest.

- (d) The Jersey Competition Regulatory Authority has been notified of the proposed transfer. Discussions are underway to determine whether a formal application for approval is required for the transaction.

**2.34 Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter of the Minister for the Environment regarding long-term costs of land and water contamination from PFAS (WQ.265/2025):**

**Question**

Will the Minister advise what risk assessment and financial modelling, if any, has been conducted to calculate the potential long-term costs of land and water contamination from PFAS, including liabilities arising from biosolid application, water treatment upgrades, and future compensation claims?

**Answer**

I take the issue of PFAS contamination extremely seriously. Understanding the long-term risks and financial implications of PFAS, in our land and water, is a key priority for this Government.

To that end, we commissioned and recently published a comprehensive hydrogeological study to assess PFAS movement and fate of PFAS in St Ouen's Bay and Pont Marquet catchments. This work, led by Arcadis, has provided us with a detailed understanding of how PFAS has moved through our environment, particularly from historic use of firefighting foams at the airport.

Last week I published a detailed response to the independent report detailing the formation of a Hydrogeological PFAS Steering Group to progress a remediation strategy and continual updates to the Hydrogeological Risk Assessment.

The Steering Group, which includes Jersey Water and Ports of Jersey, are now assessing a range of remediation options. Fully evaluating all options is crucial to inform the development of a PFAS remediation strategy. This will include a clear process for prioritisation and cost assessment, ensuring that our actions are both effective and proportionate. It highlights the need for a flexible, phased approach, and identifies data gaps we must address to move forward.

Alongside this, we established the Independent PFAS Scientific Advisory Panel to assess the health and environmental risks of PFAS exposure. Their work, including the upcoming Report Four, is critical in helping us define a regulatory standard for PFAS in water and treatment options appropriate to the treatment plant sites in Jersey. Only when a new limit has been determined, can Jersey Water further develop their solution and have this costed.

Report Four will also include a review of practices relating the recycling of biosolids to land. Until research is undertaken, it would be premature to cost up any alternative options.

We are taking a science-led, evidence-based approach to ensure that any future costs whether environmental, health or social are fully understood and responsibly managed. This work is essential to protecting public health, our water supply, and Jersey's natural environment for generations to come.

**2.35 Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter of the Minister for Health and Social Services regarding the potential impact of PFAS contamination of children's health in Jersey (WQ.266/2025):**

## Question

Will the Minister advise what actions, if any, have been undertaken to assess and address the potential impact of PFAS contamination on children's health in Jersey in light of the Government's obligations under the United Nations Convention on the Rights of the Child (UNCRC); and will he further advise whether the Office of the Children's Commissioner has been formally consulted on this matter?

## Answer

In 2023 Public Health commissioned the PFAS Scientific Advisory Panel to investigate the potential health effects of PFAS at hotspot levels on human health. In this report, the panel found that children exposed to PFAS at hotspot levels show higher risk of having a decreased antibody response to routine childhood vaccinations (although no increase in contracting infectious diseases), elevated cholesterol and changes in liver enzymes. Highly exposed girls in Ronneby, Sweden showed an increased risk of being diagnosed with a language disorder.

PFAS can cross the placental barrier, exposing the foetus in utero, and PFAS can pass through breastmilk to the baby. In their report, the PFAS Panel assessed this risk, concluding that the benefits achieved from breastfeeding outweigh the risks associated with PFAS transfer to the infant.

The PFAS panel in their third report have recommended that PFAS levels are reduced through an intervention with bile acid sequestrants in women with raised PFAS levels who plan to become pregnant, in order to protect PFAS exposure in any future offspring.

The Office of the Children's Commissioner has been consulted, and a Child Rights Impact Assessment conducted for planned public health actions based on the recommendations of the third report from the PFAS panel.

### **2.36 Deputy I. Gardiner of St. Helier North of the Minister for Health and Social Services regarding the reclassification of cannabinoids and cannabinol derivatives (WQ.267/2025):**

## Question

Further to his response to [Written Question 113/2025](#), regarding the reclassification of cannabinoids and cannabinol derivatives from Class A controlled drugs to Class B controlled drugs, except where contained in cannabis or cannabis resin, will the Minister advise whether he has received and considered the advice of the Advisory Council on the Misuse of Drugs; and will he provide an update and timeline for the reclassification?

## Answer

Advice from the Misuse of Drugs Advisory Council has been received and considered. The advice recommended that "Cannabinol" and "cannabinol derivatives" be rescheduled from Class A to Class B within the Misuse of Drugs (Jersey) Law 1978.

Law Drafting Instructions to amend legislation to enable the reclassification of cannabinol and cannabinol derivatives were issued on the 12 May. Law drafting is underway and is currently envisaged that the draft Amendment Order will be finalised later this summer. Conversations with stakeholders regarding the operational actions required by the reclassification are also underway and progressing well

**2.37 Deputy I. Gardiner of St. Helier North of the Minister for Infrastructure regarding the Victora Marine Lake (WQ.268/2025):**

**Question**

In relation to the repair and upkeep of the Victoria Marine Lake, and further to his statement in [January 2025](#), will the Minister –

- (a) advise what work has been undertaken since January 2025 and, if no work has been undertaken, explain why not;
- (b) advise whether any studies have been undertaken into the repair and upkeep and, if they have, commit to making such studies public;
- (c) indicate what proposals he has received for short-term repairs that would allow the Lake to retain water, including the minimum cost to make the pool viable for safe use;
- (d) state whether he has identified the most cost-effective long-term strategy to ensure the pool can be maintained and used; and
- (e) state the annual expenditure on maintenance of the pool from 2021?

**Answer**

- (a) There has been no remedial work on the retaining wall or sluices of the Marine Lake since January 2025. Following an inspection of the site last September by myself, the Assistant Infrastructure Minister, and officers from Jersey Property Holdings, and in response to my concerns over the safety of the pool, warning signs were installed and contractors were approached to determine costs for repair work. The order of magnitude of the costs were deemed to be uneconomical to commission, particularly in light of the fact that the Assistant Minister reported that, when the Parish had a lease on the lake, use was very limited due to the proliferation of sea lettuce.
- (b) There has been a commercial proposal for annual repair and an assessment of annual maintenance to keep the pool available. The values are commercially confidential but can be made available to the Deputy confidentially. It may be of interest to note that the repairs in 2014 to bring the pool into use again cost £315,000.
- (c) Proposals have been received and contractors challenged to provide innovative solutions, however, there is little other than simple replacement of granite blockwork and cement capping that will achieve the effect, and it must be acknowledged that the environment, particularly in winter storms, is unforgiving and means that comprehensive works will be required.
- (d) Given the exciting plans under development for the Waterfront and the need to improve shoreline management and coastal defence, it is anticipated that there will be a diminishing requirement for this feature. In this context, it is currently uneconomical to repair the Marine Lake. It should be noted that there has been a considerable investment in the Havre des Pas pool wall and sluices to provide the facility for sea swimming at low tide, the function originally conceived for the Marine Lake.



- (e) The pool was leased to the Parish of St Helier until April 2023, and we have no records of parish expenditure. Jersey Property Holdings has made no expenditure on maintenance of the pool since then.

#### Additional information

To mitigate the risk of undertows being created by gaps in the wall, Jersey Property Holdings are investigating removing a short section of the wall which would remove the risk and could be achieved for a modest sum. A low wall would be retained.

### **2.38 Deputy D.J. Warr of St. Helier South of the Minister for Infrastructure regarding funding for the new St. Helier youth centre, the new school at Gas Place and Le Squez Community Centre (WQ.269/2025):**

#### **Question**

For each of the following projects, will the Minister state the estimated budget and timeline for delivery and detail how the funding for each one has been profiled –

- (a) the new St. Helier youth centre;
- (b) the new school at Gas Place; and
- (c) Le Squez Community Centre?

#### **Answer**

##### **St Helier Youth Centre**

At this stage, it is not possible to profile the spend for this project until we know we have planning approval, and a building contract is in place. It would also not be appropriate to provide the current budget for this project, as this is commercially sensitive and could otherwise put the States at a disadvantage.

A Planning Application was submitted on 17<sup>th</sup> April 2025 for the Town Youth Centre, and a target date for the planning decision is 28<sup>th</sup> July 2025. If the planning application is approved, officers from CYPES and Jersey Property Holdings, in partnership with the developer, will undertake work on the Building Control application, and subsequent work on purchase of the site.

If planning approval is agreed in July 2025, it is estimated that the completion of the new Youth Centre could be in the summer of 2028. Should planning approval not be granted, then further discussions will need to take place.

##### **New School at Gas Place**

The Gas Place site is in the process of being acquired, with the intention of constructing a new school. This would allow some existing schools in St Helier and St Saviour, currently operating in challenging premises, to offer modern facilities, and also allow the provision of a new facility for some of the Island's most vulnerable children. The budget and timeline for this project depend first on acquisition of the site.

## **Le Squez Youth Centre**

At present, we do not have an estimated budget or timeline for delivery. As per previous questions on this subject, the Le Squez Youth Centre project has been postponed until 2028. The current facility is safe and still able to provide a service for the children and young people in the area, so there is still work to be done to establish the required scoping costs for this project.

The Minister for Children and Families and I will ensure that the sequencing of any development is carried out in such a way that we continue to maintain the existing youth facility in the Le Squez area, while projects that serve the north of Town are being developed.

### **2.39 Deputy J. Renouf of St. Brelade of the Minister for Health and Social Services regarding appointments to senior roles in Health and his meeting with the Chair of the Jersey Appointments Commission (WQ.270/2025):**

#### **Question**

Further to his response to [Oral Question 131/2025](#), regarding appointments to senior roles in Health and his meeting with the Chair of the Jersey Appointments Commission, will the Minister –

- (a) state whether a civil servant was present at the meeting;
- (b) advise whether minutes were taken and, if so, whether he will publish them; and
- (c) advise whether he will request that two non-executive directors from the Health and Social Services Advisory Board be included on selection panels for other roles, in addition to the Chair of the Partnership Board, as mentioned at the Minister's [public hearing](#) on 20th May 2025, and, if so, which roles?

#### **Answer**

- (a) A civil servant was not present when I met with the Chair of the Appointments Commission.
- (b) No minutes were taken.
- (c) The Chair of JAC has agreed a twelve-month trial of including two non-executive directors in senior HCJ roles for e.g. Finance Director etc. This accords with JAC Guidance. It is of note that non-executive directors are routinely involved in National Health Service appointments in the UK at senior levels.

### **2.40 Deputy J. Renouf of St. Brelade of the Chair of the States Employment Board regarding two non-executive directors from the Health Advisory Board sitting on selection panels for senior health appointments (WQ.271/2025):**

#### **Question**

Further to the response to Oral Question 131/2025 and in light of the proposal of the Minister for Health and Social Services that two non-executive directors from the Health Advisory Board sit on the selection panels for senior health appointments, will the Chair advise –

- (a) what engagement, if any, there has been with the States Employment Board (SEB) on this matter and what advice, if any, SEB has provided; and

(b) whether it is regular practice for there to be such representation on selection panels and whether such representation is regularly ‘time limited’?

**Answer**

(a) The establishment of selection panels for recruitment to senior health appointments is the role of the Jersey Appointments Commission.

The States Employment Board has not been asked for, nor provided, any advice on this matter. Requests for advice would be passed to the Jersey Appointments Commission.

The States Employment Board is not involved in choosing panel members for the recruitment of senior health appointments and would not expect to be consulted.

(b) Non-executive directors (NED) have previously taken part in recruitment panels for senior roles, and this is not unusual. NEDs are routinely involved in NHS appointments in the UK at senior levels.

It would not be unusual to set a time limit. In this case, The Jersey Appointments Commission and the Health Department have agreed a 12-month time limit for the inclusion of two NEDs on the health recruitment panel.

**2.41 Deputy J. Renouf of St. Brelade of the Minister for Treasury and Resources regarding the organisational restructure at Jersey Airport (WQ.272/2025):**

**Question**

Will the Minister provide details of the organisational restructure at Jersey Airport that led to the Office of the Director of Civil Authority putting the airport into Special Attention including (but not limited to) how many people left their employment during the restructure, what new posts were created and how many posts remain unfilled?

**Answer**

Ports of Jersey (“PoJ”) has implemented strategic measures to enhance and strengthen the operational leadership team at Jersey Airport, ensuring alignment with, and to support the delivery of, the ambitious objectives set out in the Ports Policy Framework and reflected in PoJ’s approved Strategic Business Plan.

A key aspect of this was the integration of the Security, Customer Experience and Terminal Operations teams at Jersey Airport to create a better experience for passengers and to improve efficiency. Early results from this initiative have been positive: 99% of passengers are now queueing for less than 15 minutes at security and over 90% of baggage is delivered to the carousel in less than 20 minutes – metrics comparable with leading airports.

This process included an organisational restructure during which eight roles were significantly impacted, placing these employees at risk of redundancy. Of these, five were senior positions within the airport’s operational leadership team. At the same time, five new roles were created to better meet operational needs. These were:-

- Head of Customer Operations (Responsible for Terminal Operations including Security) - **position filled by an internal promotion**
- Security Compliance Manager – **position filled by an external candidate**
- Operations Planning Analyst – **position filled by an external candidate**
- Aviation Operations Training Manager - **position filled by an internal promotion**
- Manager of Air Traffic Control - **recruitment process ongoing**

As noted above, some of the new roles were filled through internal promotion, while others required recruitment of external candidates who bring a combined 150 years of experience from other airports. Currently, there remains only one vacancy—the Manager of Air Traffic Control—which is being covered by an experienced professional on an interim basis until a permanent appointment is made.

Ultimately, seven employees left PoJ and one was promoted into a new role. PoJ worked closely with trade unions throughout this process. This restructure reflects a considered approach to building a high performing, agile, effective leadership structure that is well positioned to support future growth and deliver the objectives set out in the Ports Policy Framework.

#### **2.42 Deputy M. Tadier of St. Brelade of the Minister for Infrastructure regarding the Nude Food Development at La Pulente (WQ.273/2025):**

##### **Question**

In relation to the Nude Food Development at La Pulente and further to his recent statement that “*it is our intention to take the action that is necessary to ensure the toilets are open for the summer*”, will the Minister –

- provide an update on progress to ensuring the public’s access to the public toilets that form part of the development;
- advise whether any consideration has been given to installing temporary toilets on public land adjacent to Nude Food, with the possibility of reimbursement of costs being sought from the current owners, so that the public can access conveniences in time for Summer 2025; and
- confirm that the pathway that runs between the development and the sea wall is public land and, if that is so, that right of access will be maintained for the public?

##### **Answer**

- The Minister for Infrastructure and departmental officers have since met with the property owner and are currently investigating technical and legal issues behind potential resolutions to ensure public access to the toilet facilities. Discussions are active and ongoing.
- The installation of temporary public toilets at this location has been considered. However, this option is complicated by issues relating to land ownership and planning requirements. At present, the focus is on options which would ensure public access to the existing toilets.

- (c) The pathway which runs between the development and the sea wall is not public land and forms part of the development site, however, the site is subject to a servitude in favour of the Public of the Island which means that the general public benefit from a pedestrian right of way over a strip of land measuring four feet in width to the rear of and adjacent to the sea walls. A Boundary Plan is appended.

**2.43 Deputy M.B. Andrews of St. Helier North of the Minister for the Environment regarding communications with the developer of the Les Sablons development (WQ.274/2025):**

**Question**

Will the Minister advise whether he has undertaken any recent communications with the developer of the Les Sablons development, and advise whether he is aware of any reasons that may lead to the development not being completed?

**Answer**

I have not undertaken any recent communications with the developer of the Les Sablons development and am unaware of any reasons that may lead to the development not being completed.

**2.44 Deputy M.B. Andrews of St. Helier North of the Minister for Sustainable Economic Development regarding membership of an approved independent redress scheme (WQ.275/2025):**

**Question**

Further to the adoption of [P.13/2023](#), as amended, will the Minister provide an update on establishing a statutory requirement for Estate Agents to obtain membership of an approved independent redress scheme?

**Answer**

Law drafting instructions were submitted to the Legislative Drafting Office (LDO) and shared with the Economic and International Affairs (EIA) Scrutiny Panel on 20 September 2024 to progress amendments to the [Consumer Protection \(Unfair Practices\) \(Jersey\) Law 2018](#).

Due to the prioritisation on the Law Drafting Office's time within the broader legislative programme, a definitive completion date for the draft amendment has not yet been confirmed. The preparatory work for stakeholder engagement is complete and will commence as soon as the draft legislation is available.

**2.45 Deputy M.B. Andrews of St. Helier North of the Chief Minister regarding a review of the current complaints system (WQ.276/2025):**

**Question**

Further to the response to [Oral Question 54/2024](#), will the Chief Minister expand on his reasons for undertaking a review of the current complaints system, notwithstanding the adoption of [P.32/2018](#), as amended, in relation to the appointment of an Ombudsman to determine complaints of

maladministration; and will he update the Assembly on what progress has been made in establishing an Ombudsman and the associated timeline?

#### **Answer**

P.32/2018 requested the Chief Minister to commission research into the costs of introducing a Public Ombudsman and to consult widely regarding the design of a Public Ombudsman Scheme, including with members of the Complaints Board, in order that ‘the best elements of the Complaints Panel scheme are retained within the new system’.

In October last year the Chief Minister commissioned the Assistant Minister for Sustainable Economic Development, Deputy Scott, to lead the next phase of the project to deliver a final stage complaints handling mechanism or combination of mechanisms. This includes examining the case for establishing a Public Services Ombudsman, as set out in the terms of reference (ToR) for the project ([Public Services Ombudsman: Terms of Reference](#)).

The rationale for undertaking this project is in the ToR, as follows:

*“To date, government work has focused on establishing a new complaints handling body in the form of a [Jersey Public Services Ombudsman] JPSO and, prior to 2024, steps had not been taken either to develop or expand the scope of the existing Complaints Panel or to consider how new complaints handling arrangements might work in conjunction with the Panel.*

*The Law Commission’s 2024 report ‘[Keeping the Complaints Panel or creating the Ombudsperson](#)’ highlighted matters for consideration by the government should it wish to continue with the Panel in any way. This is necessary to ensure that comprehensive research has been conducted – as demanded by the States decision in P.32/2018 – to ensure an Ombudsperson scheme may be implemented economically, effectively and efficiently.”*

Deputy Scott plans to present final proposals according to the timetable published in the ToR, by July 2025. These proposals will be informed by the outcome of a public consultation on public service complaints handling which took place between 10 March and 6 May 2025 ([Feedback on Public Services consultation](#)) and further research which Deputy Scott has conducted into the merits of both the current system and public services ombudsman schemes.

#### **2.46 Deputy M.R. Scott of St. Brelade of the Minister for Infrastructure regarding the decision to remove sports facilities from Fort Regent (WQ.277/2025):**

##### **Question**

Further to the decision to remove sports facilities from Fort Regent, will the Minister advise –

- (a) whether monitoring of usage and capacity of sports facilities at Fort Regent, Oakfield and Springfield has been undertaken since 2018 and, if so, what the results were of that monitoring;
- (b) whether any modelling has been completed on the impact on the capacity of Oakfield and Springfield of more users opting to use sports facilities at these sites when Fort Regent is no longer available and, if so, what the results were of that modelling and, if no modelling has been undertaken, why not; and

whether there are plans to include a gym within the Fort Regent development?

#### **Answer**

- (a) Usage monitoring by the Sport Division has, since 2018, primarily focused on Active members, and this remains the case today. It is important to note that this monitoring does not extend to all users of Fort Regent or other sports facilities and, therefore, does not represent total usage across all sites or activities.

Pre-covid, the capacity at Fort Regent was vastly underutilised and membership declined significantly in the years leading up to Covid due to the significant issues with asbestos, legionella, and fire safety, resulting in many areas having to be closed off for public use. From 2018 to 2019 alone, the membership dropped by almost 14%. During Covid many members chose to leave, finding alternative forms of exercise outdoors and at home. Over this period, the membership dropped by a further 32% to 4090 members, despite significantly reduced pricing and extended free periods offered during the covid disruptions. Recovery was slow in the lead up to May 2023 due to the introduction of increased competition from private operators in the St Helier area, with membership recorded in the April before Fort Regent closed at 4610 with 64% of members at that time using Les Quennevais, and 36% using Springfield and Fort Regent combined.

The Active membership took a small dip of around 10% when we moved to Springfield, but this number had recovered by year end and in May 2025 the membership stood at 5022 members. The existing Oakfield facility is not, at present, an Active member facility.

- (b) In 2018, Knight, Kavanagh & Page Ltd conducted a comprehensive review titled the *Sports Facility Delivery Strategy* on behalf of the Government of Jersey. This report assessed both indoor and outdoor sports provision across the Island and considered future need and service improvements. This work informed the development of the *Inspiring Active Places Strategy*. No further modelling has been undertaken since that time. However, the Sports and Physical Activity Ministerial Group met last week to discuss this topic and has instructed officers to refresh the 2018 strategy to reflect current and future requirements.

In terms of current usage, data indicates that there is capacity available at the existing Oakfield Sports Centre used by Hautlieu School and Highlands College. As for modelling to determine the specific impact of closing Fort Regent on Oakfield, Springfield, or other facilities, this is not something the operational team has undertaken to date. However, officers are effectively modelling in practice by working closely with affected groups to allocate their sessions across our available facilities. This responsive approach enables the Sport Division to assess needs and usage dynamically and ensure provision is aligned with demand.

- (c) There are no current plans to include a gym within the Fort Regent redevelopment. The rationale for this is that there are already over 18 gyms operating across the Island, providing sufficient provision in the private sector.

Finally, it is important to emphasise that the decision to repurpose and refurbish Fort Regent is due to the fact that the existing sports facilities and infrastructure have reached the end of their life and are no longer suitable for continued use in their current condition.

## **2.47 Deputy K.M. Wilson of St. Clement of the Minister for Social Security regarding the implementation of the new minimum wage in Jersey (WQ.278/2025):**

### **Question**

Further to the implementation of the new minimum wage in Jersey, will the Minister state whether the Government is collecting data on the impact of its implementation on local businesses and, if not, why not, and, if so, will she advise –

- (a) what data is being collected, how it is being collected and when (if at all) such data will be made public;
- (b) whether any data collected demonstrates an increase in wage costs for employers and whether there is any corresponding increase in indirect employment costs (such as training and pensions);
- (c) the cost of hiring both full-time and part-time workers at the new minimum wage in each of the following age groups –
  - (i) 16 to 17;
  - (ii) 18 to 25; and
  - (iii) Over 25; and
- (d) what impact, if any, has been observed on job opportunities for local people aged between 18 and 25?

### **Answer**

Jersey has had a minimum wage for many years and this is typically subject to an annual update. The current rate is £13 per hour with effect from 1 April 2025. As recently discussed by States members during the debate on [P.32/2025](#), the Employment Forum undertakes independent research and publishes comprehensive reports on minimum wage issues. The next report on this subject will inform the 2027 minimum wage rate.

Ministers maintain close contacts with local businesses through a range of formal and informal routes.

The 2025 minimum wage has been in force for less than 3 months, and it will take some time for any impact to be seen through formal data collection methods. These data collection methods are set out below.

Statistics Jersey undertake regular surveys of earnings in the Island. The Average Earnings Index is based on a survey that is distributed each year in July, with the results published in late August. Every 3 years the survey includes additional questions in respect of minimum and low wage workers. These questions are being included in the 2025 survey.

Statistics Jersey now also produce two separate reports using information derived from administrative data. The “Gender pay gap” report, which will be published in March each year and the “Earnings Statistics” report which will be published in August each year. Both reports contain details of the median wage and include breakdowns by age. The 2024 Gender pay gap report was published in March 2025. The 2025 report will be published in early 2026.

The Government does not collect information on the cost of hiring workers.

Age discrimination rules apply to employment and recruitment issues. As such, information on job opportunities by age group is not available. The same minimum wage rate applies to all workers aged above school leaving age.

Monthly actively seeking work statistics are published on the [opendata website](#) once a quarter. This includes a breakdown of individuals by age (16-19, 20-24, and five-year age bands for ages 25 and over).

### **2.48 Deputy K.M. Wilson of St. Clement of the Chief Minister regarding Investing in Jersey initiative workstreams (WQ.279/2025):**

#### **Question**



Further to his response to [Written Question 252/2025](#), will the Chief Minister advise which Assistant Ministers, if any, have any political responsibilities for the following Investing in Jersey (IJ) initiative workstreams –

- (a) Immediate Investment (Project Breakwater),
- (b) Medium-Term Investment (Island Regeneration Programme) and
- (c) Long-Term Capital Plan;

and will he advise which Government departments are involved with each workstream and detail the nature of any work planned for the next 12 months for each part of the IJ?

### **Answer**

Please refer to the previous answer in response to Written Question 252/2025, which confirmed the political leadership for the policy development of these schemes.

At this point in their development, there are no Assistant Ministers with responsibility for the work. The departments with a particular involvement include: the Cabinet Office, CYPES, Economy, Health Care Jersey, Infrastructure & Environment and Treasury.

As the Chief Minister has previously stated, as soon as the work has been finalised and approved by the Council of Ministers, the detail and nature of any work planned for the future will be shared with Scrutiny and States Members.

### **2.49 Deputy K.M. Wilson of St. Clement of the Minister for Infrastructure regarding Investing in Jersey initiative workstreams (WQ.280/2025):**

#### **Question**

Will the Minister advise what involvement he has in the Investing in Jersey (IJ) initiative and what delivery outcomes, if any, he has responsibility for in the next 12 months in relation to –

- (a) Project Breakwater;
- (b) Island Regeneration Programme; and
- (c) Long term Capital Plan?

#### **Answer**

As a member of the Council of Ministers, and particularly as Minister for Infrastructure, I am involved in the Investing in Jersey initiative and its three inter-related workstreams insofar as they relate to my ministerial responsibilities.

As the Chief Minister confirmed in response to WQ.252/2025, the Council of Ministers has overall political responsibility for the initiative. The Deputy Chief Minister is the political lead for Immediate Investment (Project Breakwater) and the Chief Minister is leading on the Medium-Term Investment (Island Regeneration Programme) and Long-Term Capital Plan.

At present, the initiative and workstreams have not yet been finalised, and accordingly delivery outcomes have not yet been assigned.

**2.50 Deputy J. Renouf of St. Brelade of the Minister for External Relations regarding Jersey Airport being placed under ‘Special Attention’ by the Office of the Director of Civil Aviation (WQ.281/2025):**

**Question**

Will the Minister advise whether the Airport was placed under ‘Special Attention’ by the Office of the Director of Civil Aviation before he was informed on 7th February 2025 and, if so, when did this happen; and what was the date and time when the communication was received about the bomb threat on 5th March 2025?

**Answer**

Jersey Airport was placed under ‘special attention’ by the Office of the Director of Civil Aviation on 10th December 2024. As announced, this was lifted on Friday 20th June 2025.

As Minister for External Relations, I hold statutory responsibility for the regulation of civil aviation in Jersey. I have no responsibility for the operations of the Airport. This falls to the Airport authority – Ports of Jersey Limited – which is responsible to the Minister for Sustainable Economic Development for, among other matters, the policing, administration and management of Jersey Airport. As such, I was not briefed about the bomb threat and I am therefore unaware of the time and date on which the threat was communicated. However, on this occasion I asked PoJ for feedback, and have now received the following response:

*At 23:16 04 March 2025 an email was sent to a customer enquiries email address detailing a threat against Jersey Airport. This email address is monitored during the operational hours of the airport.*

*The threat was identified on 05 March 2025 during the standard airport opening procedures. The team activated emergency response protocols; threat assessors conducted a thorough risk evaluation, and the decision was taken to evacuate the terminal building. After a search of the terminal had been completed, the airport resumed operations at 11:02.*

*A multi-agency review of the incident took place, in accordance with emergency response procedures, with the following agencies:*

- *Office of the Director of Civil Aviation*
- *States of Jersey Fire Service*
- *States of Jersey Police*
- *States of Jersey Ambulance Service*
- *States of Jersey Police*
- *Channel Islands Emergency Planning*
- *States of Jersey Medical Services*
- *Jersey General Hospital*
- *Government of Jersey Emergency Planning / Justice and Home Affairs Department*

**2.51 Deputy I. Gardiner of St. Helier North of the Minister for the Environment regarding the definition of ‘existing buildings’ (WQ.282/2025):**

## Question

Further to the response to [Written Question 236/2025](#), which provided the published definition of ‘existing buildings’ as “traditional farm or listed buildings; and some employment buildings”, will the Minister provide a breakdown of the type of buildings included within these categories?

## Answer

It is important to state at the outset, that the meaning of ‘existing buildings’ for the purpose of this answer needs to be considered within the context of bridging Island Plan Policy H9: Housing outside the built-up area.

As previously stated, in the answer to WQ.236/2025, the pre-ambles to Policy SP2 – Spatial strategy; and Policy PL5 – Countryside, coast and marine environment, together with Policy H9 – Housing outside the built-up area itself make it clear that in the context of these policies, ‘buildings’ refers to existing dwellings; traditional farm or listed buildings; and some employment buildings.

The types of buildings embraced by these terms are described in the island plan itself, as follows:

- **Dwelling**<sup>[1]</sup>: a self-contained unit of accommodation where all rooms in a household are behind a door, which the household controls.

Within the context of Policy H9, any proposal to extend or sub-divide a dwelling leading to the creation of separate households would clearly need to be capable of accommodating such having regard to the Minister’s minimum space standards.

- **Traditional farm buildings**<sup>[2]</sup>: traditional farmsteads comprising farmhouses with multi-functional two-storey working farm buildings or ranges (commonly termed a shed) set out mostly in L- and U-shaped plans. Ancillary detached vernacular farm structures mostly comprise pigsties, cart sheds, ash houses and bakehouses. The term traditional farm buildings applies such structures where they were constructed before 1960.

Within the context of Policy H9, a traditional farm building considered for conversion to residential use would clearly need to be capable of accommodating such a use.

- **Listed building**<sup>[3]</sup>: a legal designation of a building that has public importance by reason of its special archaeological, architectural, artistic, cultural or historical interest. Legally defined as a site of special interest (SSI); and referred to as a ‘listed building or place’ because it features on a list of SSIs.

Listed buildings can embrace any part of the historic environment that are perceived by many as having a distinct identity, including under the ground or sea, ranging from post boxes to castles<sup>[4]</sup>.

Within the context of Policy H9, a listed building considered for conversion to residential use would clearly need to be capable of accommodating such a use.

- **Some employment buildings**: the definition of employment buildings is broad (see section 4: defining employment land/uses in the Minister’s supplementary planning guidance; [Protection of employment land](#)). Within the context of Policy H9, however, the key policy objective is to enable the potential conversion of those redundant employment buildings that might exist outside of the island’s built-up areas, such as outworn tourism accommodation, to provide them with a new use or to enable their redevelopment, subject to the tests outlined in the policy, where it is appropriate and acceptable to do so.

Agricultural buildings (post 1960) and glasshouses are excluded from this provision and their conversion to other non-employment uses will not be supported.

<sup>[1]</sup> Bridging Island Plan, Glossary, p.357

[\[2\]](#) Bridging Island Plan, pre-amble to Policy ERE3 – Conversion or re-use of traditional farm buildings, p.179, as cited in Historic farmsteads and landscapes in Jersey (2008)

[\[3\]](#) Bridging Island Plan, Glossary, p.358

[\[4\]](#) Bridging Island Plan, pre-amble to Policy HE1 – Protecting listed buildings and places, and their settings p.129

**2.52 Deputy I. Gardiner of St. Helier North of the Minister for Social Security regarding people with a mortgage who were in receipt of any type of Social Security benefit (WQ.283/2025):**

**Question**

Will the Minister state, for each of the last three years, the number of people with a mortgage who were in receipt of any type of Social Security benefit; and provide the total amount received broken down by each category of benefit?

**Answer**

The Employment, Social Security and Housing Department does not hold data on mortgages. It is therefore not possible to provide any analysis that links benefit payments to individuals holding a mortgage.

Benefit payments are made in a range of categories:

Contributory benefits made to working age people are assessed on the contribution record of the individual and the specific requirements of the benefit - e.g. having an STIA certificate, being a parent of a new baby etc.

The contributory old age pension is paid to those above working age with a sufficient contribution record acquired over their lifetime.

Long term care benefits are paid to adults who have significant long term care needs.

Health insurance benefits are provided to adults who satisfy a contribution condition and their dependent children

Income support benefits are provided to low-income households based on an assessment of household income, assets and needs.

A range of additional means tested benefits are provided to lower income pensioners based on income tax liability and savings. The Community Costs Bonus is also provided based on tax liability but is not restricted to pensioners.

**2.53 Deputy M. Tadier of St. Brelade of the Minister for Sustainable Economic Development regarding the cancellations of the DFDS sailing between Jersey and Portsmouth in May 2025 (WQ.284/2025):**

**Question**

Further to the cancellations of the DFDS sailing between Jersey and Portsmouth on 16th May 2025, and the sailing between Portsmouth and Jersey on 17th May 2025, will the Minister –

- (a) advise whether the Government was informed how many passengers were booked on these two sailings, when the passengers were informed of the cancellation, and what compensation, if any, the passengers were given and, if so, provide that information;
- (b) whether the Government was informed how much freight and how many freight vehicles were booked on these two sailings and, if so, provide that information;
- (c) state what instructions or suggestions, if any, the Government made to DFDS in relation to cancelling a scheduled service in order to operate an ad hoc service to Guernsey;
- (d) state whether DFDS gave the Minister notice of the intention to cancel these services and, if so, when; and
- (e) explain what consideration, if any, has been given to the reputational damage of these cancellations?

### **Answer**

The schedule alteration was a one-off to accommodate Jersey supporters attending the Muratti Cup in Guernsey. GOJ requested DFDS examine options for inter-island connectivity around the event, recognising the unique cultural importance of the event and DFDS's status as Jersey's new ferry operator.

Our new Operating Agreement has secured a dedicated daily (6 days p/w) freight service using the *Arrow* which is complemented by the combined passenger and freight schedule of *Stena Vinga*. This has ensured the continuation of regular evening freight deliveries. On the dates in question, Saturday 17 May 2025, the ARROW sailings were unchanged. The STENA VINGA sailings either side of Saturday 17 May 2025 were also unchanged.

Retailers regularly adapt to weather related cancellations at short notice. On this occasion retailers had a week's notice of a single rotation being cancelled. GOJ was sighted on representations from only one supermarket retailer protesting the single schedule change.

DFDS explored other options, rather than using the Stena Vinga but these were not possible because:

**The Levante Jet** (fast ferry to Poole) – is not interoperable with Guernsey's harbour ramp.

**The Tarifa Jet** (fast ferry to France) – was heavily subscribed with Islanders and visitors and a cancellation to this route would have left Islanders stranded over the weekend.

The Government does not hold data on the number of passengers or vehicles booked on the cancelled sailings. All affected passengers were contacted between the 8<sup>th</sup> and 13<sup>th</sup> May and informed of changes to their bookings and all impacted passengers were offered alternative sailings or refunds by DFDS.

Lastly, the question references considerations of the reputational impacts on the change. I would reflect that This year marked 120 years since the first Inter-Island Murratti, an event which has only ever been cancelled by the World Wars and COVID. I believe the reputational impact of not facilitating a milestone of this type for islanders would have been great, indeed.

### **2.54 Deputy P.F.C. Ozouf of St. Saviour of the Chief Minister regarding the medicinal cannabis and biotech sector (WQ.285/2025):**

## Question

With regard to the medicinal cannabis and biotech sector, will the Chief Minister advise –

- (a) whether the Government intends to release a joint statement from relevant Ministers providing an update on the sector, including–
  - (i) prescription levels;
  - (ii) regulatory oversight mechanisms, including Good Manufacturing Practice (GMP), clinic inspections, prescriber accountability;
  - (iii) economic health, including revenue, employment, fiscal forecasts; and
  - (iv) public health impacts;
- (b) if there is no such intention, why not;
- (c) when the Assembly will be provided with a report on the lessons learnt from the sector's roll-out to date, including any regulatory gaps identified and corrective action taken; and
- (d) whether the Government is undertaking any further research into the sector and, if so, whether such research will be made public and the anticipated date of release?

## Answer

### Parts (a) to (c)

The Government intends to publish a joint report or update from relevant Ministers that will cover the matters described in parts (a) and (c), before the end of 2025.

### Part (d)

As detailed in the answer to WQ.229/2025, the Minister for Sustainable Economic Development has asked officers to explore what a biotech sector for Jersey might look like. Early policy work has also been requested to explore the feasibility of supporting the development of a medicinal technologies and bio-pharmaceutical sector. There is currently no confirmed date of release, however any formal decisions, policies or strategies would be published as a matter of course.

## **2.55 Deputy P.F.C. Ozouf of St. Saviour of the Minister for Housing regarding share-transfer transactions (WQ.286/2025):**

## Question

Regarding share-transfer transactions, will the Minister –

- (a) detail the statistical sources and methodologies by which share-transfer transactions are monitored;

- (b) advise whether current data permits an authoritative annual total of share-transfer sales and whether summary data will be published or tabled and, if not, why not;
- (c) provide, if available, annual share-transfer figures by volume and value (and any segmentation by purchaser status such as local or non-local purchasers) for the past five years;
- (d) explain how the share-transfer market is factored into housing policy, particularly in relation to affordable-housing initiatives and monitoring supply; and
- (e) advise whether the Strategic Housing Unit has considered, or is considering, requiring public registration of share-transfer transactions (whether via the Royal Court, a new registry or another mechanism) to ensure comprehensive oversight is accessible to elected Members and stakeholders?

## Answer

- a.) Share transfer transactions do not pass through the Royal Court and therefore we do not hold a comprehensive record of share transfer transactions in the Public Registry. Reliable data is obtained through receipts arising from the Taxation (Land Transactions) (Jersey) Law 2009.

Share-transfer Land Transaction Tax (LTT) income is monitored by the Minister for Treasury and Resources. Statistics Jersey make use of this data source to enable reporting as part of the House Price Index.

- b.) LTT data belongs to the Minister for Treasury and Resources. Total LTT income is published annually in the Budget (Government Plan). Total transactions are included within the House Price Index.
- c.) Annual share transfer transactions by volume and value are not routinely published by the Minister for Treasury and Resources. This has been shared by the Minister, upon request, as below:

	Number of transactions	Total revenue (£m)	Non-local purchaser
2020	480	2.5	-
2021	480	3	-
2022	540	3.8	<10
2023	480	6.8	23
2024	220	1.8	<10

*Data is provided with regards to any transfer of ownership; this includes transfers of property from sole name into joint, and vice versa, and following the devolution of an estate. Data regarding non-local purchasers is only available from May 2022. Prior to this, purchaser address data is not held in a centralised form. Purchaser addresses only relate to the time of transaction and do not indicate whether a purchaser intends to occupy the property.*

- d.) The impact of the share transfer market was taken into account in the development of the Creating Better Homes Action Plan (2021), which ended the creation of new share-transfer properties in Jersey with the aim to help Islanders own their own homes. This means no new share transfer supply is being created and flats are structured instead as Flying Freehold. It would be particularly challenging to implement any retrospective policy action upon the share transfer properties that remain, and this is not currently under consideration. As with all parts of the housing market, should any new or specific problems become apparent, a policy response may be considered at that time.
- e.) The Strategic Housing and Regeneration Team are not currently tasked with considering a requirement to register share transfer property transactions. This has, however, previously been considered in response to P.82/2020 & P.93/2020. A report was published in response to these propositions, but the findings remained without endorsement by the then Chief Minister as set out in the Reports page at gov.je: [Feasibility Study on property registers](#). No further work has been undertaken since this publication.

## **2.56 Deputy D.J. Warr of St. Helier South of the Minister for Infrastructure regarding the infrastructure of the Sport estate (WQ.287/2025):**

### **Question**

Further to his statement during the Economic and International Affairs Scrutiny Panel public hearing that no gap analysis had been carried out to understand the total sporting demand in Jersey, will the Minister detail on what basis the grant sum of £1.9 million for 2024 was calculated; and will he advise whether the sum of £4.6 million he quoted as being spent on maintaining the infrastructure of the Sports estate is adequate to ensure its future sustainability and, if not, what extra funding will be required to ensure it is sustainable in the future?

### **Answer**

A growth bid was made in 2020 for the 2020-2023 Government Plan in respect of funding for Jersey Sport to deliver their objectives under the Inspiring an Active Jersey strategy. In 2023, their budget was £2.14m inclusive of £125,000 funding for travel grants. Following required departmental savings in 2024, the core grant for Jersey Sport (not including travel funding) was reduced by £100,000 and Jersey Sport re-aligned their programme accordingly.

The £4.6 million figure referred to is the forecast net cost to the States of maintaining Government run/owned sports facilities (which are Fort Regent, Springfield, Oakfield, all the playing fields, Les Quennevais, Langford, and Haute Vallee) for 2025 and 2026. We are able to maintain and operate our facilities at present, but as I stated at the hearing on 12<sup>th</sup> June, additional funding will be required in future both to ensure that our facilities are up to date and well maintained, and for capital investment in replacement or new facilities. This is a matter which is currently being considered by the Council of Ministers.

Sporting demand is dynamic and driven by growth and development in sport. It is important that we remain agile in order to support the changing needs of our community. It is equally vital that Government continues to work with clubs and associations, as well as Jersey Sport, to identify the type of support that is required, and whether that support needs to be directly delivered or can be delivered through private investment in facilities and public-private partnerships.



Recently, we have agreed to undertake work in the tunnels at St Aubin to enable shooting clubs to continue operating there, as well as upgrading Springfield. A wide range of upgrades are also being enabled via lottery funding from the Jersey Community Foundation.

**Deputy J. Renouf of St. Brelade:**

Can I raise a point of order in relation to those Written Questions?

**The Deputy Bailiff:**

Yes, Deputy.

**Deputy J. Renouf:**

In particular, under Standing Order 12(4) regarding the answer to Written Question 281. The question concerned when the airport received the bomb scare that led to the evacuation of the airport on 5th March and the Minister said he would contact Ports and let me know in due course.

[9:45]

He had 5 days to make one phone call and he did not do so. It is a matter of considerable public interest because if there was a gap between when the warning arrived at the airport and when somebody at the airport saw it, then it is a potentially major security risk and I would like you to rule on whether the Minister should reply to that immediately.

**The Deputy Bailiff:**

Yes, thank you, I will rule upon that within the timeframe allowed by Standing Orders.

**Deputy M. Tadier of St. Brelade:**

Similarly I have a Written Question, I am sorry I do not have the number but it is the only one that has just been answered this week from me.

**The Deputy Bailiff:**

Who was it to?

**Deputy M. Tadier:**

It was to the Minister for Sustainable Economic Development and it relates to the boat being diverted to Guernsey for the Muratti and for the sports weekend and cancelled sailings. I asked if he was aware of the number of passengers that had been cancelled and bookings. His answer, I think, was equivocal in that he said that they do not hold the information for passengers that travel, but he did not give me a straight answer as to whether he is aware of the numbers, sir. I would like you to rule, after consideration, on whether that sufficiently addresses the question.

**The Deputy Bailiff:**

Thank you very much, I will give that ruling.

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

It is not quite a point of order, and in the risk of incurring the wrath of the posthumous Jurat Newcombe, who held attire into a very high standard, Sir, it is very warm in here, and would it be possible either for us to remove our jackets, to invoke another Deputy of St John, or maybe we could have some air?

**The Deputy Bailiff:**

I am afraid to say that the air-conditioning is broken down in this room and indeed other rooms in the building, as I understand it, that is nothing new.

**Deputy P.F.C. Ozouf:**

Should we call the Minister for Infrastructure?

**The Deputy Bailiff:**

Can we get some fans in? Are Members content for people to remove their jackets?

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

A slippery slope, Sir.

**The Deputy Bailiff:**

Is it a slippery ... I can put it to the vote if that is required.

**Deputy M. Tadier:**

Can we remove bow ties as well?

**The Deputy Bailiff:**

I do not know about bow ties.

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

I do not wish to appear frivolous, at least one Member has a waistline or lack thereof which demands he wears braces and I suggest that it would be unedifying if those in that position were not to wear it.

**The Deputy Bailiff:**

You do not have to remove your jackets. **[Laughter]** I am not making an order that people should take their clothes off. It is purely optional. It seems to me that if someone wishes to remove a jacket in this heat, then they may do so.

**Deputy P.F.C. Ozouf:**

Some fans or something, Sir? There is a lot of hot air in here.

**The Deputy Bailiff:**

Yes, there are some fans on their way but I do not know how effective they will be.

**Deputy R.J. Ward:**

Might I ask whether women might remove jackets as well?

**The Deputy Bailiff:**

I said people. I was very careful in my choice of words.

### **3. Oral Questions**

**The Deputy Bailiff:**

Now, moving on to Oral Questions, we have 22 questions to get through today, which means only 6 to 7 minutes per question if we are to get through them all, and I hope that we do. With that remark in mind, I invite Deputy Doublet to put the first question to the Minister for Sustainable Economic Development.

#### **3.1 Deputy L.M.C. Doublet of St. Saviour of the Minister for Sustainable Economic Development regarding the Cost of Living Ministerial Group Plans (OQ.137/2025):**

Will the Minister detail any plans that the Cost of Living Ministerial Group is developing to assist Islanders with increases in the cost of living, including (but not limited to) plans relating to single-parent households, families with children and pensioner households?

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

I understand in the Minister's absence, I am responsible for answering the question. The Government has delivered a range of actions to help reduce the impact of the increased cost of living on Islanders, especially in the groups mentioned in the question. Action includes reducing G.P. (general practitioners) fees, free school meals, introduction of a living wage - moving towards that - now keeping duties, fees and charges low, expansion of nursery care, to name but a few. These are all priorities approved in the Common Strategic Plan by the Assembly under the move of the Government to bear down on cost of living by keeping fees and charges as low as possible. The Cost of Living Ministerial Group closely monitors inflation and cost-of-living pressures in Jersey. It provides background information which is used to make practical policy decisions, target support specific groups. The group is also working to better understand how cost of living affects specific demographics through the development of minimum income standards. These will define a minimum income needed for households to live in Jersey and will be developed for all household types, including parents and pensioners, which will go towards informing future policy and how we help Islanders with the cost of living.

**3.1.1 Deputy L.M.C. Doublet:**

As I understand it, the group has only met perhaps twice this year. Can the Chief Minister inform the Assembly what new measures have come directly from this group and whether he feels that this group is doing everything it can to address the cost-of-living pressures?

**Deputy L.J. Farnham:**

The Ministerial Group was officially established on 15th November last year, superseding the previous Inflation Strategy Group, which was established in 2020, which I chaired at that time, which produced a report at that time, which is still valid. I believe the group has met 4 times and, as I said before, it is really the individual Ministers that have responsibility for various policies; for example, Treasury, Social Security, and such force. The group's main focus now is on the Cost of Living Group ... yes, its focus now is on the minimum income standards work, which is focusing on a specific demographic, so we can understand on what the minimum income should be.

**3.1.2 Deputy P.F.C. Ozouf of St. Saviour:**

The Chief Minister is answering on behalf of the Minister for Sustainable Economic Development, and he has not said anything in his answer about the private sector price pressures that were only mentioned on Radio 4 this morning; the increase in grocery prices? What is the Minister for Sustainable Economic Development, which he will know about, doing about market dominance? Are they using the J.C.R.A. (Jersey Competition Regulatory Authority)? What action is being taken to evaluate the impact on the living wage on R.P.I. (retail price index) and all the other competition issues? It is not just about the Government putting lower charges in, it is about the market. That is the majority of the basket, is it not?

**Deputy L.J. Farnham:**

I did not provide an answer because that question was not part of the original answer, but I am pleased to try and provide one on behalf of the Minister. The Deputy knows full well the challenges we have in controlling inflation; a lot of inflation that lands with us is out of our hands. The Deputy will also know that we import something like 85 per cent of the food we consume here. We do not have monetary policy, we have fiscal policy, so our actions are limited. Having said that, we know full well what those actions are, which is why in the C.S.P. (Common Strategic Policy) we detailed that as one of our top priorities. The Deputy knows, because he was the Member I think that took forward the establishment of the Competition Authority, we encourage competition wherever we possibly can. Competition is one of the tools we have availability for to help Islanders with the cost of living.

That is working in some areas, and other areas I think we need to bear down a little bit harder and that work that is being overseen by the Minister.

**3.1.3 Deputy P.F.C. Ozouf:**

I do not want to take the Assembly's time up, but the Minister will understand my concern of the lack of progress by the J.C.R.A. There is a 6(4) Article in the J.C.R.A. law which mandates the Minister to ask the J.C.R.A. for specific issues. I know they have asked for it but maybe we could have a discussion offline as to how we can get the J.C.R.A. to address the issues which a large amount of Islanders are really concerned about.

**Deputy L.J. Farnham:**

Yes, I am happy to facilitate a meeting with the Deputy and the Minister for Sustainable Economic Development to discuss that important issue.

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

Affordable housing has, especially in the rental sector, constantly been identified as a key driver for the cost-of-living crisis, particularly impacting single-parent households and pensioners. In that context, does the Chief Minister believe that rent control measures, including a rent cap, are an effective way to help address these pressures?

**Deputy L.J. Farnham:**

I think it depends on various circumstances in relation to the individual, I suppose, circumstance to which it applies. In principle, I do not like caps, but what is being proposed there is not technically a rent cap, it is a rent bar, if you like, it is a hurdle to say if landlords want to increase rent more than 5 per cent they have to have a reason to do it. I think anything that helps to introduce more affordable housing will have a beneficial impact on the cost of living because, as Members will know, from how our cost-of-living index is formulated, housing plays a big part of that.

**3.1.5 Deputy H.L. Jeune:**

The Cost of Living Ministerial Group of course should look at a range of issues around the cost of living. Because the Chief Minister did not mention affordable housing, is this something that has not been on the agenda to ensure their support across the Ministers who sit on the Cost of Living Ministerial Group to such things on affordable housing?

**Deputy L.J. Farnham:**

Again, I refer Members to the Corporate Strategic Policy that was approved by this Assembly where the provision of more affordable housing is probably our number one priority. Members will have seen significant steps forward over the last year with more homes becoming available, step-up scheme, more help to buy schemes today. Just today, Andium have announced a new shared equity scheme. Of course, that has also been assisted ... I say although it is not always good to see a falling house price market, the fact that the cost of homes has come down I think has also helped more people on to the property ladder.

**The Deputy Bailiff:**

That completes the time for that question, save for a final supplementary.

**Deputy M. Tadier of St. Brelade:**

Did you see my light, sorry?

**The Deputy Bailiff:**

I did, I regret to say that the time for that question has now expired. We have to be quite strict to get through all the questions we have got. There are 22 today and we do not want to have a situation

arising where there are a number of unanswered questions at the end. Yes, I regret to say that there will only be time for 2 or 3 questions from other Members.

**Deputy M. Tadier:**

Can I just put it on record, I think it would be helpful if P.P.C. were to look at a system so that Members knew who has been selected to speak and who has not and maybe use better use of the screen? I just put it out there for them to consider and it might be helpful also for everyone.

**The Deputy Bailiff:**

In that case, I will just say which Members have put their lights on so everyone knows. Final supplementary, Deputy Doublet.

**3.1.6 Deputy L.M.C. Doublet:**

What I would like to understand from the Chief Minister is: are the Cost of Living Ministerial Group utilising the available data on the households mentioned in the initial question and other households to target specific measures to Islanders who are in most need of solutions helping with the cost of living? Is the Cost of Living Ministerial Group doing this in a co-ordinated way? If that is not happening already, what plans does the Chief Minister and other Ministers have to make this happen?

**Deputy L.J. Farnham:**

The group is working. Like I say, its key focus at the moment is working to better understand how cost-of-living pressures affect specific demographics through the development of the minimum income standards piece of work. To do that piece of work, the group will need access to all of the relevant statistics, because it cannot formulate a policy without it. But I will make sure that the Minister can confirm upon his return the process being followed in that piece of work.

**3.2 Deputy J. Renouf of St. Brelade of the Minister for the Environment regarding tuna fishing activity in Jersey waters and related international agreements (OQ.152/2025):**

Further to the publication of R.80/2025 and the proposed extension to Jersey of the International Convention on the Conservation of Atlantic Tunas, will the Minister provide an update on the extension to, and the nature and extent of, tuna fishing that he anticipates will take place in Jersey waters?

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

I am grateful to the Deputy for the question because it allows me to tell the Assembly a few small details not covered in R.80 and that is that for the last 4 years - over 4 years now - the Marine Resources Department have been researching this area alongside and in conjunction with Exeter University and with the U.K. (United Kingdom) Government via Defra to understand more about tuna. The extension that the Deputy refers to in the question, the extension of I.C.C.A.T. (International Convention on the Conservation of Atlantic Tunas) to Jersey is in its final stages. Government House has written to the Ministry of Justice for kindly progressing this issue as a priority, I am told. My intention is to establish a catch-and-release charter fishery for this 2025 summer season. That would run from August to October, if all the signatories can be put in place. That will follow the principles of the U.K. and the Jersey rules on charter vessels. This would be for a maximum of 5 commercial operations and would run under a strict scientific exemption to the wildlife law.

[10:00]

**3.2.1 Deputy J. Renouf:**

I am grateful to the Minister for that clarification. Can he just clarify, for the avoidance of doubt, within the charter catch-and-release programme, how many licences will be issued each year and therefore how many fish will potentially be caught under this scheme?

**Deputy S.G. Luce:**

As I have already said, my intention is to issue 5 licences for the summer under catch and release, which would be exactly what it says on the tin. The authorisation would be to catch fish and to return them to the water alive. There will be some strict rules about how this can be done. It is going to be really important that these fish are caught quickly, returned to the boat and released under a very strict regime to ensure that the vast majority of them, as many as possible, will still be alive. They are a big strong fish and they are very capable of doing that. Into the future, I would just like to say to the Assembly, for the avoidance of doubt, now that we know that there are many hundreds if not thousands of these fish swimming around in our waters, it would be my intention next year to remove the species from the Wildlife Law and to manage it specifically with other fish under the Fisheries Regulations in the future. I hope that sometime in the future we may be granted a small quota, which may allow us to land a very small number of very high-grade fish for consumption in the local market, knowing of course that tuna is a very popular fish and bought in great quantities in supermarkets. If we can do that locally, I look forward to being able to do that. But that would be my intention for this summer; 5 commercial licences.

**The Deputy Bailiff:**

We have time for questions from Deputy Jeune, Deputy Alex Curtis and Deputy Tadier, I hope.

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

Given that up to 30 per cent of tuna do not survive after being released due to stress of being hooked, handled and exhausted during capture, what measures specifically, though you mentioned some, but what specific measures will the department take to ensure fishing practices meet the conditions necessary to reduce post-release mortality, and what sanctions will be put in place if the rules are broken?

**Deputy S.G. Luce:**

I have to say to the Deputy that is not my information, but I take on board that with any catch-and-release fishery there is always a very small chance that some fish may not survive being caught and returned to the wild. Which is why I say 2 things: the first one, the North Atlantic bluefin tuna is a very, very strong fish and capable of withstanding being caught and released. But more importantly I say to the Deputy, that is why I said there will be some very strict rules about how this fishery will happen, and people will only receive a licence when they have the facilities on board the vessels to land these fish very quickly without a long fight, which would exhaust them and make them very tired and less likely to survive. So land them quickly, treat them properly on the boat so that they can be dehooked and returned to the water in a very short period of time. That is the way we make sure that the very vast majority of them stay alive. But those rules will be strictly enforced. I cannot say to the Deputy how they will be enforced, but certainly boats will have to have all that equipment on board before they receive a licence.

**3.2.3 Deputy H.L. Jeune:**

That 30 per cent comes from the I.C.C.A.T., the Commission for Atlantic Tuna for Post-Release Mortality. But I guess my follow-up question would be that the Minister talks about for the moment to be charter catch and release only and then potentially going on to commercial fishing. How would this happen? Through Ministerial Order or through coming to the Assembly? How would this change happen? How would we know?

**Deputy S.G. Luce:**

I cannot tell the Deputy exactly how that would be done, Ministerial Order or by coming back to this Assembly, but I will find out and let her know.

#### **3.2.4 Deputy A.F. Curtis of St. Clement:**

Is the Minister just able to firm up a bit on the timetable he shared just for clarity, both on when the strict guidance he knows anyone applying for a licence would be able to get, when the licence application period he expects would be open, and therefore how long he sees the catch and release season for 2025 would be for those operators?

#### **Deputy S.G. Luce:**

These fish are only in our waters for quite a short period of time during the late summer, early autumn. It would be my intention to operate this catch-and-release fishery in August, September and October. Those would be quite strictly controlled times, but to be honest I am not sure we would need to put a time because the fish will disappear. They will only arrive at a particular time and then disappear. I cannot remember the other part of the Deputy's question, I apologise.

#### **Deputy A.F. Curtis:**

It was when licensing would open for those who would want one of the 5 licences.

#### **Deputy S.G. Luce:**

Yes, thank you, Deputy. I apologise. Until I get the final signatory for the Ministry of Justice in the U.K., I am not in a position to open for applications, but I know that the word is out there and I know that we have currently 2 vessels that are showing interest. Hopefully, there will be a couple more, but there is no opening or closing of licence applications. As we receive that I will deal with them, and I am prepared to issue up to 5 of those licences.

#### **3.2.5 Deputy M. Tadier of St. Brelade:**

The Channel Islands is already under scrutiny from bodies like P.E.T.A. (People For The Ethical Treatment of Animals), the animal cruelty watchdog so to speak, and they say that catch-and-release fishing is cruelty disguised as sport, and that studies show that fish who are caught and then returned to the water suffer severe physiological stress and often die of shock. Does the Minister think that the potential negative publicity for Jersey, in addition to the potential cruelty, is worth the bother and the commercial input that it might have? Would it not be better to focus our energy and marketing on conservation and the blue marine status that we aspire to have in Jersey?

#### **Deputy S.G. Luce:**

The acronym I.C.C.A.T. refers to an International Convention on the Conservation of Atlantic Tuna, and I think that is really important. This is a body that has been around for over 10 years now, an international body that regulates tuna fishing all over the world where it can and is, like I am, committed to management. But I have to say to the Assembly, these fish are arriving in very great numbers around our coast, not only our own coast, Western Channel, around the Celtic deeps, the west coast of Ireland and the western isles in Scotland. In this part of the world they are proliferating and surviving and coping; breeding really well. If we are going to get into a debate about commerciality and animals we are going to be here a very long time. We catch an enormous amount of species out of the sea. We eat meat, we eat various types of all sorts of food which involves animals, and catch and release has worked very well for us in the past. I refer the Deputy to the bass species in Jersey 10 years ago. We introduced catch and release, it did wonders for the population of bass around our Island, which has proved to be a great success. I think a small number of animals being caught and released is not a problem for me.

#### **3.2.6 Deputy M. Tadier:**

Does the Minister recognise that the number of these animals that are around is completely irrelevant? There are lots of seagulls that exist in Jersey, we are not suggesting that their protected status should be removed. Will the Minister give a clear indication, because he is the Minister for the Environment after all, that there is an element of cruelty that exists in this and it is simply being put forward for people's leisure and for sport and that he is comfortable with that as the Minister for the Environment for a small amount of potential economic gain for some people in Jersey?

**Deputy S.G. Luce:**

Yes, I am happy to do that, and I am happy to go further and say next year I am hoping that we will allow a very small number of fish not just to be caught and released but actually be caught and landed. So that if the meat is treated in the proper way, it can fulfil the needs of Islanders who, as I said in my initial answer, at the moment are going to supermarkets and buying large amounts of tuna. I consider it much more beneficial to us if we could catch a few fish every year and put that on to the Jersey market rather than go to supermarkets.

**3.2.7 Deputy J. Renouf:**

The risk is that having just seen the species move into our water, our instinct is to hunt it for commercial purposes. Does the Minister accept that abundance may be due to fish moving due to warm waters from the south to the north and therefore the appearance of abundance may be an illusion of fish migrating further north than in the past rather than growing stocks? Will he therefore assure the Assembly that any opening to commercial fishing will be justified scientifically?

**Deputy S.G. Luce:**

Absolutely, I am very happy to make that commitment. As I said, we have had to work for over 4 years now with Exeter University and the U.K. Government to make sure that we know there is enough fish in our local waters in order to be able to catch a few. Moving forward, I think that the Deputy is right. We can see that our sea temperatures are rising. We know that the traditional brown crab is moving further north, and now very popular in the North Sea itself. We know we have octopus moving into our waters, which is a result of the waters warming. I am no doubt that tuna appearing in our waters and adjacent coasts over the last 10 years is something to do with waters warming up. It may well be that these fish have moved up from further south where they would have been controlled just in the same way as they will be here under I.C.C.A.T. rules. All the countries around our coast sign up as part of the convention of I.C.C.A.T. and, as far as I am concerned, yes, they maybe well coming into our waters because of warming temperatures but we just want to be treated the same as all the other countries around us.

**3.3 Deputy I. Gardiner of St. Helier North of the Minister for Infrastructure regarding the future of West Park sea pool and public engagement on the waterfront development (OQ.145/2025):**

Further to his response to Written Question 268/2025 regarding the upkeep of the West Park sea pool, in which he confirmed that no remedial works had been undertaken, will the Minister advise what public engagement, if any, has taken place regarding the future of this amenity and whether he has undertaken any assessment of the impact of the proposed Waterfront facilities on the use of the pool?

**Connétable A.N. Jehan of St. John (The Minister for Infrastructure):**

I thank the Deputy for her question. In terms of public engagement, I understand the Deputy hosted a public meeting to discuss this amenity. 2,190 responses were received to the waterfront public survey, which was undertaken in November last year. Just 9 responses made any reference to the Victorian Marine Lake and is not included in the plans put forward by the Jersey Development Company for the waterfront. The proposed 50 metre outdoor pool on the waterfront is not comparable with the Victoria Marine Lake and therefore no assessment has been made on any impact. We should keep in mind that the pool, while I am sure it will stay, has been largely non-operational



for decades, save for a few years from 2014. £315,000 was spent then, and more would be required now. We do need to make the pool safe in the short term, but we need to think very carefully as to whether it is needed for the future than spending more money to repair it represents value for the taxpayer.

### **3.3.1 Deputy I. Gardiner:**

Thank you, Minister, for the response. The number of 200-plus who responded to the pool; it is an interesting one. Given the pool's historic significance and long-standing use by the sea swimmers' group, does the Minister agree that its loss would diminish cultural heritage and recreational benefit in the Island's capital where more than 30 per cent of the population live?

### **The Connétable of St. John:**

The Deputy will be aware of the significant investment just around the coast in St. Helier that we have made at Havre des Pas, and we continue to make. The tide comes up twice a day and therefore makes the swimming pool not necessary. We have to be careful what we spend. We also have to make sure that the facility is safe and that is my commitment.

### **3.3.2 Deputy L.M.C. Doublet of St. Saviour:**

The facility in question is one of the more accessible beaches for families living in St. Helier and St. Saviour, and particularly for low-income families who may only be able to walk or get a bus. What assessment has been done of the impact on those families?

### **The Connétable of St. John:**

No specific assessment has been done but at its deepest point the pool is currently 10 foot, and I think that is possibly too deep for some young children. The plan is, where the wall is damaged, to lower the wall so that we still have water retained there but not as much.

### **3.3.3 Deputy I. Gardiner:**

Would the Minister engage with the West Park Victoria Marine Lake users and update what possible refurbishment can be made?

### **The Connétable of St. John:**

I am more than happy to make that commitment.

### **3.4 Deputy K.M. Wilson of St. Clement of the Minister for Sustainable Economic Development regarding travel disruptions to and from Jersey and operator performance (OQ.150/2025):**

Will the Minister advise what communication, if any, he has received regarding the reasons for the continued disruption to both air and sea travel; and whether performance measures exist with operators for the level of service delivered to those travelling to and from the Island?

[10:15]

### **Deputy L.J. Farnham (The Chief Minister - rapporteur):**

The Government expects all operators to give effective customers their fullest support in the event of any disruption. This is particularly important for the lifeline services to Southampton for medical appointments. The Minister for Sustainable Economic Development has recently met with Blue Islands to discuss recent challenges resulting from their fleet availability and a series of technical issues. He will be closely monitoring the situation as a new aircraft comes into service and they operate a revised schedule to ensure the level of service improves. In addition, the Government and the Ports of Jersey have been working closely with DFDS as they stand up their new service. This has taken place in a short period of time and has led to schedule changes and delays. The Minister for Sustainable Economic Development was recently in the U.K. alongside DFDS to meet with key

groups in our supply chain. We strongly emphasise that any disruption to passengers must be kept to a minimum, should be communicated early and should be fairly compensated. We will continue to monitor through performance measures attached to the operating agreement, which for the first time includes a more robust set of K.P.I.s (key performance indicators) which DFDS must satisfy, which include punctuality and customer satisfaction.

#### **3.4.1 Deputy K.M. Wilson:**

It is pleasing to hear there is quite a bit of progress. Does the Minister accept that this level of performance is far from reducing travel uncertainty for Islanders and visitors to the Island, something which was promised, certainly in relation to the DFDS contract. Does he consider travel resilience in the Island is in need of further improvement and, if so, how will this be done?

#### **Deputy L.J. Farnham:**

I think both Blue Islands and DFDS can do better. We always expected a bumpy start with a change of ferry operator. I expect that would take at least 12 months to bed in to get to the place where we wanted to be. Of course, there is significant new investment coming along over the next 3 to 4 years which will see a brand-new fleet come into operation for DFDS. I would remind Members that there are works to improve the St. Malo Port over the winter, which means instead of 2 berths being available there will be one. That is going to prevent new challenges in the not-too-distant future. Could the Deputy just remind me of the second part of the question?

#### **Deputy K.M. Wilson:**

It was to do with travel resilience, given the amount of disruption that has been caused in a very short period of time. If I could just highlight the reason why I am raising this question: 13 per cent of weekly summer flights were taken out of service from 23rd May onwards. From 27th March through to 16th April passengers travelling with DFDS experienced delays due to technical issues, cancellations on sailings and changes to schedules on sailings to and from St. Malo. Given what he has just said, is this going to get better or will we see a reduction and a deterioration in the service offered to Islanders?

#### **Deputy L.J. Farnham:**

It will and has to get better, although the cancellation rates have been lower than expected. We have to remember - we have all got short memories - with the previous operator over many years we have experienced far more outages and cancellations in the past. I think as DFDS grow into the role, things are getting better; it is starting to improve now, touch wood. I stress, there are robust K.P.I.s in the operating agreement with DFDS, which are more capable of holding them to account than the previous agreement.

#### **3.4.2 Deputy P.F.C. Ozouf of St. Saviour:**

I wonder if the Chief Minister would confirm whether or not the Council of Ministers and the Minister for Sustainable Economic Development put in place a single point of assistance for DFDS in order to transition. One supports the issue of DFDS but was there and are there plans to deal with a single point because it is not clear whether or not it is Ports, Visit Jersey, the Minister or whomever. Is it not important that because DFDS need to operate properly they need a single point of Government to have some authority in order to deal with travel disruption?

#### **Deputy L.J. Farnham:**

On operational matters, the single point of contact is with Ports of Jersey. On other matters in relation to marketing, it is with the industry with Visit Jersey, and other issues it is with the Government. There can be no single point, one stop does all, because of the nature of the business. What I can reassure the Deputy and Members is Ports, Government, Visit Jersey and the industry will work closely together to help DFDS settle in as quickly as possible and start rebuilding the sea numbers.

Outside of the challenges we have had with local transportation, the Deputy and others will know that tourism globally is suffering due to the instability. I am afraid we are not free from that and we need to do everything we can to help rebuild it, which I hope will include an increase to the tourism marketing budgets and the budgeting process because we need all the help we can get for the industry.

#### **3.4.3 Deputy P.F.C. Ozouf:**

I think the only thing I have on this issue in common is the same colour as our tie. I am not going to take the Assembly's time up, but can the Chief Minister not understand the fact he says all these different bodies are responsible, do we not need a single point of responsibility for Blue Islands and DFDS in order to deal with people's genuine hardship?

#### **Deputy L.J. Farnham:**

I will reply to the Deputy in the same theme; did he not understand my previous answer? A single point of call on operational issues is Ports of Jersey. They interact with the Government on certain issues and with the industry and with Visit Jersey on others. I guess the single point of call, the buck stops with the Minister and there are no plans to have a one stop for everything for DFDS as a conduit into Government. We have a relationship with them which works well - to stress so the Deputy can understand - with the Government Minister, with Ports of Jersey and with the industry and Visit Jersey. All of those are working well, I am pleased to say.

#### **3.4.4 Deputy I. Gardiner of St. Helier North:**

The Chief Minister refuses to have one point of contact now. Have DFDS consulted with the Government when they decided to change the Monday schedule sailing to France and introduce a schedule to Guernsey which affected year 6 students who are due to go on a French trip and need to arrive now almost at midnight to their accommodation? Has Government been consulted why it is Monday and not Tuesday, for example, when we know that all year 6 students are going for their French trip?

#### **Deputy L.J. Farnham:**

Yes, the Government was consulted. I understand Deputy Morel led on that with officials; I was not party to that. Before that Monday service we did not have a service, so I am not sure how it impacted as the Deputy describes. I am not satisfied with the level of sea transport between Jersey and Guernsey as yet. Although we have new services coming in for passengers, we are still lacking on car-and-vehicle opportunities for Islanders to travel between. I know we are urging both DFDS and Condor and Guernsey Port authorities to work as collaboratively as possible so we can improve that. I would stress that DFDS has put this on as a trial period. I really do hope Islanders in both Islands use it. I know the days are not ideal; we have got a Monday and a Wednesday. I would like to see something closer to the weekend but let us see how that pans out.

#### **3.4.5 Deputy I. Gardiner:**

I agree that we need to have a service to Guernsey but this service could be introduced on Tuesday, Wednesday, Thursday when we do not have year 6 children from most of the primary schools travelling to France. Would the Minister believe it is acceptable to change the timetable and not to engage with the main travellers on that, especially to affect children's school groups arriving now at midnight to their destination?

#### **Deputy L.J. Farnham:**

I think as we approach the school holidays it is probably too late for this year. Like I say, I hope we can improve inter-Island services in the future. DFDS has had to build the schedule they have put in on a Monday around the rest of the fleet so it would have minimal impact on the busy routes to St. Malo and the U.K. That is certainly something I know the Minister will be open to discussing for

the future because one thing we all want is for the inter-Island transport links to be as convenient as possible for all users.

#### **3.4.6 Deputy K.M. Wilson:**

Thank you to the Chief Minister for standing in. I just wanted to ask, he mentions key performance indicators in relation to strengthening those with each of the providers. Would he commit to publishing a performance review of all passenger transport operators servicing the Island and also set out what further action would be taken if there is a failure to restore the service levels or if the service standards are not met?

#### **Deputy L.J. Farnham:**

I cannot commit to that without discussing it with the Minister for Sustainable Economic Development. That is a discussion we should have because I do understand the concern around some areas of our transport links. Having said that, I think Jersey remains to be very well served, especially by air, by a number of operators throughout the U.K. We have new routes to Europe now. I think Ports of Jersey have done a very good job in developing those links and we are making progress with the new shipping operator. Like I said, it is going to be a bumpy start but I have full confidence we are going to get into a very good place as soon as possible.

#### **3.5 Connétable A.S. Crowcroft of St. Helier of H.M. Attorney General regarding legal cost reimbursement for acquitted individuals or those with no evidence presented against them (OQ.154/2025):**

Where a person is tried in the Magistrate's Court or Royal Court and is either found innocent or acquitted due to no evidence being presented by the prosecution, and awarded costs, will His Majesty's Attorney General advise what proportion of the person's legal costs will be reimbursed and, if the proportion is not 100 per cent, explain why?

#### **Mr. M. Jowitt, H.M. Solicitor General (rapporteur):**

The proportion of a successful defendant's costs which will be reimbursed to them from the public purse is an amount that is assessed to be reasonably sufficient to compensate them for costs reasonably and properly incurred and which are reasonable in amount. That is the Costs in Criminal Cases (Jersey) Law 1961. The amount that might be recovered may be 100 per cent of what they have spent on the lawyer, it may be less and, in some instances, it may be appreciably less. The question is not how much they have in fact spent on their lawyer but whether what they have spent is properly incurred and is reasonable in amount. If the amount of those costs cannot be agreed with the prosecution, then those costs will be assessed by a taxation officer whose job it will be to determine whether the costs claimed have been properly incurred and are reasonable in amount. One of the things a taxation officer will consider when carrying out that assessment is the fee rates for lawyers which have been fixed by the Bailiff and which are known as Factor A rates. Those rates set out for taxation purposes the maximum hourly rates applicable to private practice lawyers. Because the Jersey legal market is a free market, defendants who are too wealthy to qualify for legal aid are free to instruct their lawyer of choice. Lawyers are free to set their own fee levels. In many instances those levels will be higher, and sometimes significantly higher than the Factor A rates set by the Bailiff. That discrepancy between what the Court determines the public purse should pay to reimburse a successful defendant and what the defendant's lawyers have charged them, will in many instances explain why what a successful defendant recovers after taxation is less than what they have spent.

#### **The Deputy Bailiff:**

You need to bring your answer to an end now because it has been nearly 2 minutes.

#### **The Solicitor General:**

Yes, I am grateful. That is all I will say. Taxing officers have a responsibility not to write a blank cheque on the public purse; they assess for reasonableness and make an order accordingly.

**The Deputy Bailiff:**

A supplementary and then questions from Deputy Warr and Deputy Gardiner.

**3.5.1 The Connétable of St. Helier:**

I am troubled by the use of the word “wealthy”. Is there not a problem that hard-working local families with a mortgage may be deterred from seeking to prove their innocence because of the risk of financial ruin? I am aware of a particular case in which the costs are tens of thousands of pounds more than have been awarded. I am not sure, having looked at them, that they were improperly incurred or indeed that they were unreasonable.

**The Solicitor General:**

I did not use the word “wealthy” in any sense to connate wealth. I meant to say that you have too much wealth, it may be quite a low standard to qualify for free legal aid.

[10:30]

I am aware of the case which the Connétable refers to. That was a case in which the fees were subject to taxation. The taxing officer determined that the reasonable amount of fees was considerably lower than that which had been charged by the lawyer.

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

If it is agreed that more financial assistance should be given to Islanders to meet their legal costs in cases where they are acquitted of a crime, what potential sources of funding are there?

**The Deputy Bailiff:**

Solicitor, can you answer this question or not?

**The Solicitor General:**

I do not think that is a question I can answer. It is probably a policy question for others.

**The Deputy Bailiff:**

Is there any other question you wanted to ask?

**Deputy D.J. Warr:**

If he cannot answer the question, I guess I cannot really follow that up.

**The Deputy Bailiff:**

It is not really a question for the Solicitor.

**3.5.3 Deputy I. Gardiner of St. Helier North:**

Would the Solicitor General advise if the fees established by the Bailiff’s office are publicly available so people can assess what lawyer they can afford to hire to be able to reimburse 100 per cent?

**The Solicitor General:**

Yes, the Factor A rates are publicly available on the Jersey Legal Information Board. I should say that lawyers really ought to have a duty at the outset to advise a client, not only what their own fees are, but what the Factor A rates are and explain that even if a defendant is acquitted they may well recover less in costs than they have spent. That information enables a defendant, as it were, to shop around for a more reasonably-priced lawyer.

**3.5.4 Deputy I. Gardiner:**

If the rates that are published on their website are realistic for the private market that currently exists in Jersey and if there is a duty of the lawyer to inform that their charges are higher than the rate the Bailiff pays?

**The Solicitor General:**

I am so sorry, I am not sure I understood the question. Can I ask the Deputy to repeat it?

**Deputy I. Gardiner:**

First question: the rates that are currently available, are they average, above the average, less than average on the private market? The second part was if there is a duty of the private lawyer to inform their client about the existing rates that they will be reimbursed?

**The Solicitor General:**

Well they are the rates that have been determined by the Bailiff to be appropriate and reasonable to reimburse lawyers' fees in the private sector on taxation. Is there a duty? In my view, there is a duty on a lawyer to inform a client of the financial ramifications of that lawyer acting for them.

### **3.5.5 The Connétable of St. Helier:**

I hope I am not being impertinent if I could just begin by saying I feel slightly uncomfortable asking these questions with you in the Chair. I think perhaps it would have been more appropriate for the Greffier to have chaired this particular question. I do not know whether you want to respond to that now or ...

**The Deputy Bailiff:**

Well there is no facility to obviously ask questions of a Presiding Officer, it is simply Question Time and you should not feel at all uncomfortable but I can see the point you make. I will bear that in mind if similar questions are asked in the future.

**The Connétable of St. Helier:**

I am grateful. His Majesty's Solicitor General seems to me to be pointing the finger to some extent at overcharging lawyers in the Island for the difficulty that some people find themselves in when seeking justice. Is it not the case that the Law Officers' Department does have to bear some responsibility in this matter because it is that department that can escalate a case and mean that it is prolonged and perpetuated and ends up costing the litigants far more than they anticipated?

**The Solicitor General:**

I am not going to comment on a particular case. The Law Officers' Department prosecutes when the prosecutor's test is met and continues for as long as there is a realistic prospect of conviction. If the Law Officers/the Attorney General is deemed to have behaved inappropriately in a particular prosecution, it is always open to a Court to order that costs are paid on what is called the "indemnity basis", which is a somewhat more punitive basis and means more can be recovered. The case which the Connétable I know has foremost in his mind was not a case which resulted in an award cost on the indemnity basis.

### **3.6 Deputy H.M. Miles of St. Brelade of the Minister for Education and Lifelong Learning regarding childcare provision for 2 – 3 year olds in States primary schools (OQ.149/2025):**

Will the Minister outline his vision and strategy for the provision of high-quality childcare for 2 to 3 year-old children in States primary schools?

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

I thank the Deputy for her question. I currently have no planned expansion of school-based 2 to 3 provision and this reflects data from the last Childcare Provider Survey, Quarter 4, 2024 that said

there are sufficient places in the registered childcare sector. However, the childcare pilots in schools, Stay and Play, with J.C.C.T. (Jersey Child Care Trust) at d'Auvergne are showing very positive early results in children's learning, development, communication and language, so I plan to sustain them for the foreseeable future. These provisions are making a significant difference and these children will now be starting nursery in September in line with their peers and not significantly behind. Similarly, the Best Start Plus offers to families in Rouge Bouillon called Little Phoenix, and Samarès Pathways will also continue.

### **3.6.1 Deputy H.M. Miles:**

I thank the Minister for his answer. On the basis that the pilots are going to continue, will this provision be solely for children with identified additional needs or will it become a universal offer?

### **Deputy R.J. Ward:**

Early indicators from the first parent's survey, which I plan to publish in the summer, indicate continued difficulty in securing childcare places for children with additional needs in this deployment at those particular places at the moment which is addressing this need. That needs to enable young people to be able to start school in terms of a developmental par with others is really important. That is, if you like, the area I think we will focus on around our schools. The universal offer for 2 to 3 year-olds will be available because there are places available for 2 to 3-year-olds, it appears, across our sector which is quite reassuring. There will be a universal offer but the targeted support I think is the right thing to do as well.

### **3.6.2 Deputy C.D. Curtis of St. Helier Central:**

Does the Minister plan to meet with the private nursery providers this year to discuss plans?

### **Deputy R.J. Ward:**

There have been a number of ongoing meetings with the providers - I have detailed them to the panel - not necessarily just myself but certainly officers as well to talk about a whole range of the factors involved for 2 to 3 year-olds. Whether me meeting personally is going to add to that or I just simply discuss what has already been discussed, I do not know. I am always open to meeting with all stakeholders as long as there is a positive outcome and we are adding to what is already happening with the dialogue that is happening in the background.

### **3.6.3 Deputy C.D. Curtis:**

Has the Minister assessed the impact, if any, on the private nursery providers and would it not be helpful for him to speak to them directly?

### **Deputy R.J. Ward:**

Yes, the impact on private nursery providers, such things as what would be the rate for a 2 to 3 year-old, they are directly involved with because they are discussing with officers from the Economic Department where we are coming up for the model for the 2 to 3 year-old provision. I can also sit and discuss that if that is what is wanted. I have made clear that I am not expanding the 2 to 3 year-old provision in schools because of the provision that is available across nurseries, so that is support for that. These changes are no threat to any nurseries, they are simply there to try and increase provision for 2 to 3 year-olds' hours for parents and for children; that is the most important part of this.

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

I thank the Minister for his answers so far. As I have not been following this closely, my question to the Minister is just to understand some of his answers. Of course, we all know that nursery provisions are a huge cost to many families, and women have to choose sometimes between following their career and taking time off because of that. When the Minister is talking about a universal offer, what

does this mean for families? Does this mean a discount going for 2 to 3 year-olds, a free offer in the nurseries? So just to understand what he means by universal offer.

**Deputy R.J. Ward:**

I assume that the Deputy is talking about for 2 to 3 year-olds?

**Deputy H.L. Jeune:**

Yes.

**Deputy R.J. Ward:**

This has not been finalised yet so I am not announcing anything now, I want to make that clear, but I have talked repeatedly about the provision of 15 hours of paid-for childcare to be used in nurseries universally available to everybody. The question is whether that will be for 35 or 48 weeks per year; I personally would want it to be for 48 weeks per year. That is the type of provision that has been made available for 2 to 3 year-olds. Then that goes in conjunction with the 30 hours that is available for 3 to 4 year-olds through the N.E.F. (Nursery Education Fund) but the 2 to 3 year-old provision would be available for child minders as well.

**3.6.5 Deputy L.M.C. Doublet of St. Saviour:**

I can see the Minister is addressing the affordability of childcare. Can he comment on the accessibility in terms of the hours available? What time do these provisions open and close and indeed what is the Minister doing to ensure that the private nurseries, who provide the bulk of those extended nursery hours, are able to continue and that they do not close and that we lose spaces for this age group?

**Deputy R.J. Ward:**

I am sorry, I lost the first part of the question because I was focusing on the second. Could you say the first part again?

**Deputy L.M.C. Doublet:**

The hours in the primary schools that this provision is available but also what the Minister is doing in the private sector to make sure that those extended hours are still available in the private sector.

**Deputy R.J. Ward:**

Yes, the 2 to 3 provision will be for 15 hours; parents may need to pay for additional hours. At the moment if you have your child in full-time nursery care you will be paying for every single hour of that, so that is the reality of it. I do not see this will affect any private nurseries. Private nurseries have been involved in the discussions over what this rate would be. In terms of the hours available for private nurseries, they do vary across the Island and they are private businesses, so I cannot determine what hours they provide. I would hope that across the sector this would provide a greater opportunity for people to put their children to use those nursery hours in as flexible a way as possible in order just to help families in the best way they can. A classic example for me is if this is used for 2 days a week and we can get somebody returning, for example, to the education workforce for 2 days a week, it would be very, very useful for the education workforce. This fits into a number of areas across our society in terms of the need that we have and supporting parents which I know, when you have young children, is really, really hard work.

**3.6.6 Deputy L.M.C. Doublet:**

A shared goal across successive Governments has been to improve the quality available in early years. One of the goals was to have some funded early years' teachers in private settings. Are we any closer to achieving this goal and having funded early years' teachers that we send into the private nurseries to help them with their staffing and the quality?



**Deputy R.J. Ward:**

In terms of early years' teachers, if you mean teacher-qualified, that is not part of this scheme; no, it is not. In terms of the quality of provision, there is training provided throughout for staff in private nurseries. I am pleased to say that we are working with child minders as well to provide training when it is accessible to them. That has been a really good uptake and there has been a very positive response from child minders, which I would like to thank them for publicly, because it is a really positive way forward that we are getting. In terms of teachers in private nurseries, there is an issue around the perception of that as to whether it is childcare or teaching. I think we have got to move on from that and we have got to all look and say: "Okay, what is it we want best for our children?" which is good, quality childcare available for all children across our provision so that they can reach their best goals. I will just add quickly, this is why targeting the provision in those schools for those most needy children to get them, if you like, up to a point where they are ready for their primary school starting is such an important point of what is going on here. There will be a significant number of children who are more ready for school than they ever would have been, so they start early on and catch up early on and do not lose that later on.

**3.6.7 Deputy H.M. Miles:**

In view of the fact that high-quality childcare is expensive, can the Minister tell us what financial modelling has been done to understand the full funding implications of the strategy and whether we are going to be able to afford it?

[10:45]

**Deputy R.J. Ward:**

Yes, the money is always the issue, absolutely. The modelling I have undertaken, which we are still working on but I am happy to share with the panel when we have got it, is whether we have 15 hours, 30 hours, whether it is 30 weeks a year, 48 weeks a year, where we would have the best impact. Yes, there will be a cost but I would say that that cost is an investment in our families, it is an investment in our children and it is something that we should take the brunt of that cost. I would be very supportive of spending that money in this area. I am pretty sure that I think across this Assembly there may be support for that as well, given the needs that we have for our young people in the Island.

**3.7 Deputy M.B. Andrews of St. Helier North of the Minister for Treasury and Resources regarding the Strategic Reserve Fund growth plans in relation to Jersey's Gross Value Added (OQ.139/2025):**

Further to the adoption of the Budget (Government Plan) 2025 to 2028, will the Minister advise what progress, if any, has been made in long-term planning to increase the Strategic Reserve Fund and whether consideration has been, or is to be, given to increasing the value of the fund as a percentage of the Island's Gross Value Added?

**Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter (Assistant Minister for Treasury and Resources - rapporteur):**

The Strategic Reserve is of course a vital part of our Fiscal Strategy supporting economic confidence and financial stability. The 2024 Annual Accounts show the value of the Strategic Reserve increased by 8.5 per cent, that is £93 million, during 2024. While the G.V.A. (gross value added) figures for 2024 are not available, the F.P.P. (Fiscal Policy Panel) has forecast G.V.A. increase 1.9 per cent, suggesting that growth in the Strategic Reserve is likely to have outpaced growth in G.V.A. However, of course, the F.P.P. recommend the target of 30 per cent of G.V.A. and investment growth alone will not be sufficient. The challenge was recognised, as the Deputy said, in the Budget which included a medium to long-term plan to grow the reserve. Under that plan, investment growth was to continue to be reinvested in the reserve prior-year basis taxation debtors, to be transferred in 2025 and Pillar Two receipts over the base forecast to be used to strengthen the reserves, as well as deal

with the new healthcare facilities programme. That strategy remains in place and an updated position will be set out in the Budget 2026.

### **3.7.1 Deputy M.B. Andrews:**

What considerations has the Minister for Treasury and Resources and the Assistant Minister given to the forthcoming Government Plan to ensure that we achieve a larger public sector surplus to allow transfers to be made to the Strategic Reserve to increase it as a percentage of Gross Value Added?

### **Deputy I.J. Gorst:**

As the Deputy knows, the Government Plan is now a whole-of-government approach rather than being the remit of the Minister for Treasury and Resources and her humble Assistant. We have just heard a Minister answer a question wanting additional funding in their particular department. The Treasury team make the case for the importance of growing the Reserve, there is that strategy in place, and I think we will be doing jolly well if we manage to maintain that strategy rather than some other calls which may wish to have it used elsewhere.

### **3.7.2 Deputy P.F.C. Ozouf of St. Saviour:**

I am not sure, I think that there is another question on this Strategic Reserve, but the issue of the G.V.A., we do not know what the G.V.A. is going to be. Does the Minister, as a previous Minister for Treasury and Resources and Chief Minister, not recognise that, while there can be a policy of increasing the Strategic Reserve, we also need to deal with the short-term issues of the market? The construction industry is in big trouble, would he consider looking at the long-term issue of G.V.A. and allocating money for important projects in the short term that are shovel-ready like schools and all the other issues? Because the construction industry has already failed a lot and we do not want it constraining any more, G.V.A. will fall.

### **Deputy I.J. Gorst:**

I do not want to be flippant in answer because a growing G.V.A. is incredibly important and we should not seek to maintain our policy aims by having a declining G.V.A.; that would be nonsensical. The reality is that there is a programme of investment in infrastructure being brought forward. Treasury is trying to marry, I suppose, 3 things; sometimes they do not seem to be in harmony. One is presenting a balanced Budget to this Assembly that deals with the downturn in income because of all of the global situations that we are aware of, ensure that our reserves remain an underpinning strength of public finances and, at the same time, make sure that we are finding money to invest in infrastructure. They are 3 difficult priorities to hold intention; we are doing our best. Council of Ministers are right now - and I will say this in answer to another question - in the midst of holding those policy aims intention.

### **3.7.3 Deputy P.F.C. Ozouf:**

Would the Assistant Minister agree that it is even more difficult to deal with the issue of G.V.A. and a Strategic Reserve when you have inflation increasing? Perhaps he would be better in discussions with the Treasury and Council of Ministers to use R.P.I.X. (excluding mortgage interest) as a measure of increasing the Strategic Reserve versus G.V.A. than R.P.I.? I know he is doing good work in financial services, and that is growing part of the economy, but there are headwinds which are looking dangerous, both domestically and internationally. Is the Budget going to bring forward, not populist but necessary projects to basically get the long-term increase in G.V.A. up but spending and not having industries collapse like construction?

### **Deputy I.J. Gorst:**

It is as if the Deputy could listen to the conversations; that is exactly what we are aiming to do. As in any Budget settlement there are views which are not necessarily aligned and we need to work through those. It is absolutely clear - and we will come on to this in answering the next question -

that the housing market is in dire straits of some form of Government intervention. The question is: what will that intervention be? We know also that our infrastructure needs to have an appropriate investment in it and yet at the same time we sit on over £1 billion in the Strategic Reserve and over £2-and-a-bit billion in our Social Security Reserve Fund. We have got to ask ourselves: are we investing those reserves in the right asset classes? We have historically always invested them in international off-Island asset classes. Is the time now for us to - and I have to be careful how I phrase this - think about domestic asset classes that will see investment in infrastructure but also see appropriate return into those funds, therefore, maintaining those reserves?

#### **3.7.4 Deputy M.B. Andrews:**

Has the Assistant Minister and the Minister for Treasury and Resources considered utilising the Strategic Reserve for any investment in the Island?

#### **Deputy I.J. Gorst:**

I think I just said that is what Council of Ministers are considering, not a reserve in isolation, but the whole of the reserve. You look across the board and you ask oneself: is it appropriate to now think about an investment strategy for our reserves which invest domestically as well as internationally? We have always had an investment strategy that sought to ensure that we manage the countercyclical nature of our economy. When we are in such turbulent international waters, the question that comes to my mind logically is we could offset some of that by investing some of our reserves in infrastructure. That does not mean spending our reserves, it means having a proper investment with a return into the funds so that the funds are not diminished and they remain for their ultimate purpose, which is about dealing with the ageing demographic and dealing with any catastrophic economic issue that might occur.

#### **3.8 Deputy P.F.C. Ozouf of St. Saviour of the Minister for Treasury and Resources regarding rental market pressures and their consideration in the draft Budget 2026-2029 (OQ.157/2025):**

Will the Assistant Minister advise what consideration, if any, will be given to fostering a balanced housing market and to concerns about rising home-rental costs in the preparation of the draft 2026-2029 Budget?

#### **Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter (Assistant Minister for Treasury and Resources - rapporteur):**

I will read out the prepared answer and then we will no doubt deal with the underlying question. One of the aims outlined in the Government's Common Strategic Policy is to improve the housing market with a focus on increasing the availability of affordable homes for Islanders. While the Council of Ministers is still in the early stage of developing the Budget for 2026-2029 and has not yet considered any changes to stamp duty, it has identified housing as a key policy priority.

#### **The Deputy Bailiff:**

Just to say, we will have a supplementary, then questions from Alex Curtis, Deputy Wilson, and then a final supplementary.

#### **3.8.1 Deputy P.F.C. Ozouf:**

The Assistant Minister said the housing market is in dire straits and he said he was reading off a script. Is it a socialist script? Because are we not seeing that the truth is now coming out, that the surcharge of 3 per cent, which the Council themselves brought forward to produce at 2 per cent, that got thrown out, all my proposals got thrown out, and my worst fears are now coming true. The situation is getting worse. Turnover is still at a 2-decade low, prices may be too ...

#### **The Deputy Bailiff:**

Are you going to ask a question or make a speech, Deputy Ozouf?

**Deputy P.F.C. Ozouf:**

No, I am going to say: is the Council of Ministers going to take the issues that are a plunging housing market, no confidence, private sector rentals increasing, rents going up, transactions falling? Last week the Royal Court saw more Andium things than anything else. Are they going to get real and speak to real people rather than socialist nonsense?

**Deputy I.J. Gorst:**

Well I have never been accused of reading a socialist script; I did not know my glasses allowed me to read **[Laughter]** such a script. The Deputy is touching on a most important point in regard to our housing market and the construction sector. This is not approved by the Council of Ministers, as I said in answer to my previous question. Council of Ministers are currently navigating those 3 policy priorities as every Council of Ministers has to do. I voted for an amendment to the Deputy's proposal in the last Budget to reduce the surcharge on buy-to-let properties to reduce it to 2 per cent. It is absolutely critical that the supply, I believe, in the private rented market is increased. The reality is that the surcharges - and some would say this was a good policy outcome - have the other effect. But right now as we sit, here I was informed only last week by a developer who looks carefully at all the prices, that there are 1,800 properties for sale, and the market is not moving. Of course, if we look at the official statistics we can see a slight uptick in transactions but, as the Deputy said, we have to go beneath the surface of what those transactions are and are they in the private sector? I am not sure that they are, so we need to stimulate what we think of as the chain or the ladder of property. I would be arguing for changes to the stamp duty surcharge. I know that other Ministers will be making that case as well. I will also be arguing for more thought and actual action to be brought around the downsizing policy. I think the only way you can deal with downsizing is probably through stamp duty changes. Of course, that is quite difficult from a policy perspective because what is downsizing, who is going to monitor it? I, with colleague Ministers, will be strongly making the case that there is now a need for intervention.

**3.8.2 Deputy A.F. Curtis of St. Clement:**

The Minister highlighted the need for affordable homes as a key priority. Is it his view as the Assistant Minister from a fiscal perspective that the best model would be a working open housing market where homes were suitably affordable in the open market without the need for such a level of intervention by his department and the wider government?

**Deputy I.J. Gorst:**

I believe passionately in home ownership and I do so because it gives Islanders a hope for the future. It is the fundamental issue around why Islanders see no hope and cannot see how they can manage to stay in the Island unless they have got parental support. We are, and have, historically had high house prices. The market is now stagnant, prices are coming off, but there is nothing that is stimulating movement within the housing market so we need to do that.

[11:00]

I broadly supported the First Step scheme introduction because of the fall-off in housing prices and because we needed to do something to stimulate the housing market. If we look at the statistics that came out of that intervention in First Step schemes, I think there are some questions which still have not been answered. Yes, it is really great that Islanders are getting on to the housing market - fantastic; we all agree with that - the question is, is it then stimulating activity across the wider market? I have not yet had satisfactory answers, for my part, to those questions. That was the reason why I, when the previous Government brought it forward, believed it was an acceptable intervention if prices are off by 20 per cent, as they were at the time.

### **3.8.3 Deputy A.F. Curtis:**

Could the Minister just go a little further on the difference between having incentives in the market versus a market that functions at the right price? Does he not see a concern that wanting to stimulate the market at its current position risks a challenge that a dropped market drops more people into negative equity or creates a fear that people do not want falling house prices, which I think most of us realistically do?

### **Deputy I.J. Gorst:**

Government intervention is always something which has to be undertaken carefully. We have to review the effects of such intervention so that there are not the unintended consequences that the Deputy referred to.

### **3.8.4 Deputy K.M. Wilson of St. Clement:**

As someone representing St. Clement, experiences shared by some constituents have shown that housing transactions are down in our Parish and rentals are going up. Some people seem to be saying that the 3 per cent surcharge may be hindering the sales under missing supply. Pleased to hear the Minister's personal reflections on this but can he assure us that the Treasury is testing the impact of the 3 per cent surcharge? If so, what conclusions are they reaching on that? Given that he has just explained how he will commit personally to restoring market confidence, is he confident that we will see this commitment demonstrated in the forthcoming Budget?

### **Deputy I.J. Gorst:**

How long is a piece of string? I personally believe that we need to reinitil confidence in the housing market from all of those involved in it that I speak to. They are most concerned about that confidence. We have seen the effect in the construction industry and there is a lack of confidence there. They are looking to Government to consider whether - back to Deputy Alex Curtis's question - Government intervention has had an effect or can now, by taking the perhaps opposite intervention, have a more positive stimulating effect. Those are conversations that Council of Ministers will continue to have. I am optimistic that Ministers will see the need for intervention but they are, as I say, conversations which we are getting to in the Government Plan process. I would not wish to second-guess my colleagues' decisions.

### **3.8.5 Deputy P.F.C. Ozouf:**

I wanted to circulate the article from *The Economist* magazine which warned rental interventions do not work. I am pleased to hear the Assistant Minister saying that what we tried to do in the Budget was right. Do I need to, with the Assistant Minister or other Ministers, send them the copy of the article of *The Economist* to say why it is wrong? Are they going to really take seriously the issues that Deputy Wilson and others raise that there is now a worse housing crisis? He said so, dire straits, housing market falling 20 per cent, it has now surely gone past the point of emergency and it is self-inflicted. Would he not agree?

### **Deputy I.J. Gorst:**

Well, it is difficult to argue that it is self-inflicted. I think it is easier to argue that an intervention made by Government previously was perhaps at the wrong time in the cycle of what was happening in housing. I see others nodding, they would disagree, and this is the joy of both the Council of Ministers and this Assembly. The point is that we are experiencing not just local headwinds, but global headwinds. When we see the effects of both international and local headwinds on any sector of the economy, then we have got to ask ourselves - maybe my glasses have turned socialist after all [Laughter] - is intervention the right thing for Government to do? I can only at this point think that it is. The arguments will be, not just in the Budget about what we do with stamp duty, which I am looking forward to in our live arguments, but there will be other proposals around intervention that

some of us may think will have an even further detrimental effect upon rental prices in our community. That will be a debate that this Assembly will be having in due course.

**3.9 Deputy M.R. Scott of St. Brelade of the Chair of the Privileges and Procedures Committee regarding cost-reduction options discussed for the States Greffe (OQ.144/2025):**

Will the Chair provide 2 examples of cost-reduction measures implemented by the States Greffe that have been discussed and officially recorded by the Privileges and Procedures Committee?

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

Using the parameters provided by the Deputy in her question, there is one example. For the 2025 Budget P.P.C. agreed to £80,000 of savings identified by the States Greffe through a reduction in the overall budget for the States Members Pension Scheme; that is additional budget not being required on the basis of the take-up of the scheme. I would like to point out that any cost reductions which can be made are dependent on the Greffe's ability to maintain the service provision for Members, especially those which support Scrutiny and Back-Benchers to provide as much as practicable a level playing field with colleagues serving on the Executive. Every effort is made to ensure efficient and effective budget management by P.P.C. and the States Greffe, which is demonstrated by underspends against total budget in recent years.

**3.9.1 Deputy M.R. Scott:**

Given that the Greffe's revenue expenditure between 2022 and 2024 increased by £2 million to £9,497,000 and its final approved budget for this year was £10,350,000, how does the chair feel that the impact of the cost savings she has mentioned are working in terms of value for money for the public?

**The Connétable of St. Martin:**

I do feel that we give very good value for money when you think of all the services which the Greffe provides with Secretariat services, we have taken Youth Service under our belt. As you say, there have been increases in the States Assembly Budget in recent years. As I have said, as well as transfers into States Greffe in respect of the Jersey Youth Parliament, and a small amount of funding for a case worker to support the States of Jersey Complaints Panel, there have been growth bids approved by this Assembly to provide more capacity to service an increased number of government bodies by the specialist Secretariat team, and to establish a team which now assists elected Members for constituency work. Funding was also agreed to address the determination of the States Members' remuneration reviewer. If you see the list of all the services which the Greffe provides, it is good value for money. We do look at the Budget and we do try to work within our means but there is a huge call on the Greffe.

**3.9.2 Deputy M. Tadier of St. Brelade:**

Would the chair of P.P.C. give consideration to abolishing the "none of the above" vote in uncontested elections as a potential area of cost saving?

**The Connétable of St. Martin:**

I do not think that is relevant to the question; that is legislation.

**Deputy M. Tadier:**

Could we have a ruling on whether it is relevant? I think the question is about cost saving, what areas of cost saving are being identified, and this is a potential suggestion for another area of cost saving that seems to arise.

**The Deputy Bailiff:**

Well the chair said it is a matter for legislation and not of the Assembly, so I think she is correct in giving that answer. Have you a supplementary?

**Deputy M. Tadier:**

I do not see how I can have a supplementary if my first question is not valid.

**The Deputy Bailiff:**

All right; there we are.

### **3.9.3 Connétable M.K. Jackson of St. Brelade:**

Would the chair agree that the services provided by the Greffe, not only to Scrutiny but to Back-Benchers in the provision of their propositions, Back-Bench propositions, are essential and have improved the performance, if I can call it, of the States over the period during which that has been in place?

**The Connétable of St. Martin:**

Yes, I would absolutely agree with the Constable. The level of support that Back-Benchers receive has really improved over the years. We do need to be kept on a level playing field with the Executive so, yes, I would agree.

### **3.9.4 Deputy M.R. Scott:**

Given the budgetary pressures that are going round in all aspects of Government, how sustainable is the rate of spending that I have described and what has the nature of P.P.C.'s discussion been given future budgets for special advisers?

**The Connétable of St. Martin:**

I do believe that there was a huge call on the Greffe, as I have just said, for taking on the Jersey Youth Parliament, we have taken on case workers, we have really improved the constituency, we have improved so much more. It has been agreed I think that the budgets we have asked for have levelled out. As I said in my previous answer, every effort is made to ensure efficient and effective budget management by P.P.C. and the States Greffe, which is demonstrated by underspends against the total Budget in recent years. We have had underspends in recent years, so I am not quite sure what the Deputy is searching for.

### **3.10 Deputy A.F. Curtis of St. Clement of the Chief Minister regarding data held by departments on housing construction costs (OQ.155/2025):**

Will the Chief Minister advise which Ministers and Government departments hold information regarding the costs of housing construction in Jersey?

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

The holding of this sort of data is undertaken by Andium and States of Jersey Development Company on our behalf and they have all of the market intelligence, information and expertise required to ensure competitiveness and value for money. It is worth saying that the Government can call upon, and will call upon, that information whenever we need to. We also have access to suitably-qualified professionals when we need such information to support policy and decision-making. I do, however, think that understanding the nature of construction costs in Jersey is vital and I welcome the J.C.R.A.'s recent review into the competitiveness of the construction sector, and I look forward to seeing their final report in due course.

#### **3.10.1 Deputy A.F. Curtis:**

The Chief Minister just suggested that the Government does call on its experts who have information on the housing market from time to time, such as S.o.J.D.C. (States of Jersey Development Company)

and Andium. Could he then explain why that information is considered not held by the Government of Jersey when in Written Questions to both the Minister for Treasury and Resources and the Minister for Housing neither could provide the numbers that would have been provided to them by said experts or States-owned entities?

**Deputy L.J. Farnham:**

I cannot explain that without making some further enquiries. But just to reiterate, that information is held by those businesses and I will have to look into that.

**3.10.2 Deputy P.F.C. Ozouf of St. Saviour:**

Yesterday I was speaking to an agent who was investing in property, as in known to be investing in private rental property, and said that now the construction costs of housing is simply too expensive to make it worthwhile to invest in the private rental sector. Has the Chief Minister in his oversight pressed the J.C.R.A. to do something useful in terms of their construction report and including the impact of the flat-rate card on the construction industry? Because one hears that construction materials are going up, partly because of the, again, well-intentioned policy of a flat-rate card but it is a serious issue.

**Deputy L.J. Farnham:**

Yes, I believe the J.C.R.A. report into the sector will cover that. I cannot comment until I have seen the report. In relation to the flat-rate card, the flat-rate card will work well and that is put in place to attract competition into the marketplace. There may be a bit of a lag, I think, until we get that competition. I am confident that once that starts to happen we will see the benefits of that across not just the construction sector but many other aspects of shipping costs into the Island.

[11:15]

**3.10.3 Deputy P.F.C. Ozouf:**

I do not want to take up the Assembly's time but I hope that Scrutiny may well be able to do something on the cost of issues in order the Council of Ministers in their policy formulations. Will you agree that Scrutiny should look at the cost of living?

**Deputy L.J. Farnham:**

I agree that, yes, Scrutiny should scrutinise whatever they see fit to and they can be assured of the Government support with their efforts.

**3.10.4 Deputy J. Renouf of St. Brelade:**

Housing costs are a critical factor in driving affordability of housing and profitability of developers. The tension is between the need for prices to fall for consumers versus the need for developers to keep prices up. Does the Chief Minister think, on the basis of the data that he says the Government holds, that we are reaching the point where rising construction costs are meeting falling prices and whether the solution is to cut construction costs or increase house prices?

**Deputy L.J. Farnham:**

I am not sure I said the Government held information. To be clear, Ministers are not directly involved in the construction of housing projects; that is undertaken by Andium Homes and the States of Jersey Development Company on our behalf. They have the marketing intelligence and information expertise required to make sure we deliver value for money, just to be clear on that. I am not sure I fully understood Deputy Curtis's supplementary before but I can speak to him after to clarify the position. The adage goes, if we do what we have always done we get what we have always got, that is why we need to be embracing modern methods of construction. Technology in that area is moving forward quickly. I believe the answer is we have to reduce the cost of building family homes to make



them more affordable. We have already started to do that in relation to assist to buy scheme, such as Andium has just announced, and the step-up scheme. I also very much hope with the piece of work we are doing in relation to the Island Regeneration Programme on affordable housing we lay out a number of other ideas and opportunities that will facilitate more local families into homes. We can do that by making sure that the cost of construction is stabilised and does not increase exponentially like we have seen in the past.

**3.10.5 Deputy J. Renouf:**

I just wonder if I could press the Chief Minister on the question of whether he thinks the point has been reached where falling house prices has reached the rising cost of construction and that there is a danger of schemes not being viable because of that.

**Deputy L.J. Farnham:**

I just missed a couple of words, could he just clarify? I got to the falling cost of housing.

**Deputy J. Renouf:**

Would he clarify whether he believes that we have reached the situation where falling house prices are colliding with the rising costs of construction and, therefore, affecting viability of schemes?

**Deputy L.J. Farnham:**

I think that those 2 margins are bumping close together but, hopefully, that should help to drive down the cost of construction. I think it creates more competition. Developers are going to have to look for more value from construction and that is why I think a move to more modern methods of construction would be useful. I think Deputy Gorst made some good relevant points in relation to the housing market. But we have to be careful, we are in a cycle - that other Members allude to, I think Deputy Curtis alluded to earlier - that that bottomed out and then we see house prices rising again. Because while that might stimulate the market for some people, it will not help our young families buy homes.

**3.10.6 Deputy A.F. Curtis:**

Deputy Renouf has hit the nail on the head in that we need to know both the cost of construction and the value of the sale. Given that Treasury holds that specific and valuable data in the form of the development agreement it sees, will the Chief Minister ensure that Members and Ministers are briefed on the specific costs of construction facing the Island right now so we can have an informed discussion in here moving forward and not talking anecdote and vagueness?

**Deputy L.J. Farnham:**

I take some exception to the accusation of giving answers by way of anecdotes. Sorry, okay, I withdraw that. Yes, certainly any information we are prepared to share to assist with policy development but we need to be specific. The cost of construction is a big question, it depends on what we are constructing, where we are constructing it and how we are constructing it; it is a complex issue. But, as I say, we are happy to share because that is necessary for this Assembly and the Government to make the right decisions.

**Deputy A.F. Curtis:**

Could I just confirm that and clarify that the comment about anecdote and vagueness was the Assembly talks in that as we did have the data, it was not imputing that view on the Chief Minister in particular as any one Member.

**3.11 Deputy D.J. Warr of St. Helier South of the Minister for Education and Lifelong Learning regarding Victoria College's AWPU rates and their alignment with pay inflation (OQ.142/2025):**

Further to Written Question 263/2025 regarding Victoria College's energy, cleaning and grounds maintenance costs, will the Minister explain and evidence his statement that the A.W.P.U. (Age Weighted Pupil Unit) for these costs "are directly connected to pay inflation and, consequently, are increased by at least this percentage value"?

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

The evidence is as follows: in 2025 the budgetary items increased as the building premises costs budget was increased by 4.4 per cent, giving a total budget in 2025 of £261,979, compared to £250,905 in 2024; the cleaning costs budget was increased by 4 per cent, giving a total budget in 2025 of £22,474, compared to £21,608 in 2024 and the grounds cost budget was increased by 80 per cent, giving a total budget in 2025 of £36,029, compared to £33,360 in 2024. The school are aware of these changes, which are set out on the front sheet provided annually to the school.

**3.11.1 Deputy D.J. Warr:**

Thank you for all that very fulsome answer. Is the new school funding formula supposed to track inflation of all costs?

**Deputy R.J. Ward:**

Sorry, can you just say that again? I did not quite get the last bit.

**Deputy D.J. Warr:**

It is a very simple sentence. Is the new school's funding formula supposed to track inflation for all costs?

**Deputy R.J. Ward:**

The school funding formula is a complex model but Victoria College is not funded by the school funding formula; it is still funded by the A.W.P.U. and this question is about Victoria College.

**3.11.2 Deputy P.F.C. Ozouf of St. Saviour:**

Is the school given the ability to decide what sort of fuel to use in their heating oil? I was told by a maintenance manager of this school or one of the schools that they are forced to get green diesel, which is much more expensive and they would prefer to spend the money on their staff and on their maintenance costs?

**Deputy R.J. Ward:**

I would have to find out the answer to that outside of here; it is somewhat away from the question. But obviously our commitment to lowering our carbon emissions is also important. I do not know the answer to that.

**The Deputy Bailiff:**

Yes, thank you.

**3.11.3 Deputy P.F.C. Ozouf:**

He does not know the answer to the question about whether all his schools are using green diesel and a massive public ...

**The Deputy Bailiff:**

Asked about Victoria College I think.

**Deputy R.J. Ward:**

Absolutely correctly, I do not off the top of my head know whether they are using green diesel. In fact, in addition to that, I do not know what type of boiler they have, what type of supply they have

or what their voltage is for their boiler, the output of their boiler or indeed any radiators they have in the school. But if the Deputy wants that information, which seems to be somewhat pointless, we can find it for him.

**The Deputy Bailiff:**

Final supplementary from Deputy Warr.

**Deputy D.J. Warr:**

No, thank you, Sir.

**3.12 Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter of H.M. Attorney General regarding delays in implementing domestic abuse guidance relating to coercive and controlling behaviour (OQ.140/2025):**

Although I know that the Attorney General is not in the Assembly.

**The Deputy Bailiff:**

Yes, the question will be answered by the Solicitor, yes.

**Deputy K.L. Moore:**

Following the publication of the Violence Against Women and Girls Annual progress report, will the Attorney General explain why recommendation 4 regarding the publication of guidance on the application of the new offence of domestic abuse that was established by the Domestic Abuse Law 2022 in June 2023, in particular concerning what behaviour constitutes coercive control and controlling behaviour, has not yet been implemented?

**Mr. M. Jowitt, H.M. Solicitor General (rapporteur):**

A draft of the guidance is due to be completed this Friday, assuming it is in order and I anticipate it will be. It should be published on the Attorney's webpage shortly thereafter. The guidance will not only make clear, in accordance with recommendation 4 of the report, what kinds of behaviour constitute coercive and controlling behaviour, it will also make clear that economic abuse is covered within the offence of domestic abuse in line with recommendation 26, and will provide a definition of immigration abuse in accordance with recommendation 51. I hope that is helpful.

**3.12.1 Deputy K.L. Moore:**

Will the Solicitor General be able to explain why it has taken 2 years to achieve this?

**The Solicitor General:**

The progress report itself recognises that it was a work in progress. I am quoting from page 18 under the recommendations I have just mentioned, which states that: "By agreement the Law Officers' Department will be reporting on the progress of the above recommendations separately." It is a question, as with most departments, of priorities. Yes, undoubtedly issuing public guidance on this topic is very important but so too and possibly more so is prosecuting cases of domestic abuse. In the 24 months since the law came into force the department has brought 16 prosecutions for domestic abuse, 14 of which involved coercive and controlling behaviour. Of course domestic abuse is only one aspect of violence against women and girls. The department has been evermore involved and engaged in prosecuting serious sexual offending against women and girls over the last several years. Indeed I am just looking at the Legal Information Board, 2 rape cases were sentenced last month, a third were sentenced the month before, a fourth in March. There is always room for improvement, Madam, but the department has not been sitting on its hands where addressing violence against women and girls is concerned.

**3.12.2 Deputy H.M. Miles of St. Brelade:**

One of the findings of the V.A.W.G. (Violence Against Women and Girls) report was about changing the culture of misogyny that is so prevalent in Jersey. Does the Solicitor General agree that recommendations are a key element to changing this culture? Would he agree that guidelines for people working in law enforcement, including the Honorary Police, around coercive and controlling behaviour should have been put further up the priority list?

**The Solicitor General:**

It is even further up the priority list. As I say, there is always room for improvement and if that could have been done earlier, well perhaps they should have been. But of course we recognise in the department the importance of all those working in law enforcement understanding the dynamics of domestic abuse and controlling behaviour. Guidelines in that sense are important, as indeed is the V.A.W.G. exercise that we are all engaged in.

**3.12.3 Deputy H.M. Miles:**

What training does the Attorney General and his department provide to users of the guidelines? Does he undertake any research to understand the impact?

**The Solicitor General:**

If I understand the question, we do not give training to members of the public but we do have training for our lawyers, and that occurs on a regular basis. It is conducted by and overseen by some often really very experienced criminal lawyers in this field from England and Wales; one is talking about King's Counsel and people who are leaders in their field. Within the department it is - I hope Members will understand - taken enormously seriously. We are always very keen to improve the quality of the service we are able to provide.

**3.12.4 Deputy L.M.C. Doublet of St. Saviour:**

What stakeholders were involved in the drafting of this guidance, please, or indeed what experts were involved? How will this guidance be kept under review?

**The Solicitor General:**

The guidance has had input from leading counsel in England. How will it be kept under review? I do not know at the moment the answer to that but it will be kept under review. I issue this invitation now to Members, it will be a public document; if Members of the Assembly want to express views on it we are always willing to listen and take that into account. I encourage that if Members feel sufficiently about it that they want to engage with us.

**3.12.5 Deputy L.M.C. Doublet:**

Would the Solicitor General commit to setting a date perhaps in a year's time or 2 years' time to review this guidance to see if it is being effective and to include local stakeholders and indeed experts in coercive control and controlling behaviour in this review?

**The Solicitor General:**

That is a matter I will raise with the Attorney General but I am not able, I think, to say that for myself.

**3.12.6 Deputy K.L. Moore:**

What regular interaction does the Attorney General and Solicitor General have with the relevant Minister in order to assist them with defining their priorities in work and also setting K.P.I.s with regard their delivery of reports and recommendations?

[11:30]

**The Solicitor General:**

I know that the Attorney has reasonably regular meetings with the Minister for Justice and Home Affairs. I myself have not been involved in those, and I am not sure I can assist further in terms of the extent of his involvement.

**3.13 Deputy C.D. Curtis of St. Helier Central of the Minister for Children and Families regarding a strategy to protect children from online harm (OQ.147/2025):**

Will the Minister advise what consideration, if any, he has given to an Island-wide strategy to protect children from the various forms of online harm and if he has given no consideration, will he explain why not?

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

Of course we are giving consideration to an online strategy to cover online harm. Of course there are also many other harms that of course are not online and we have to consider those as well. But when considering a strategy we have to consider that today children, increasingly their lives are shaped by their digital experiences. Whether it is social media, gaming or online learning, the online world is now a fundamental part of childhood. That brings opportunities but also risks, ranging from exposure to harmful content and cyberbullying to exploitation and online addiction. A cross-Ministerial group has now been established to co-ordinate the approach and develop a strategy on this matter, including any considerations arising from the Scrutiny Panel's review. I believe that this group will focus on actions, offer a tiny and important focus point for Government and an evolving area of policy development. My focus in this is to ensure families are effectively supported to navigate those challenges in the short term, rather than working on any other strategy. I accept that in order to develop our medium and future-term approach to this policy issue we need a sustainable, strategic approach. Any future strategy must avoid duplication of existing work and be agile enough to keep pace with rapidly evolving technology. It must also balance child protection with young people's rights to freedom, expression and digital access. I recognise there are other challenges to overcome that coincide with this issue, for example, alternatives to screens and mobiles in the shape of play spaces and I hope the play strategy will help in this aspect. Our new ...

**The Deputy Bailiff:**

You have reached nearly 2 minutes there.

**The Connétable of St. Peter:**

Yes, sorry, Sir.

**3.13.1 Deputy C.D. Curtis:**

Just to confirm, as the Minister for Children and Families, will the Minister say whether he is supportive of an Island-wide strategy to protect children from online harm?

**The Connétable of St. Peter:**

Absolutely I am supportive of such a strategy. As I say, that is likely to be developed with a number of other Ministers but I am 100 per cent supportive of that. I have certainly also looked at what is developing in other jurisdictions, in particular Australia's move to a ban on social media for the under-16s and how other European nations are tackling that as well.

**3.13.2 Deputy H.M. Miles of St. Brelade:**

Minister, the 2017 Independent Jersey Care Inquiry highlighted that Jersey had historically lagged behind other jurisdictions in updating child protection laws. How is the Minister ensuring that online safety legislation is not similarly delayed?

**The Connétable of St. Peter:**

Now that we have established a cross-Ministerial group with the Minister for Sustainable Economic Development to ensure that there are not delays, as I say, if I believe there were delays then I would obviously wish to take action to prevent any blockages. But I want to see legislation as quickly as possible.

**3.13.3 Deputy C.D. Curtis:**

I thank the Minister for his answer. While there are huge benefits from the online world, does the Minister appreciate that there are dangers which need a co-ordinated approach from parents, schools and Government too and that a strategy could pave the way forward?

**The Connétable of St. Peter:**

Yes. I think that a strategy is extremely important. We must help families and the children themselves deal with these online issues. What is always at the front of my mind in these things is that once a child or young person has seen a disturbing image that can be never removed from their mind. I think that is particularly important when we start to consider whether there should be a block on social media, for instance. I have my own personal view on that. I need to speak to other Ministers but my personal view is that I think we will have to, through the owners of these platforms, certainly bring in some restrictions on social media.

**3.14 Deputy A.F. Curtis of St. Clement of the Minister for the Environment regarding the planning application status of the South Hill development (OQ.156/2025):**

Will the Minister advise whether a building application for the South Hill development has been submitted and, if so, the current status of the application?

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

I can confirm that at this time a building application has not been submitted for the South Hill development.

**3.15 Deputy K.M. Wilson of St. Clement of the Minister for Education and Lifelong Learning regarding the placement of children with special educational needs in their preferred schools (OQ.151/2025):**

Will the Minister advise whether there are any challenges in placing children with special educational needs in their catchment preferred school from next term and, if so, how such challenges are being addressed?

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

I thank the Deputy for her question. Just a couple of things just to give context to this, the allocation of non-fee paying primary schools places is undertaken by Education centrally and it is based upon a set of criteria. The top of that criteria is having the special educational need to access a specific school. But within schools there are additional resource provision centres. I have an awful lot of data, I will pick out some of the data. There are challenges but what has happened is there is flexibility in the allocation of places to children to meet their need. What that means is there is one person reception has been placed in a special school which is not in their catchment area in order to meet their need. There are 2 that have been placed in an A.R.P. (Additional Resource Provision) secondary school which is not in their catchment area school based on the school having a specialist nurse provision to meet their needs. I want to make sure this information is accurate, 2 people are being required to remain in the mainstream where a bespoke provision is being provided. There are challenges about increasing need. However, I think the flexibility in the provision and the way in which schools are stepping up to the plate in terms of the A.R.P.s and what their provision in accepting children is meeting that need virtually completely but we can always do more. Obviously if we build the school in Gas Place, which will have our specialist school attached to it, we will have

more provision. That could have been ready by this year if it had not been delayed but that is just a personal grab of my own.

**3.15.1 Deputy K.M. Wilson:**

Alongside concerns about placement capacity for these children, there have been ongoing reports of staffing shortages and delays in recruitment in educational psychologists in particular. As we know, these are particularly vital for timely assessments and support planning that the Minister just alluded to. Can he state what impact these delays and gaps in service are having on placement decisions? In cases where a child cannot be placed, could he just explain what alternative placement options are available to ensure their needs are being met?

**Deputy R.J. Ward:**

That is a very, very wide-ranging question. In terms of meeting the challenges, as I mentioned, and specialist provision, and that provision will be made for young people in schools. There is refurbishment of the pastoral secondary, which I am sure will be ready in this October. Part of it, we are hoping, may be ready earlier but I get very suspicious when I hope things, then they end up not happening. Then in terms of other areas, there are some issues around some areas of provision that are being solved at the moment in terms of educational psychologists; I think we can come to a conclusion to that relatively soon and improve that service. The other issues around recruitment are not new. There will always, I think, be issues around recruitment. However, I think they are making some changes in our provision. For example, to being able to lease somewhere to live for particular groups could also help with that provision. I know there is work going on in regards to - and I cannot remember the words for it because it is not my specialist area - population but enabling people to be here and being able to rent across our sectors, that is the key.

**The Deputy Bailiff:**

Supplementary from Deputy Miles only. This Minister is of course answering further questions without notice later on this morning.

**3.15.2 Deputy H.M. Miles of St. Brelade:**

Just following on from the previous answer, given the totally unsatisfactory situation with the Educational Psychology Service, what reassurance can the Minister give to parents of children with special needs, that those needs have been and will be properly assessed and, therefore, their children will be allocated to the most suitable provision to meet those needs?

**Deputy R.J. Ward:**

Sir, this has turned into a question about educational psychologists, if you think that is okay then I can do that.

**The Deputy Bailiff:**

No, it beyond the question of special needs.

**Deputy R.J. Ward:**

I think the comments made by the Deputy there is a totally unsuitable vision; I think is unfair. There have been problems. However, the service has continued. In the past academic year you would wait to have assessments in 55 days; in the current academic year it is down to 19 days. There have been mitigating circumstances to get that service continuing. Of course it is not perfect and we do not want it to be the way it is. But an enormous amount of work has gone in to try and fix that problem. Yes, I am as confident, I think, as I can ever be that the assessments are happening. Are they ever happening as quick as you want them to? Probably not and we will continue to work towards that in the best way we possibly can.

### **3.15.3 Deputy H.M. Miles:**

What extra support is being provided to schools to meet the needs of children who should be in special education but need to stay in an inappropriate provision because Mont a L'Abbé is full?

#### **Deputy R.J. Ward:**

Yes, specialist provision, each case is a particular provision, so I could not go through each individual case. I am also not a specialist in that area, so I would not necessarily know what that provision would be. But I know schools are working, as they always do, and I think we should just give some credit to our schools. That will be a theme of my answers today if possible, to give credit to schools for the work that they are doing in this area. Also, yes, of course we want to expand provision as much as we possibly can; that is a difficult situation. I will say that Mont a L'Abbé, I personally think, in the next few years will need to be larger than we originally thought. The delay in that could be beneficial in the long term that we build something that is more suitable, so we do not end up in this position of not having enough places because of the change in demographic and what is happening with children later on in a few years' time. I am hoping there can at least be some positives that come from that.

### **3.15.4 Deputy K.M. Wilson:**

I would just like to pay tribute to those teachers who are delivering special educational needs education. **[Approbation]** It is a very, very challenging area of professional practice. I just wanted to ask, the Minister just alluded to the fact that we need some expansion if demand does continue to exceed the capacity, does he only expect that a school is the solution? Is there anything else that we can expect to see from Ministers and officers from within his department to improve things like placement processes and the support provided to children with these needs?

#### **Deputy R.J. Ward:**

We have, for example, recently opened - the word "facility" sounds wrong to me - a provision, that is the word I am looking for, called Switch, which is an intervention provision for young people who are really struggling and need that additional need. That is a response to this increasing need that we have, so things are happening. The provision that was made within schools themselves is also increasing where we can. I think the way in which needs are being addressed is also being provided. I will say that I am pleased that the Deputy was talking about the work from teachers and support assistance and teaching assistants in the area of special educational needs.

[11:45]

But I would extend that across our schools because so much need is met by ordinarily available provision day-to-day by adaptation of what is going on in schools, across our school estate as well. Increasingly students are being reintegrated into schools who can access education. I personally think we do need a separate provision to be developed. We need a greater provision to be developed, which is the step between perhaps those children who need the intense support from Mont a L'Abbé and those who will respond to additional resource provision within the schools. But I think an additional provision which is desperately needed in the coming years, much should be provided for those students that fall within that gap because then we can get those students back on track and back into education and back to succeeding so they are ready for the rest of their lives.

### **3.16 Deputy D.J. Warr of St. Helier South of the Minister for Education and Lifelong Learning regarding funding for the maintenance costs at Victoria College Preparatory School (OQ.143/2025):**

Will the Minister state whether any funding gap exists between the allocated budget and the contracts negotiated by his department in relation to cleaning and ground costs for Victoria College and



Victoria College Preparatory School and, if so, advise whether any additional funding has been allocated to bridge the gap?

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

I mentioned earlier the funding figures, I will come back to it again. The Victoria College budget allocation is from the A.W.P.U., so they receive 47 per cent of the A.W.P.U. It does not make discreet provision for contract costs within the overall categories of premises and grounds. It points to areas where money should be spent. It is the school's responsibility to allocate their budget from all of their income streams to meet their commitments and priorities; that is the challenge that the headteacher has. I will also say that over 90 per cent of the budget that is given to them is on staffing and so the decisions around staffing, how many staff, what responsibility points, are all delegated to the headteacher. There is a decision to be made within the school as well in regards to these contracts and the cost themselves.

**3.16.1 Deputy D.J. Warr:**

Can the Minister confirm if the move to the S.F.F. (school funding formula) for the fee-paying schools will see an uplift to ensure that their fixed or semi-fixed costs are adequately supported and reflect the real costs for those schools and, if not, why not, as this cost discrepancy is already known by the department as they have negotiated the contracts?

**Deputy R.J. Ward:**

Is the Deputy referring to the funding formula, may I ask, the move to a funding formula?

**Deputy D.J. Warr:**

Yes.

**Deputy R.J. Ward:**

Yes. The discussions on that are already ongoing. The funding formula will have an effect on what that will be, according to the intake of schools. I will say that analysis of 2025 budget allocations indicates that the Victoria College receive a total funding from the A.W.P.U. and school fees; that is for Victoria College 41 per cent higher than they would receive if they were fully funded by Government receiving the funding formula. The funding formula for our mainstream schools is very limited. At the moment if they were on the funding formula it must be understood that they would receive much higher funding than our schools. Subsequently, I think they have a budget which they could be looking at very carefully in terms of how they spend it.

**The Deputy Bailiff:**

We have 6 questions left and only 20 minutes for them to be responded to. I regret to say that only the questioner will be able to ask questions and of course he or she will have a supplementary as well.

**3.17 Deputy L.M.C. Doublet of St. Saviour of the Chair of the States Employment Board regarding support for women's health conditions among public sector employees (OQ.138/2025):**

Will the chair please advise how the Government is supporting States employees who are experiencing symptoms of menopause, perimenopause or conditions such as P.M.D.D. (Premenstrual Dysphoric Disorder), P.C.O.S. (Polycystic Ovary Syndrome) and endometriosis?

**Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter (Chair, States Employment Board):**

With the permission of the Deputy, Deputy Ferey, the vice-chair of the board, will answer the question.

**Deputy M.R. Ferey of St. Saviour (Vice-Chair, States Employment Board - rapporteur):**

I thank the Deputy for the question. Government employees experiencing menopausal symptoms or the other conditions, as the Deputy outlined, are encouraged to talk to their line manager or the well-being team to ensure appropriate support can be made available. This includes provision of flexible working and, if needed, a referral to our Occupational Health Service. Support is available for all employees experiencing these symptoms, who have a medical condition, through the 24/7 employee assistance programme which is called Be Supportive and through the Health at Hand, which provides them with direct access to a medical professional to discuss their concerns. The Government continues to progress support and understand through building an open and inclusive culture to normalising menstruation in the workplace, through supportive discussions and open dialogue. This is not only key in supporting States employees but acts as a model for the private sector. The Government is a committed menopause-friendly employer, having signed the employer pledge and has implemented things like continuous face-to-face online events to promote awareness around menopause, with championed inclusive culture and in changing sexism and ageism and derogatory comments by publishing articles on OurGov around menopause and women's experiences and testimonials. We have updated our sickness absence policy with a new code for menopause and we have created menopause guidelines for leaders and employees.

**3.17.1 Deputy L.M.C. Doublet:**

Is there a policy for all of the conditions mentioned in my initial question? How are these policies communicated to employees across the States of Jersey? Are these policies being implemented consistently for different types of employees and in different workplaces?

**Deputy M.R. Ferey:**

I thank the Deputy for that additional question. Yes, the policies are universal across those conditions that the Deputy mentions. We are also fortunate in the health team to have an expert on endometriosis in particular who has worked for the Oxford Care Centre for endometriosis. We have the expertise available in Jersey. Training is taking place for menopause and mental health, myths around menopause, menopause and nutrition and there are lots of other initiatives going around the whole of the States to highlight the issue and to point people who are experiencing symptoms in the right direction for help.

**Deputy L.M.C. Doublet:**

Sir, could the Minister respond to the part of my question, how are these policies communicated to all employees?

**The Deputy Bailiff:**

Yes.

**Deputy M.R. Ferey:**

Yes, through the relevant leaders of each of the sections where people work.

**The Deputy Bailiff:**

Thank you, Vice-Chair. Question 18, Deputy Andrews will put to the Chief Minister. Deputy Andrews.

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

I also have a question.

**The Deputy Bailiff:**

Sorry, forgive me. Sorry, did you want to say something? Forgive me.

**Deputy R.S. Kovacs:**

I was still having a question but ...

**The Deputy Bailiff:**

Yes, perhaps you missed me. I said that in view of the fact that we have got 6 questions left and only 20 minutes, we will only have time for the questioner and their supplementary question.

**3.18 Deputy M.B. Andrews of St. Helier North of the Chief Minister regarding streamlining government services and reducing unsustainable running costs (OQ.141/2025)**

Will the Chief Minister advise whether it is his assessment that there remains a need to streamline government services and, further to the response to Written Question 257/2025, will he explain how the Government is addressing the unsustainable level of running costs?

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

Yes, I do believe there is still a need to perhaps streamline and reprioritise public services and certain aspects of the civil service, while ensuring we fully protect our front line provision, which is what we have been doing. We have seen a 2,000 increase in roles since 2018 and almost a 50 per cent increase in the cost of running the public sector. Spending on arm's length bodies and grant supporting doubled to £71 million in the same period. If we had not introduced the recruitment freeze in August last year and growth had continued as it was before it would be likely that there would be an additional probably of 325 staff, which officials estimate would cost an additional £23 million a year. Members will also remember that we removed 1,000 vacancies from the system. In the past 6 months we have seen total roles beginning to stable up. We have only 44 F.T. (full-time) total rise, despite 76 F.T.s, more posts in Healthcare Jersey which indicates that the back office departments are starting to reduce. Consultancy and temporary staffing spend has dropped by £29 million in 2024 over 2023 and we are expecting this to continue. There is a Rolling Stones song, the words: "You can't always get what you want", I will not sing it, "but if you try sometimes, well, you might get what you need" and that is what this Government is trying to do and trying to make sure we have what we need and what we want, because what this Assembly wants and what Government wants is not always what we need. Having said that, I want to pay a tribute to the public sector. We have a very professional and robust public sector and with reprioritisation we want to keep it that way, working in the best interests of Islanders.

**3.18.1 Deputy M.B. Andrews:**

Is the Chief Minister of the view that there is a need to maintain the current level of headcount or is he of the view that headcount ought to be reduced and, if so, by how much?

**Deputy L.J. Farnham:**

It is a piece of work we are carrying out now. We are examining our services right across the board. I certainly would draw a line in the sand and say we do not need to increase headcount. I think we can reprioritise and reduce headcount in certain areas, by how much it is hard to say. But I think we can make ourselves a little more streamlined and more productive and we need to try and hold that position in the years ahead.

**3.19 Deputy I. Gardiner of St. Helier North of the Minister for Social Security regarding progress on ID alternatives for older persons raised in the Older Persons Living Forum (OQ.146/2025):**

Further to discussions at the meeting of the Older Persons Living Forum on 19th June 2024, will the Minister advise what progress, if any, has been made on the cross-Government project to implement a form of identification cards through the Parishes as an alternative form of identification to a passport or a driving licence?

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

I had a very broad and wide-ranging discussion with the Older Persons Living Forum and I recall that one of the issues raised was people were concerned that if they had not updated their passport or their driving licence, then they may be left without access to services because of lack of photo I.D. (identification). Following on from that conversation, I did undertake to get assurance from my department about the processes that we follow within employment, social security and housing. I was pleased that processes were already in place to ensure that their lack of formal identification was not a barrier. Customers will be asked a series of security questions instead to prove their I.D. Also, further to that, in 2024 a non-passport solution was also set up for JerseyMe so that people without a passport can still set up a digital I.D. and access government services online.

### **3.19.1 Deputy I. Gardiner:**

First of all, I will congratulate the Minister that her department is dealing well but would the Minister agree that recognisable alternative I.D., it is not a matter of convenience, it is dignity and access? Elderly people who cannot get driving licences any longer and do not need a passport to travel because they do not, but they still need a form of I.D., would require alternative and who is she thinking in her view should be responsible to take this project forward?

### **Deputy L.V. Feltham:**

I do agree that having an I.D. is important. However, I know from my own family's circumstances that my own parents and parents-in-law have outdated passports and driving licences that they still use as photo I.D. Since the conversation I had at the Older Persons Living Forum - and I do have to say there were more pressing matters raised at that meeting - nobody has raised this as a further issue with me. It has not been progressed as a priority. As I said in my answer to the first question, I am assured that people without photo identification can indeed access the services that they need within my department and my remit as Minister for Social Security.

### **3.20 Deputy P.F.C. Ozouf of St. Saviour of the Chief Minister regarding the development, performance, and regulation of Jersey's medical cannabis industry (OQ.158/2025):**

Given the multiple strands of cross-governmental policy in relation to prescription and manufacture of medicinal cannabis in the Island, will the Chief Minister commit to providing a consolidated update on the industry, including its performance, regulation and oversight: and if so, by when?

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

The Government is committed to providing a report on activities related to medicinal cannabis in Jersey. This will be produced by the end of 2025, as confirmed in my response to Deputy Ozouf's Written Question 285. The report will include details of action being taken by the relevant Ministers, these include the Minister for Health and Social Services, whose portfolio includes licensing by the chief pharmacist, the Minister for Sustainable Economic Development with regard to the development and growth of the cannabis sector and potential of the biotech industry and the Minister for the Environment, whose involvement relates to independent regulation of cannabis clinics under planning and cannabis cultivation companies.

[12:00]

### **3.20.1 Deputy P.F.C. Ozouf:**

I was grateful, and I genuinely mean grateful, to the Chief Minister for his courteous response to my Written Question after quite a to and fro as to why I wanted to put it to him. I welcome the fact that this report is coming; that is to be welcomed. One does not want to be critical, one wants to be positive but one needs the evidence. I would ask the Chief Minister very politely, I did ask him this question I think in January about whether the report would be provided, we have got the Budget coming up and there may need to be some money for regulation in the Health Department and some decisions. It is 6 months away, I wonder whether he could bring forward that. We have now got the

commitment to a report, could he bring it forward so that we can have that informed discussion in advance of the Budget, as I think it might help the Council of Ministers and Back-Benchers?

**Deputy L.J. Farnham:**

I will certainly discuss the matter with the relevant Ministers. But I would also reiterate that any regulatory costs should be borne by the industry itself, and that is what we would be minded to do when dealing with that issue. But I will speak to the relevant Ministers. I hear where the Deputy is coming from, we do need a report, we do need to take stock across the sector and we are going to do that.

**3.21 Deputy M.R. Scott of St. Brelade of the President of the Scrutiny Liaison Committee regarding use, type, and cost of special advisers by Scrutiny Panels (OQ.148/2025):**

Will the President state the number and type of special advisers engaged by Scrutiny Panels from 2022 to date, including whether they were retained for a single project or on an ongoing general retainer and will she also provide the total cost of such expertise?

**Deputy I. Gardiner of St. Helier North (President, Scrutiny Liaison Committee):**

Scrutiny engage with expert advisers on a regular basis, both paid and unpaid. From the beginning of the current Assembly term in 2022 to date a total of 5 separate contracts have been entered into on behalf of Scrutiny Panels in order to engage expert advisers to provide independent specialist technical advice to the panel during the course of 5 reviews. The contracts have been with 5 different companies or individuals. The total expenditure of this engagement totalled at £62,025. These advisers are appointed on a project-specific basis and Scrutiny has not engaged any advisers on a general retainer.

**3.21.1 Deputy M.R. Scott:**

What is the Greffe budget for special advisers to Scrutiny Panels for this year? Has the Scrutiny Liaison Committee been involved in agreeing it? Was there any underspend last year?

**Deputy I. Gardiner:**

The total budget for this year is £200. It was an underspend last year. I do not have a number in front of me and I am happy to follow it up.

**3.22 Deputy J. Renouf of St. Brelade of the Minister for Treasury and Resources regarding the recent restructure of Ports of Jersey and related discussions (OQ.153/2025):**

Further to the response to Written Question 272/2025, will the Minister advise what discussions, if any, she has had with Ports of Jersey regarding the recent restructure and state whether it is her assessment that the restructure has been successful?

**Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter (Assistant Minister for Treasury and Resources - rapporteur):**

The Minister was briefed on the planned restructure and, as part of the cycle of quarterly shareholder meetings with Ports of Jersey, is briefed on their ongoing progress. It is evident from the response to Written Question 272 of this year that an organisational restructure of this nature takes a significant amount of time to plan, implement and then finally evaluate. Accordingly, the Minister regards it as being too early in the process to provide a full assessment of the success of the restructure.

**3.22.1 Deputy J. Renouf:**

I wonder if you will allow extra supplementaries if we have caught up a little bit with the timings.

**The Deputy Bailiff:**

We will see.

**Deputy J. Renouf:**

Last year the C.E.O. (chief executive officer) of Ports of Jersey received a bonus of £120,000, more than 40 per cent of his annual salary. Does the Minister think this was appropriate, given that the year ended with a botched management reorganisation which led directly to the airport being put into special attention on 10th December?

**Deputy I.J. Gorst:**

That really is difficult for me to answer on behalf of the Minister. The questioner will know when I was Minister I was perturbed by the structuring of bonuses and the size of bonuses in arm's length organisations. I know that the Minister herself is exorcised by those bonuses and their structuring thereof. I do not think I am in a position to add anything further than that.

**The Deputy Bailiff:**

We have in fact completed all the questions. There are 4 minutes left and, Deputy Ozouf, do you want to ask a supplemental question? Your light is on.

**3.22.2 Deputy P.F.C. Ozouf of St. Saviour:**

Yes, please, thank you, Sir. Much appreciated and well done on your timing today, Sir, brilliant, if I may say. **[Laughter]** The Minister is conflicted because obviously he is External Relations. He has basically said that there is need for concern, as Deputy Renouf has raised. Is it not the case that Ports of Jersey seem to be more of a property company than an airport and doing safety issues and that there is concern among Members? There is more than anecdotal evidence to suggest that there is a botched management reorganisation, and that is the cause of the recent problems at the airport. Does the Minister not need to exert some grip on this issue, as difficult as that is because the Minister is involved?

**Deputy I.J. Gorst:**

The Deputy is quite right, it is difficult for me to answer questions directly on the opinion that the Minister for Treasury and Resources might have because I have what might be seen by some as a conflicting hat around civil aviation. I have answered questions in that regard. I am sure if the Minister were here in person she would talk about the improved service getting Islanders through security in a shorter period of time than previously, bags on to carousels. Of course, as Minister for External Relations, I am fundamentally concerned about security and safety of the airport. In hindsight, would the restructuring have taken place in the way that it did without the perhaps necessary time? Then I think, in hindsight, we would say no. When it comes to whether the Ports of Jersey is a property development company, as Members know, I think we called it the red line at the time; it was drafted around certain parcels of land to seek to ensure that Ports of Jersey did not need to keep coming back to the Assembly and the taxpayers to fund the investment in necessary facilities. Is that working as well as we in this Assembly might have anticipated at the time? I fear that that, at best, is an open question.

**The Deputy Bailiff:**

That brings that period of questions to an end. We now move to questions without notice. The first Minister to answer questions is the Minister for Children and Families.

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

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

I am sure we all welcome the Minister for Education and Lifelong Learning's announcement this week about smart phone-free schools. Will the Minister for Children and Families be extending this approach to other children's settings that are subject to safeguarding inequities such as the Youth Service sessions or for sports clubs?

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

Online safety is something that I take extremely seriously and we just had a question on the strategy. I think we need to decide on a strategy and whether we need to put further restrictions on where young people can use phones or whether that is the context that we need to look at. But if I believed there was a need that there were restrictions required to restrict the use of the phones themselves in any of our establishments, then I would certainly act on that.

**4.1.1 Deputy H.L. Jeune:**

Could the Minister confirm if he has spoken to the Youth Service or to members of those who put on sports to see what their experiences are with trying to put on these services while, at the same time, having children being very focused on their phones rather than interactive sessions and enjoyment of the actual services they have been put on? Would he commit to do this?

**The Connétable of St. Peter:**

I certainly have spoken to the Youth Service about the use of phones. Of course many of the activities they undertake, effectively, divert children from using phones during those activities. They do not supply any devices on which children can access social media. I will commit to certainly speak to them again and see if there is anything further that they believe needs to be done.

**4.2 Deputy S.M. Ahier of St. Helier North:**

Can the Minister update the Assembly on the proposed town youth centre and can he give a timeline for its completion?

**The Connétable of St. Peter:**

Thank you for that. The youth centre of course is an important part of our strategy for young people. I would say it connected to the last question, that it is one of those places that will divert children from the use of social media and the use of phones. Where we are at the moment is that plans have been developing well for the town youth service and a planning application was submitted on 17th April to the Planning Department. We have been provided with a target date for the decision of 28th July this year. Of course that does not mean that that will be a positive outcome; it could be rejected. If planning approval is granted then the next steps are to submit the building control application, for a building contract to be developed and agreed and, hopefully, to start works by December 2025. If the planning application is rejected then further consideration will need to take place and of course that will be a further delay to the project. Subject to that planning approval in July 2025, we are still pushing for the completion of Belmont House which will house the new Youth Enquiry Service by December 2026 and the completion of the youth centre by quarter one to quarter 2 2028.

**4.2.1 Deputy S.M. Ahier:**

Has the buildings and land, including Belmont House, now been purchased by the Government or is the Minister still awaiting funding?

**The Connétable of St. Peter:**

As yet the site is not in our hands. We are waiting the planning decision. If approval is granted, then we will move to purchase the site from the current owners and that will allow the developer to start groundworks hopefully in December 2025.

**4.3 Deputy H.M. Miles of St. Brelade:**

In answer to a Written Question, the Minister told us that Oakwell Children's Short Breaks Home costs approximately £1 million per annum to run, but accommodates only 14 children, most of whom are entitled to a fixed one night only respite break per week. What plans does the Minister have to

maximise the potential of Oakwell by utilising the home during the day, and for 7 nights per week, to increase the flexibility of the resource and provide a better service to families?

**The Connétable of St. Peter:**

We would like to extend the use of the home and to have greater use of the facilities. For that, we need resources. Sadly, one of the areas where we are particularly short of staff is in the residential homes, where we have a shortfall of some 35 per cent. However, I will continue to look at how we can make greater use and offer more facilities. It is something that I have considered quite important.

**4.3.1 Deputy H.M. Miles:**

In May 2025, the Minister told the Scrutiny Panel that a report was completed for short breaks in 2024 but that it was not released, and that a more comprehensive report will now not be completed until 2026. Given the extensive need there is among families, could the Minister please tell us why the original report was not released and why it is taking so long to provide a further review?

[12:15]

**The Connétable of St. Peter:**

I have to say that I am not entirely certain why the 2024 report was not released, and I would need to go back to the office to establish that. I am well aware of the need for these facilities, and I will ask those to see whether the 2026 deadline can in any way be brought forward.

**4.4 Deputy K.M. Wilson of St. Clement:**

I am advised officers have already produced a range of design briefs for the redevelopment of Le Squez Youth Club for consideration by the Minister, and awaiting a decision from him. Can he confirm when the design brief will be signed off, who will sign it, when the procurement strategy for the development will be finalised, and can he also clarify whether the total budget allocated for the development remains at £7.5 million, and if consideration will be given to uplifting the financial allocation in line with inflation when the scheme is approved?

**The Connétable of St. Peter:**

The Le Squez Youth Centre is in the hands of my Assistant Minister. However, I was unaware that we had reached the stage of design briefs. My latest update is that the officers are starting a review of the original business case for Le Squez Youth Centre, and starting conversations with Jersey Property Holdings on the proposed scheme. The budget for the Le Squez Centre will be very subject to the outcome of that review. So, I would not put a figure on it at the moment as that could also be commercially sensitive.

**4.4.1 Deputy K.M. Wilson:**

In this Assembly, we have had previous undertakings that there is still a commitment to the development of Le Squez. Can the Minister confirm that this remains the case, and will he undertake to progress the scheme as soon as possible, and, in the interim, can he tell us what repair work will be undertaken before 2028, and when it will be carried out?

**The Connétable of St. Peter:**

I can absolutely say that we are committed to the redevelopment of the Le Squez Youth Centre. The town youth centre, as we have said on a number of times, has to be developed first, because it is likely that any redevelopment of the Le Squez Youth Centre would mean that it was no longer suitable for use during that period, and the children in the Le Squez area, if the youth centre in town is available, would be able to move there. So, it is important ...

**Deputy K.M. Wilson:**

My I raise a point of order please?



**The Deputy Bailiff:**

Well, wait until the end of answer. Unless do you want a ruling from the Chair now?

**Deputy K.M. Wilson:**

Yes.

**The Deputy Bailiff:**

Yes, what is the matter you want to raise, Deputy?

**Deputy K.M. Wilson:**

Sir, this is repetition. We have heard this time and time again. What I am seeking from the Minister is what is going to happen about the development of Le Squez? We all understand that it is in a sequence of events, but ...

**The Deputy Bailiff:**

But you wanted confirmation that it is still on their agenda, and he has confirmed that. What else do you want confirmation of in your question?

**Deputy K.M. Wilson:**

If there is going to be any repair work before 2028.

**The Connétable of St. Peter:**

Well, I had to get to the repair work because I was asked to confirm if it was still on our agenda. So, I believe I answered that correctly.

**The Deputy Bailiff:**

Do you want to complete your answer, Minister?

**The Connétable of St. Peter:**

Yes, there is repair work planned. If you want the details of that repair work, I am happy to get that for you. As I say, I do not have the details of the repair work with me at the moment.

**The Deputy Bailiff:**

Just so Members know, it is Deputy Warr, then Deputy Doublet, then Deputy Renouf, then Deputy Gardiner on my list.

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

In the C.A.M.H.S. (Child and Adolescent Mental Health Service) Annual Report 2024, the number of individuals open to C.A.M.H.S. at the end of 2024 was 1,949. Can the Minister indicate what the budget is allocated by his department for handling this number of individuals?

**The Connétable of St. Peter:**

Yes, you are correct in saying that there were 1,422 referrals during 2023 and 2024. I do not have the overall C.A.M.H.S. budget, so I am sorry that I cannot provide that. What I can say is that we are currently looking at whether we can put an extra £280,000 towards additional staff to help with the backlog, particularly for neurodiverse assessments. But I am happy to get that information for you.

**4.5.1 Deputy D.J. Warr:**

I appreciate that answer and I look forward to receiving that information. Just to carry on in a similar theme, in the same report the Minister states the number of staff employed was 75 at the end of 2024. Can the Minister indicate what that equates to in annual employment cost?

**The Deputy Bailiff:**

What was the question again? Repeat the end of the question, I did not hear it, sorry.

**Deputy D.J. Warr:**

Yes. In the same report, the Minister states that the number of staff employed was 75 at the end of 2024. Can the Minister indicate what that equates to in annual employment cost?

**The Deputy Bailiff:**

Well, I think that is a question that requires statistical information. It is unreasonable to expect the Minister to be able to provide without notice, unless you know the answer to that question.

**The Connétable of St. Peter:**

No, I do not. It is similar to the other one, I would have to obtain that information.

**The Deputy Bailiff:**

That is not a reasonable question to ask the Minister without notice.

**4.6 Deputy L.M.C. Doublet of St. Saviour:**

Following the recent constructive meeting that the Minister attended with myself and other stakeholders for same-sex parental rights, could he please explain to the Assembly and the public the measures that he is taking to bring the law into force sooner via the legitimacy law?

**The Connétable of St. Peter:**

I would say thank you very much for noting the very constructive meeting I had with Liberate and yourself, and I thank you for that. To bring in the legislation, I am intending to do that by Ministerial Decision, which would bring things forward by 4 weeks, if that is acceptable to the Assembly. That is the means by which I intend to bring the legislation.

**4.6.1 Deputy L.M.C. Doublet:**

I thank the Minister for his answer. In terms of the other measures that are needed to bring the law into force, the practical measures, has the Minister sought any recent updates as to whether this is all on track? If not, will he seek to do this and update the Assembly, please?

**The Connétable of St. Peter:**

Yes. As you know, in preparation for the meeting I did doublecheck where we were, although I have been kept advised during the period. We are on track for the autumn of this year, and at this point I know of no reason why we will not be able to meet that deadline.

**The Deputy Bailiff:**

That completes the first period allotted to questions without notice. The second period is for questions to The Minister for Education and Lifelong Learning.

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

**5.1 Deputy L.M.C. Doublet of St. Saviour:**

With regards to the previous question I asked the Minister, the Early Years Policy Development Board, one of the recommendations was to have qualified teachers in every nursery setting, and the intention could be that these are subsidised posts. Given the struggles that the private nurseries are facing, and I understand that the current recruitment challenges over the last few years have meant that plan is on the backburner, can the Minister reflect on this, and whether that would still be a long term goal in terms of those posts being funded perhaps in private nurseries?

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

I thank the Deputy for her question, because this is exactly the sort of discussion we need to have around early years, about how are we going to ensure we have the highest possible quality there. My initial answer is that at this moment in time, yes, that will be a challenge because we are trying to introduce an offer. We are trying to fund that. In the long term, the way that we work together with all of the providers to see what is best in terms of meeting the provision of young people is exactly what we need to do. There does seem to have been in the past, and we need a proper open discussion on this, what might be called an ideological disagreement over whether it is education or care. I personally think we need to start putting those 2 things together and look really carefully at what can be provided to be the best possible care. As the Deputy probably already knows, I think we too often have formal education for our young children, and that the most successful educational standards around the world do not formalise their education until a lot later on. Children learn play, socialisation, and that is what I think we should be aiming for in the much longer term.

#### **5.1.1 Deputy L.M.C. Doublet:**

What is the Minister doing in the short term then to ensure that that quality is being maintained and uplifted, not just in the schools' nurseries, but in the private nurseries, and that the private nurseries are supported to deliver that quality?

#### **Deputy R.J. Ward:**

One of the key elements of what we have been trying to do with early years is about providing training, access to training, access to further qualifications for all staff that are working in nurseries, and that will go hand in hand, I believe, with the provision of the 15 hours. I mentioned before about the willingness, for example, of child minders to really be involved in that, which I think is really, really good. That is the first step, to make sure the training is available, look at the right training, look at what standards we expect across our provision, but get people to buy in to that, not physically buy in to it, but step into that space around that training provision for anyone who is involved in early years. We have to have equal value. It is very interesting that the projects that we have in the primary schools, when they advertise for posts, particularly the one at d'Auvergne, it attracted some extremely well-qualified people because they wanted to work with children who have that challenge and that need. That is such a healthy thing for us going forward, that we have people who are willing to do that.

#### **5.2 Deputy I. Gardiner of St. Helier North:**

During the debate last year on the post-16 education, the Minister acknowledged the need of a fairer approach to post-16 education, and they said that he is bringing forward changes to the Education Law to reflect this fairness. Will the Minister advise what actions have been taken in the past 12 months to review and improve fairness in the funding model for post-16 education, and when he intends to bring forward amendments to the Education Law to embed this commitment given during the debate last year?

#### **Deputy R.J. Ward:**

That is a very, very wide-ranging question. Is the Deputy referring to one particular area of post-16 education? One of the things I have been doing in the last couple of months with my Assistant ...

#### **The Deputy Bailiff:**

Do you want to clarify?

#### **Deputy I. Gardiner:**

Yes. So, to clarify, it was a proposition that Minister rejected, said that he is working on bringing this funding that is not fair for post-16 education between colleges and apprenticeship, and he assured the Assembly that he is bringing this equality in the funding for the post-16.

**Deputy R.J. Ward:**

If your apprenticeship is one day a week, it is funded one-fifth of what the funding would be for 5 days a week in a post-16 provision that is States-funded. So, I think that equality already exists. In terms of the efficiency of what we do in terms of post-16 provision, one of the important things I have been doing over the last 2 months with my Assistant Minister, Deputy Alves, is meeting young people from every single school on the Island. We have one more school to visit, which is Mont à L'Abbé school, and taking their views on post-16 education. It has been a very, very eye opening experience. We will publish a report on that. It is qualitative research. It will not be full of numbers, but I think qualitative research talking to young people is important. One of the things that comes clear from that, to give a little precursor, is there is a lack of understanding in what we mean by apprenticeships and post-16 education, in that area of vocational education. It is much wider than we realised, and it is a dialogue we need to be starting, which is equally as important, because that will determine our funding model in the long term. So, that conversation is a really important one going forward.

**5.2.1 Deputy I. Gardiner:**

I would like the Minister explain his statement and what he meant in this sentence: "I want to be clear that I recognise this need to be part of why the review of post-16 funding and now we will be bringing forward changes to the Education Law to reflect this fairness." Which changes the Minister referred?

[12:30]

**Deputy R.J. Ward:**

The changes on what happens regards apprenticeships are being developed as we speak, on the best way forward. In terms of post-16 education, we have made changes to distance learning, for example, we have made changes to the grant structures, which were all post-16 education, and what they account for. We have made some changes to postgraduate qualification criteria, and also some changes to H.E. (higher education) funding itself in terms of the maintenance grants and so on. There have been significant changes coming forward in specific areas. In terms of the overall post-16, and what we do with young people from 16 to 18, that is a wider piece of work, which is ongoing, and requires us to take a look at all of our structures, which is what we are doing at the moment in terms of the way they will fit together into the future with all of the challenges we face. I would like to see a much more open post-16 provision. The key thing is about providing what young people want to do, not necessarily just where they are going to go. We do have some difficult discussions going forward when it comes to that.

**5.3 Deputy P.M. Bailhache of St. Clement:**

On 24th October last year, the States voted to request the Minister to conduct a survey of the views of parents of preschool children as to the desirability of establishing bilingual English French primary schools, and their willingness to send their children to such a school. Will the Minister say whether such a survey has now been conducted and, if so, what the outcome was?

**Deputy R.J. Ward:**

No, the survey has not been conducted yet, but we are working on the best way to do that. I mentioned in a previous question that we are working on conducting that survey linked to the N.E.F. (Nursery Education Fund) applications this year because it seems to be a very logical way to do it. We have a number of families with young people who, if there is any change to bilingual schools into the future, it would affect them, and we are looking to redesign the application to give us access to their views so that they can fill out a survey, so it is the right people at the right time. I will keep the Deputy informed, and I will go away from today and see if I can find him a date for this, because I have also been pushing this to happen. I do want the survey to happen because I would like to know what the

views are of these young people as well. I cannot give him a date at the moment, but I know that work is ongoing.

#### **5.3.1 Deputy P.M. Bailhache:**

I am grateful for the Minister's offer to keep me informed. But nearly 8 months have gone by since the States resolved that this survey should be undertaken. Can the States really have confidence that the Minister will ever do it?

#### **Deputy R.J. Ward:**

The only confidence I can give you is the very fact that we are working on the most efficient way to do this. I have been busy with a number of other things at the same time obviously. But, yes, we will conduct this survey. If we can work this out with those applying for the N.E.F., it will be a very quick, effective way to do it, and it will also mean that in the future we may have a system for surveying on other areas of our provision. For example, the survey that has gone out on nursery provision in 2 to 3 years has over 2,500 replies, and we are very pleased that we have managed to get to so many people with such a small team. I apologise to the Deputy for not prioritising it as much as he wanted me to, but I will do my best to make sure that happens.

#### **5.4 Deputy K.M. Wilson of St. Clement:**

Could the Minister confirm if he has undertaken any assessment of what the total estimated costs will be of all known condition issues across the school estate, particularly those by Government. Has there been an assessment made and, if so, is he able to say how this compares with the capital funding that is currently available to the department? So, I am looking for the gaps.

#### **Deputy R.J. Ward:**

Standing here today, that amount of data I simply do not have. Where the gaps are across the estate, yes, of course, that is what we are looking at all the time. There are wider things to discuss here as well. For example, we are currently spending an awful amount of money on repairs in old schools that really do need to be replaced. If we can get them replaced, that will cut down some of the need for trying to mitigate the circumstances, schools like Springfield and St Luke's, for example. La Passerelle, we will have that built in October and that will cut down some of those needs. I am sure the data exists, I am sure the gaps exist, and I am sure we are real about them. What tends to happen is, it is about the timing of them. We have recently done a lot of work with Highlands College, for example, and planning out their work schedules, and that has been a very positive piece of work. I give credit to Jersey Property Holdings and the Minister for Infrastructure, as much as it pains me - I do not mean that - to do so, but there has been some really constructive dialogue to say what needs to be done, where are our priorities, and then to get that done. I will mention as well, that I do believe, and I look across to Deputy Ferey, the work on Le Squez Youth Club will be starting this summer. I knew this, and I thought I might get a question on it, but, anyway, there you go.

#### **5.4.1 Deputy K.M. Wilson:**

I think in some way the Minister may have answered some of the question, even though he has not got the actual detail, but if he does not have the data at his fingertips might he miss the opportunity to be able to quantify just how much money is needed to refurbish the school estate, and how does he intend to position that in the context of the bids for capital, particularly around Fort Regent and the hospital project?

#### **Deputy R.J. Ward:**

We are in a good position of having a number of relatively newly built secondary schools, for example. We know the need for a new primary school in the centre of St. Helier, which will replace that estate, which is needed. The ongoing costs of repair obviously increase with age, but it is certainly something that we are aware of. In terms of the conflicts between, and it is that I suppose,

the costs, whether we want to spend on Fort Regent or our infrastructure, I think that what we are trying to do is have a genuine look at what we need for infrastructure on this Island. I do believe there is a belief across the Assembly that education is an investment that we need to make for the longer term, and that investment will be made. For example, for our post-16 provision, we need to look very seriously at what we can do for Highlands College in terms of anything new, rather than just refurbishing it. I certainly will be doing everything I can to try and promote that, because that is a really important part for training longer term for our young people, and indeed older people, if we are going to genuinely train people lifelong on this Island.

**The Deputy Bailiff:**

I think there is time for a question from you, Deputy Renouf. There is only 30 seconds left. Very quick question.

**5.5 Deputy J. Renouf of St. Brelade:**

It was regarding educational psychology provision, whether the department is still on track to have 5 permanent educational technologists in place by September.

**Deputy R.J. Ward:**

I think so, yes. There was an action plan being put in place in the next few weeks, which I hope will address exactly that situation. I am aware of the problems that have arisen there. I would not talk about individual circumstances, but there is definitely ongoing work to ensure that can happen.

**The Deputy Bailiff:**

Thank you, both. That completes that period of questions. I will move on to questions for the Chief Minister

**6. Questions to Ministers without notice - The Chief Minister**

**6.1 Deputy S.M. Ahier of St. Helier North:**

After the publication of R.97, *The 2024 Annual Reports and Accounts of the States-Owned Entities*, does the Chief Minister approve of large bonuses being paid to C.E.O.s and C.F.O.s (chief financial officers) of those companies, and does he believe that they are justified?

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

It would depend on the circumstances. I have no problems with executives of arm's length organisations being properly rewarded with bonuses when it is justified. So, rather than comment, if I could leave my answer there. If it is not justified, I do not think a bonus should be paid. If it is, I have no problem with it.

**6.1.1 Deputy S.M. Ahier:**

The total amount of bonuses paid to those chief officers during 2024 was £960,000, just shy of £1 million. Does the Chief Minister acknowledge that the majority of Islanders will not believe this is appropriate considering the very average performance of some of those S.O.E.s (States-owned entities)?

**Deputy L.J. Farnham:**

Yes, I would need to look at the individual cases. But I do share the Deputy's concern about the level of bonuses. They should be set at a fair and appropriate level, and I think in some circumstances that has been exceeded.

**6.2 Connétable K.C. Lewis of St. Saviour:**

As the Chief Minister is no doubt aware, for some time now in Jersey, the price of food has been absolutely skyrocketing. Is the Chief Minister aware that the budget supermarket, Iceland, has all

but disappeared, all but 2 Iceland stores remain, the rest being converted to Morrisons. Is the Chief Minister concerned that many people on a budget, including seniors, are struggling at the moment to fill their breadbasket, and will he agree with his Ministers to monitor the situation?

**Deputy L.J. Farnham:**

Yes, I would like to see much more aggressive competition in the food retail market. We probably have too much square footage of food retail space spread among too many destinations in the interests of convenience. Near to my house, I have got a choice of 5 shops within a 3 or 4-minute drive. I do not know if there is an easy fix for that, but Jersey would be far better served by fewer larger supermarkets that could offer better prices with better productivity and better efficiency. It has been a challenge we have been facing for a long time. I had hoped that the introduction of Morrisons, a well-known major multiple brand for the U.K., would help drive more competition. It has not worked out that way as yet, but we are monitoring the situation.

#### **6.2.1 The Connétable of St. Saviour:**

I thank the Chief Minister for that response. It is the cost of transporting goods even between supermarkets - now that Morrisons has been mentioned - there is sometimes a 30p addition on, say, a tin of beans. The cost of transport from the U.K., with current events happening in Middle East, is likely to increase even further. Has the Chief Minister taken that into account?

**Deputy L.J. Farnham:**

Yes. I refer to my previous answer. I know the industry fairly well, from a former life, and there are significantly higher margins being made across certain sectors in the U.K. simply down to volume. When you have more volume, you can work on reduced margins. So, I refer the Connétable to my previous answer, that if we perhaps had fewer sites, at the expense of perhaps convenience, but operating larger premises, we could see more productivity, and we could see lower prices coming through. But I am afraid that is rather difficult for the Government to manage because, of course, we are dealing with a group of private businesses who have set out their store. I am not sure. I do not have the answer, other than we need to keep encouraging more competition. As I said, we have some major U.K. multiples working here now, and I do not always see a clear explanation for why there is such a big price differential between here and the U.K., and that is something I will be urging the Competition Authority to address.

#### **The Deputy Bailiff:**

Just so Members know, the following members are to ask questions in the following order, the order in which their lights went on, Deputy Ozouf, Deputy Gardiner, Deputy Jeune, Deputy Warr, Deputy Renouf. Deputy Doublet.

#### **6.3 Deputy P.F.C. Ozouf of St. Saviour:**

I am delighted to follow my Connétable. The Chief Minister entered the States as a Deputy of St. Saviour, with me in St. Helier. He knows that I have read *The Economist* since I was 16. I probably read some with him. There was an article on 20th March that said: "Leaders: Rent, killed." Subline: "If you cannot find a place, blame the Government." It said: "Foolish crusade against landlords have made housing shortages worse." Is he going to help the people of St. Saviour, who the Connétable and I, and the other Deputies, have to listen to their terrible cries of rental increases, social market housing has been sold off, and basically not being able to sell their properties, if they have got divorced or otherwise, with negative equity? Is he going to listen to the people of St. Saviour, who he once represented, because there is a crisis, and we have got socialist Government at work, and can he stand by it, and what is he going to do about it?

**Deputy L.J. Farnham:**

I think that was about 9 questions there, but I will do my very best. No, we do not have a socialist Government, we have balanced Government and it is representative of this Assembly. I listen, and this Government listens to all Islanders. We are aware of the cost-of-living challenges, not least in the last 18 months, given the geopolitical challenges. As Members know, a lot of this is outside of our control, which is why the Government has made it a top priority to do whatever it can to help bear down on the cost of living. If there is another question, I would like to be reminded of it.

[12:45]

**The Deputy Bailiff:**

You were asked what you were going to do about ...

**Deputy M. Tadier of St. Brelade:**

Can I raise Standing Order 44, please? It says about the midday adjournment. If business of the States ... it just says that you are asked to ask the Assembly at 12.45, Sir, about the adjournment.

**The Deputy Bailiff:**

Yes, absolutely. The word is “shall”. Do Members wish to adjourn now? Members content to adjourn now?

**Deputy M. Tadier:**

Could we maybe allow that last supplementary and then perhaps adjourn?

**The Deputy Bailiff:**

You are full of good ideas there, are you not, Deputy Tadier? Yes, final supplementary from you before we adjourn.

**6.3.1 Deputy P.F.C. Ozouf:**

I am happy to adjourn with the Chief Minister and have a discussion with him. He has invited me about the fuel farm, and I am very happy to discuss that, because there is able contributions that can be made by all Members of this Assembly, and he needs to understand the issues. I would invite him to come to St. Saviour and talk to some of the real people.

**The Deputy Bailiff:**

You must ask a question.

**Deputy P.F.C. Ozouf:**

Will he come and listen to the real problems of housing that we have got in St. Saviour? Listen to real voters. Would he come on a trip with me and the Connétable and the other Deputies?

**Deputy L.J. Farnham:**

I will happily come to visit Parish Hall again with the Connétable and the Deputies, within any Parish, and listen to concerns. But as I say, I would like to reiterate that the Government is aware of the challenges. I am not sure we are in total crisis as an Island, although I do realise hardship impacts upon some more than others, and those are the people we are committed and dutybound to help.

**LUNCHEON ADJOURNMENT PROPOSED**

**The Deputy Bailiff:**

Are Members content to adjourn now? The Assembly is adjourned until 2.15.

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



Can I just remind Members to meet me in the ... I have reserved a room for the display, I emailed about.

**The Deputy Bailiff:**

Yes, of course. Thank you very much for reminding us.

[12:47]

## **LUNCHEON ADJOURNMENT**

[14:16]

**The Deputy Bailiff:**

We resume the questions without notice to the Chief Minister, and the next question is from Deputy Gardiner.

### **6.4 Deputy I. Gardiner of St. Helier North:**

The Chief Minister, in his proposition for £3.6 million acquisition of the Seaside Café at Gréve de Lecq stated that its investment aims to utilise the land, environmental, cultural and social benefit of the public; preserve historic and cultural significance of the bay; and support ongoing public access to sea swimming and beach use in the west of the Island. Will the Chief Minister set out his vision for similar sea swimming opportunities for residents of St Helier, and compare and contrast these 2 sites, and it would give the same attention to the Victoria Marine Lake?

**Deputy L.J. Farnham:**

We know that following the acquisition of Gréve de Lecq, the land was passed over to the National Trust, who have got great plans for that. I support any such similar projects around the Island. The Marine Lake is an interesting one at West Park. I remember when it was refurbished some 25 years ago, if I get it right, former Senator Pierre Horsfall led on that. In an ideal world, I would like to see a refurbishment there, but I am not sure of the practicalities of it now, I am not sure of the demand for usage there. I would like to support it, but I am not fully aware of what is planned. It is slightly different to the Gréve de Lecq situation. While the principle is the same, if Members remember, there were plans for a large residence on the site at Gréve de Lecq, and potential loss of use of the car park and much of the facility. It is a slightly different situation at West Park. I am still slightly concerned about the green ... I am looking at the Minister for Infrastructure to make sure ... the green weed that is starting to appear in that area again, and that is perhaps slightly more pressing. But I would like to be supportive of such project projects. I have heard the Minister for Infrastructure's views and I will wait to see what happens. I am sorry I cannot be more helpful than that.

#### **6.4.1 Deputy I. Gardiner:**

As he remarked of the green at 3 months and 9 months, would the Chief Minister expand why the cultural environment and well-being benefits of the Gréve de Lecq are higher than the Victoria Marine Lake swimming ... it is the only sea swimming for St. Helier residents that we have for the west part of St. Helier.

**Deputy L.J. Farnham:**

I am not sure I see any preference for Islanders wherever they go, but the Gréve de Lecq situation, I see it as a completely different situation to the refurbishment of the Marine Lake at West Park. We are talking about refurbishing a certain piece of infrastructure there, not access to the shoreline. It is different. I do not think you can compare like for like, although the principle of providing a safe, useful shorelines is. As I say, this is about a piece of infrastructure that needs to be repaired, and while in an ideal world I would like to see a flourishing marine lake there, whenever we have tried that in the past, there has not been the public engagement, and it has never been used. But not in

credit to the Assembly, therefore, we have never really maintained it or kept the maintenance up. Like I say, I would prefer to see a really good solution to the Lido. We can look to Guernsey to what they have done there and perhaps investment in the first instance might be better directed at the bathing pool in that area. But it is a matter yet to be concluded.

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

Could the Chief Minister outline his position on how Jersey should respond if an international partner, whether a government or financial institution, undermines the international rules-based system or breaches international law?

**Deputy L.J. Farnham:**

Sorry, Sir, could she just repeat the last sentence?

**The Deputy Bailiff:**

Yes. Can you repeat the last part of your question, Deputy Jeune?

**Deputy H.L. Jeune:**

How should Jersey respond if an international partner, whether a government or financial institution, undermines the international rules-based system or breaches international law?

**Deputy L.J. Farnham:**

I think it is difficult to answer that question without more context. If we are talking about international partners, are we talking about financial service companies, are we talking about countries in breach of law, are we talking about ... perhaps the Deputy could just provide a little more context.

**Deputy H.L. Jeune:**

Yes, of course. I was just wanting to understand where the Chief Minister lies when partners, mainly governments that Jersey works with, if those partners undermine and breaches international law, how will Jersey respond? Does the Chief Minister have a position on this?

**Deputy L.J. Farnham:**

Well, our key partner, of course, is the United Kingdom Government, who we work very closely with. They are responsible for foreign affairs and our defence, and we are usually aligned with them. For example, sanctions tend to be automatic and we follow where the United Kingdom Government does that. It has not been our policy, and I do not propose it is at this stage, without further discussions with the Minister for External Relations and Council of Ministers to break from that which we have followed for many years.

**6.5.1 Deputy H.L. Jeune:**

The Minister asked for an example. So, does the Chief Minister believe the U.K.'s current approach to the conflict in Gaza, including its arms exports to Israel and diplomatic positioning, aligns with this international rules-based order or breaches international law?

**Deputy L.J. Farnham:**

I am not sure. I am not qualified to say whether it breaches international law. I have said before, I am absolutely appalled at the humanitarian situation that is unfolding in Gaza. I am very uncomfortable with the response to that from most western governments. We voiced our opinion, we share our opinion with Westminster through External Relations. I remember back, I think it was in 2004 when the States passed a proposition in relation to the Iraq war. We have not reached that stage yet with what is happening in Gaza, but we are continuing to follow the U.K.'s position there. But I would reiterate personally, as Chief Minister of Jersey, I am uncomfortable with the way the

west has responded. I am appalled at the situation in Gaza, and I would do anything this small island can do to assist.

**The Deputy Bailiff:**

Thank you, Chief Minister. That brings your 15 minutes to an end. The time, of course, began before the adjournment. There are no matters under J or K.

**PUBLIC BUSINESS**

**7. Draft Elections (Electoral Registers) (Jersey) Amendment Law (P.**

**The Deputy Bailiff:**

That brings us on to Public Business. The first item is the Draft Elections (Electoral Registers) (Jersey) Amendment Law, lodged by the chair of the Privileges and Procedures Committee. The draft law was previously referred back to the committee, and in the circumstances the debate in effect begins again. I ask the Greffier to read the citation.

**The Greffier of the States:**

Draft Elections (Electoral Registers) (Jersey) Amendment Law 2000. A law to amend the Elections (Jersey) Law 2002 in relation to electoral registers and for connected purposes. The States, subject to the sanction of His Most Excellent Majesty in Council have adopted the following law.

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

The changes proposed today by P.P.C. (Privileges and Procedures Committee) will create an automatic voter registration system, replacing the current paper-based process with a database created from the People Directory. Instead of the public having to complete an annual statement to confirm the names of those who are eligible to be on the electoral register, people will be included automatically on the register if they are over 16 and meet the relevant residency criteria. The database comes from interactions with Revenue Jersey in relation to social security matters. The register of names and addresses, and information held by C.Y.P.E.S. (Children, Young People, Education and Skills) for those still in full-time education aged over 16. P.P.C. believes that this system will be more accurate than the existing system, which accepts people's statements on trust and is not verified by the Parishes. This system will also better reflect the position closer to the election date rather than using data gathered over 6 months earlier. The proposed system will allow for a more recent sweep of the data, taking account of changes such as people leaving the Island or passing away. The reasons for making these changes are to make it easier for people to vote automatically, including anyone who is entitled on the base electoral register; increase a democracy of our electoral process by removing barriers to voting. The main changes within the legislation are the removal of the individual's duty to make a declaration of entitlement; removal of general public access to the register. Under the current system, people can go to their Parish Halls to check the electoral register or inspect copies in the library or at the Judicial Greffier. As the electorate will not be able to opt out of the system, P.P.C. feels this is only right that the general public's access to the register is removed. This will ensure that people cannot access the register for improper means. At present it is really a stalker's charter. In the new system, the register will only be available to electoral administrators, and the Judicial Greffier, with a copy provided to the archive on an annual basis as a historic record. Following feedback when this matter was debated in May, and concerns expressed about candidate safety, P.P.C. have brought forward an amendment to the draft legislation, which allows for anyone who has been formally declared a candidate in an election to apply to their electoral administrator for a special list of names and addresses of those living in their constituency. The candidates list will allow them to select which houses they wish to visit and which to avoid, especially if the residents are people they know to be unsupportive or particularly confrontational. P.P.C. recognises that there is an inherent risk associated with door knocking, and while this amendment will provide some

comfort to candidates, as an additional measure we will be asking the Jersey Electoral Authority to provide detailed safeguarding guidance for all those heading out on the campaign trail. The existing system allows Islanders to apply for their name to be omitted from the register if they are concerned that there is a risk or threat of personal harm to themselves or someone who resides with them if their name and address details were to be made public. The new system will offer the public the ability to opt out of inclusion in the candidates list, but they will remain on the register and be able to vote. P.P.C. feels this amendment provides a practical workaround, which does not make standing for election harder or less safe for candidates, while equally providing protection for the public and their personal data. The new register will include people who may have previously made a conscious decision not to make a return, either because they had no interest in voting or did not wish to be included on the list for jury duty. It is estimated that only 60 per cent of statement forms are returned to Parishes. By increasing the accuracy of the register, we expect that there will be an increase in the total number of people included, and this change will therefore also benefit the judicial system, and there has been a significant rise in the last couple of years in cases of requiring juries. The scope of the A.V.R. (automatic voter registration) project was recently extended to include the tirage jury selection process as it was identified that the new database would not work with the existing tirage system, which is nearing an end of its usable life, and is no longer supported by digital services. We are assured that it is not complex to ensure the systems work together, and it will allow for the relevant data to be extracted to provide a list for jury selection. Islanders will be able to check online to confirm that they are on the register using a special self-verification app, which is under development.

[14:30]

If they are not registered, they can approach their Parish and be added if they can prove that they have lived in Jersey long enough. The electoral administrator, the Parish secretaries, will still have power to add or remove a person from the register. We do not expect that many people will need to be added in this way and vote.je will run campaigns explaining the new system to everyone from the new year. The system will also be able to identify future voters, those who will be turning 16 on election day, or who will have met the residency criteria on the date. Again, communication is key, and vote.je will target messaging to those who have moved to the Island in the last 2 years, reminding them of the need to check if they are included, where appropriate, on the register. A supplementary register will be available up to 7 working days before the election, and this will accommodate anyone who moves home in that period. A person who appears at the polling station on the day of the election but is not on the register, will be able to be added to the register by the electoral administrator if they have their supporting documentation. The electoral administrators in each Parish will retain overall responsibility for the register. Although there is a risk that a more inclusive electoral register will see fewer people voting percentage-wise, P.P.C. is hopeful that the opposite will happen. We believe that those who might have been unsure they were eligible to take part will be encouraged that we value their voice and they will be inspired to participate and vote. Through vote.je the Greffe will run a dedicated communications campaign explaining the changes, highlighting that people may now be eligible who previously may not have thought they could participate, and everyone will be encouraged to exercise their democratic right and use their vote. I urge Members to support the principles.

### **The Deputy Bailiff:**

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

### **7.1.1 Deputy H.M. Miles of St. Brelade:**

While I understand the reasons for the introduction of this measure and the benefits to Government, I am still concerned about the automatic inclusion of people's names onto the electoral register. I will repeat what I said at the last sitting. If a person does not want to be included in the electoral

register, they have no means to get off it and this is what concerns me. It clearly states in the report, the electorate will not be able to opt out of the system, and the chair of P.P.C. has just confirmed that. I have been to the briefings, and this still has not been satisfactorily addressed to me. In this case, automatic means compulsory, and I would prefer to see a mechanism whereby a citizen can remove his or her name from the electoral register. I can see how it might be removed from any version that is provided to candidates, but there does not seem to be a mechanism to be removed completely, if that is your wish. I have read the human rights notes accompanying the law, and they state that Article 8 E.C.H.R. (European Convention on Human Rights) rights are not impacted, partly because the register is not open to inspection by the public or by candidates. It says the draft law would, among other things, allow the transmission of personal data from a variety of States sources to the Chief Minister and to the electoral administrator. The data would not be publicly available, as the electoral registers would not be open to inspection by members of the public or by candidates. To that extent, if any, that this arrangement could amount to an interference with the person's Article 8 rights, it could be justified as a proportionate measure in pursuit of the legitimate aim of increasing voter registration with a view to increasing voter turnout and general engagement. That is no longer the case, because candidates will be able to see the electoral register, and possibly their supporters, unless a person gives written notice that they want to be removed from the special register. But this just gets them off the special register, not off the actual base register. I totally understand that Article 3 of E.C.H.R. recognises the importance of fair and accessible elections as part of rights related to political participation. But while full automation might reduce barriers, individuals should generally have clarity and control over what they are being signed up to. In the U.K., I understand that an individual has to register to vote themselves. There is a permanent electoral registration system, which uses existing government data to facilitate voter registration, but this is still voluntary, and while the P.E.R. (permanent electoral registration) system streamlines the process, illegible voters still need to ensure that their details are correct. The Government encourages participation using this system, but it does not mandate it. I cannot think of any other register where you can be registered by the state without your express consent and the opportunity to opt out of registration. Are we adding people to a register without informed consent and thereby invading their privacy? In this case, any person who is considered to be registerable will be added, whether they consent or not. As I have mentioned, Article 8 protects the right to respect for private and family life, home and correspondence. The key points, it safeguards personal privacy and family life. Any interference by the state must be lawful, necessary and proportionate. If this law is passed today without an opt-out, of course it will be lawful, but I am not sure it is necessary or proportionate. There has not been any public consultation on this, and I am very concerned about the issue of informed consent. The other issue that I wanted to raise again, that I do not think has been addressed thus far, other than for the chair of P.P.C. to clarify that people on jury service will be selected using the automatic voter registration system, is that people, we know already, have said they do not wish to be registered because they do not wish to take part in jury service. I know all the arguments about being a member of the jury, as a civic duty, as is the requirement to vote. But as I have said before, the 2018 law has very limited number of exemptions. I would like perhaps if the chair of PPC to address this issue. I would really like to know whether an updated human rights assessment was taken when the amendment was proposed to include the permission for candidates to view? I just would like to say, I know I am in the minority here, but I wanted to ensure that my concerns are recorded for posterity.

### **7.1.2 Deputy M.R. Scott of St. Brelade:**

I am going to echo Deputy Helen Miles in respect though with a slightly different emphasis. Mine is in the case of the treatment of personal data. We, as an Assembly, as a Government, invest a lot in terms of data protection. I have had some concerns about the nature of the advice that might well be given in some areas in this respect, and the extent to which any dialogue has taken place with people like the data commissioner, just to have a little bit more clarity about whether what we are doing is really, again, compatible with modern standards of personal data treatment. I will likewise

be grateful if the chair of the P.P.C. will advise the Assembly on any advice taken on that, and received.

### **7.1.3 Deputy M. Tadier of St. Brelade:**

I would like to start by thanking the chair of P.P.C. and her committee for taking this away and working on it and improving it. I think that is what has happened. I know that sometimes it is not easy to come into a debate and then get faced with a barrage of criticism when the vast majority of what you have been presenting and working on is absolutely correct and it is in the right direction. What we have got back is a bigger improvement and I am certainly happy with it. I would like to respond to the 2 comments that have been made, the 2 interventions from previous speakers. I think what this boils down to is that you either believe in automatic voter registration or you do not. You cannot have it both ways. There will be inherent tension between those liberties on the one hand that Members are perhaps trying to fight for and having a system whereby everyone is registered. If you are automatically on a register, you are on the register. The safeguard that has been put in place is that if you do not want certain people to see it, i.e. the candidates, you get your name removed and put on a back register, which means you can still vote when you turn up to vote at the Parish Hall, at the community centre. The people who need to know will know that you are registered, and the people who do not need to know, in this case it is the candidates, they will not know, and similarly you will not have to get a knock on the door necessarily from them. What it does mean though, is that when any candidate is out electioneering, putting their manifesto forward, putting their ideas forward, when we or they get anyone coming to them, saying: "I am not registered to vote." We already know that happens, and you say to them: "No, you are registered to vote." And they say: "I did not register." And you say: "You are, so do not worry about it." In fact, that kind of possibility will no longer be the case. Everyone will know that they are registered to vote, candidates will no longer have to go around and perhaps consider whether they need to do a voter registration campaign before election comes up. The Parish Hall will not have to do that because everyone will automatically be registered to vote. There are other registers, it is just we will not necessarily call them registers. Government does hold lists of people who live in the Island for different purposes. It is just a question of legitimate access to those lists for legitimate use. That is what we are talking about. I think the questions that have been raised are probably best put to the Solicitor General in this case. If any Member does have questions about whether the human rights statement that has been issued alongside this proposition here is valid or not, then that can presumably also be answered by the Solicitor General. But for my part, I am quite comfortable with that. As somebody who does take an interest in human rights and in personal privacy, I think that this proposition strikes the right balance. It does mean, of course, that there might be a shock in the initial elections when we have 100 per cent of people, at least in theory, registered to vote. Not everyone is going to use that right to vote so we may see statistics going down, but it does mean that at least more and more people will have the opportunity to come out and vote. I think this is a positive. So bearing in mind that this is very much the in-principle that we are passing initially here before we go on to the Second and Third Readings, I, for one, am very happy to support this proposition. I think it is a much improved one, as I said at the beginning. A much improved one. If there are particular technicalities to discuss, let us do that when we come to the different Articles.

### **7.1.4 Deputy P.F.C. Ozouf of St. Saviour:**

I wonder whether or not the chairman may be assisted by the Solicitor General's observations on Article 8 of the Human Rights Law. I, like Deputy Tadier - I do not want to repeat what he said - but I think the chair of P.P.C., if I may say, has a very difficult job to do. She has listened and her committee has listened and they have brought forward what is a reasonable adjustment. I do not understand quite why, if an individual is completely hidden from view, then why there is a problem. A candidate cannot see it. Maybe the president, kindly in her summing up, may say whether or not you can opt out from receiving information from the excellent work that the Greffier does with

vote.je. Maybe a candidate can just be informed if they will get that information from vote.je. But that will still be private. It will be addressed to the individual, even if that does exist. I just wonder whether or not Deputy Tadier is not right in saying that this is a proportionate and proper use and the P.P.C. has made necessary arrangements. The complete prohibition was undoubtedly uncomfortable for some Members. We do have dreadful voter turnouts and that is what I think the committee is trying to do and the president is trying to improve our voter turnout. But, nevertheless, the privacy issues are hidden from view. Is this just about basically being selected for a jury? Is that what the issue is? But I support entirely what P.P.C. is doing. It seems proportionate. I am sure the Solicitor General can give us comfort.

**The Deputy Bailiff:**

Do you have a question for the S.G. (Solicitor General)?

**Deputy P.F.C. Ozouf:**

Is it in contravention? The question has been asked and casting doubt on what the committee said in terms of a human rights statement. If the Solicitor General may just say what is already written. I have read it, it says it is compatible. The P.P.C. has been given advice that it is compatible, and maybe he could address the Assembly and say that he is satisfied, because then it must be.

**The Deputy Bailiff:**

Yes, question for the Solicitor General.

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

I am satisfied that it does not amount to a breach of Article 8 of the Convention. The tenor of the advice that was given, and which appears in page 5 of the report to the original proposition, was very much predicated on the primary basis that the electoral register, as proposed, does not amount to an infringement of the right to respect the private and family life, home and correspondence. Then it goes on to say, somewhat in the alternative, but even if it could be suggested that it did, proportionality or disproportionality is not engaged. I hold very much to the primary thrust of that advice, which is that there is no breach to begin with of the right to respect the private and family life. Why? Because the electoral register will be private insofar as it is disseminated in its detail to a limited class of persons, that is to say election candidates. Individuals have the right under law to opt out of that process. So that is my view, and it is fairly firmly my view.

[14:45]

Of course, one bears in mind that it might be said that having an electoral register that works in the way that is proposed serves to promote the Article 1 Protocol 3 right of promoting free and fair elections: "The contracting parties undertake to hold free elections at reasonable intervals by secret ballot under conditions which will ensure the free expression of the opinion of the people in the choice of their legislature." It might be said that the easier it is, as it were, to be able to vote because you are on the register, the more the free expression of the opinion of the people of the choice of their legislature is promoted. So that is my view.

**Deputy M. Tadier:**

May I ask a question?

**The Deputy Bailiff:**

Yes, you may.

**Deputy M. Tadier:**

It is a separate question, but it has arisen from something that has already been said by other speakers. Could the Solicitor General confirm whether or not jury service is obligatory for everybody who is

on the electoral roll if they get called? So anyone who is on the electoral roll has the potential to be called for electoral service if they are not disbarred for a different reason.

**The Solicitor General:**

Subject to any disbarment, anyone who is on the register is liable to be called for jury service. Whether they, in fact, undertake jury service ultimately will be a matter for the court when they attend for any trial.

**Deputy P.F.C. Ozouf:**

Can I thank the Solicitor General for his answers, comprehensive answers? I am certainly satisfied and thank the President.

**Deputy M.R. Scott:**

Just to direct, as has been suggested, my question regarding data protection law compliance of these arrangements.

**The Solicitor General:**

The arrangements, if they are adopted, will be compliant with the Data Protection Law. What I understand is proposed, and this accords entirely with advice, public advice, which the Information Commissioner already gives to candidates for election, is that they will become data controllers of any electoral register with names and addresses on it. They must register as candidates with the Information Commissioner and they are then bound in the way they use that information by the terms of the Data Protection Law and the data protection principles. So, first of all, it is not inconsistent with the Data Protection Law and the way it is proposed to operate will bring all those who have access to that data within the purview of that law and an obligation to abide by it.

**Deputy M.R. Scott:**

So, are all aspects of consent therefore covered, please?

**The Solicitor General:**

Yes, there is a very helpful Data Protection Guidance for Candidates for Election, which is publicly available from the Information Commissioner, which sets it out in the sort of terms that even I can understand. I think the practical advice I would give is practical, which is that if candidates are in any doubt next year about what their obligations under the Data Protection Law are, the ideal thing to do would be to seek guidance from the Information Commissioner's office. I am sure they would be willing to give it.

**Deputy M.R. Scott:**

Sorry, I was not clear. I meant about the consent to get on the register.

**The Solicitor General:**

Yes, I do not see that that raises data protection issues at all. It is how that data is then used by the data controller and any data processor, which will raise data protection issues. But the mere fact of saying, by law, you will be on the register and that is that, does not engage the Data Protection Law and it does not contravene it.

**7.1.5 Deputy J. Renouf of St. Brelade:**

Quite a few points have been covered by the Solicitor General in his interventions. I am very grateful. This is a rare example where I disagree with my fellow St. Brelade Deputy, Deputy Miles, because I do think that this is a very welcome modernisation. It does seem to me archaic in this day and age that we might still have to register voters and to do voter registration drives and so on. So the ability to have a much more responsive and up-to-date register, which can respond right up to the point of



election day, feels very, very useful. My own take regarding there being no means to opt out from the register is, quite apart from the legal issue that it does not matter, because the substantive underlying concern does not cause a real harm. I think it is part of the social contract, really, that you join a society, you would expect to be a part of the electoral register. The public will not get to see the register. Candidates will also not be able to see the electoral register, but they will be able to see, assuming we pass an amendment of course, the candidate's list, which people will be able to opt out from, so privacy is safeguarded in that regard. It is the exposure to candidates that is to do with personal privacy, and that privacy is safeguarded by the amendment, or will be safeguarded by the amendment. So I think it is proportionate and necessary, and I also agree with the idea that jury service should be compulsory, and you should not be able to opt out just because you fancy not doing jury service. Again, it feels to me to be something where there is a social contract and a reasonable expectation on citizens that they should partake in those things. So I support the principles of this, in particular in the light of the amendments that have been brought.

#### **7.1.6 Connétable M.K. Jackson of St. Brelade:**

First of all, I must apologise to Members or remark to Members that the Comité des Connétables have submitted lots of amendments, comments, and amendments to amendments, with a view to getting this right. I think we have all understood that last-minute changes are never good, but I am grateful for the input from the Greffe and the Comité Secretary, who have got much experience on these things and have picked up all sorts of glitches along the way which we have tried to resolve in our amendments. I think in reference to Deputy Miles, we have the amendment to the amendment, which basically says the second amendment to P.27 presented by P.P.C. provides: "The candidates standing for election should have access to the electoral registers of the constituency in which they are standing as the names and addresses held by Government will be used to compile the electoral registers, P.P.C. have also provided an opt-out arrangement. This means that an elector who does not wish their name and address to be supplied will not be on the copy of the electoral register provided to candidates." The automatic voter registration project is expected to add more persons to the registers. These are persons who currently choose not to register to vote. The reasons may be various, but could include those who have no intention of ever voting or do not wish their names or addresses to be in the public register, and this may include those who work in the police or prison service, among others. Also, some who choose not to register as they believe they will avoid jury service, as has been mentioned. The law also affects children and young people, such as those aged 16 years and over who are eligible as electors. We have a task force to reduce violence against women and girls, and issues of domestic violence are also a concern in Jersey. Any of those persons may also choose not to have their names and addresses disclosed to candidates. So, as explained in the Comité's report with the amendment 2 to the second amendment, with regard to the Data Protection 2018 Law, it would suggest an opt-in to the candidates list rather than the opt-out might be preferable, and I would like to think that answers Deputy Miles's point. Electors who opt out from the candidates list are likely to expect this to remain in place until they change their decision, rather than automatically that it be revoked on moving from one Parish to another, and we try to overcome that one too. The Comité's amendment simply provides for the opt-out to remain with the elector until the person revokes the opt-out. The financial and staffing implications will depend on the States decision as to the process and the solution developed in support of the process. So, I do believe, in reference again to the opt-out process, if Members wish to look on amendment 2 at 12(c), that does clarify a lot of the points made.

#### **7.1.7 Connétable K.C. Lewis of St. Saviour:**

In P.28, there are several references to Deputies and Constables. As we have a large number of people positioning themselves now for the elections, could the chair of P.P.C. state that she is completely satisfied that all the legislation will be in place for the reintroduction of Senators in 2026, or are we having another 4 years of Deputies and Constables only?

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

I would like to thank the P.P.C. very much for all their hard work and then having to go through the legislation again when it was called back in. My concerns are that I think we may get a reduced voter turnout at the next election if everybody is placed on the ... it could go the other way, but I just want to highlight that. I do think I would like to have an opt-out so that, if you can be put on to the register up to the last minute of the election, I think also you should be able to ask if your name could be taken off. But those are my comments.

#### **The Deputy Bailiff:**

Deputy Miles, do you have a point of clarification?

#### **Deputy H.M. Miles:**

I had a point of clarification for the Connétable of St. Brelade, but I think if he is prepared to ...

#### **The Deputy Bailiff:**

I think you may have missed the boat because he has finished speaking. That may be my fault for not seeing your light. I do apologise for that.

#### **7.1.9 Deputy S.Y. Mézec of St. Helier South:**

I was provoked to put my light on because of the comments from Deputy Howell about this leading to a lower voter turnout to explain why that is not the case. It may well lead to what will, from some angles, look like a lower turnout, but in reality it will not be a lower turnout. That arises from the fact that, until now, when voter turnout statistics have been officially reported in Jersey, they have been done on the basis of registered voters and not eligible voters. I have resisted that at every opportunity I have had. I do not consider that to be a legitimate figure because it ignores the swathe of our population who are eligible to vote in elections, but for whatever reason did not register to do so. Therefore, voter turnout is determined by turnout of eligible voters, not registered voters. What this proposition will do is that it will stop there being a difference between those 2 figures, because eligible voters will automatically be registered voters. So it will not lead to fewer people voting. In fact, it can only really lead to more people voting, because people who mistakenly believed that they were registered but turned out they were not, will not encounter that problem at the polling stations in future. So what this will do is it will mean we end up with more reliable and robust data on electoral participation, and that can only be a good thing. I thoroughly commend the chair of P.P.C. for bringing this forward, and it has my full support.

#### **The Deputy Bailiff:**

Thank you, Deputy. Does any other Member speak on the principles? I call upon the Chair to reply. Chair.

#### **7.1.10 The Connétable of St. Martin:**

I thank everyone who has taken the opportunity to speak. To Deputy Miles, I am grateful to the Solicitor General that he has answered a lot of Members' queries. With human rights and informed consent, people still have the right to choose whether to vote or not. Unfortunately, you cannot have an automatic voter registration if you allow some people to opt out, because then it is not automatic. It is not automatic for people to choose whether they want to pay their taxes or want to pay their rates. So I do not have a problem with the automatic voter registration. I do have some sympathy for those who really have avoided voting because they do not want to be in jury service, but I do believe, and I think the former Viscount told us in a briefing, that there are quite often reasons that people can opt out of jury service if they are chosen. So I do have sympathy with that, but to not try to modernise; we are doing everything we can to try to engage the public, and just to do that for a

few who do not want to do jury service did not seem to be a very sensible thing to do. We want it to be civically engaged, and the intention is for it to be far more inclusive.

[15:00]

I would like to assure everyone that the amendment was reviewed by the Law Officers and considered to be compliant. To Deputy Scott, the Data Commission is due to review the practical application of the law and the system before it goes live as part of the project process. I thank Deputy Tadier as well, who is fully supportive of this, and Deputy Mézec. To the Constable of St. Saviour, this law had to be drafted as per the current system, because the Senatorial reinstatement is due to be lodged, it is going to be lodged imminently, and I am making sure of that, and it is due for debate in early autumn. But we could not include Senators on this legislation because they have not been legislated for, so it is not because we just decided we did not want to put them on there, it is due to legislation. I did have some notes for summing up. It is just really to reiterate that, although online voting remains a desire for many, having a digital register represents a step towards modernising the election process. As well as increasing the accuracy of the register, making the process simpler for the public and Parishes, automatic voter registration has shown promise in addressing turnout among historically under-represented groups. By making the process more accessible, increased registration rates among minority groups have been observed in those places which have automatic voter registration, such as the Netherlands, Sweden, Germany, and Canada, which suggests that adopting this registration system can play a significant role in promoting greater political equality. All those countries also enjoy consistently high voter turnout, and P.P.C. hopes this will also be the case in Jersey in 2026. I make the principles, and I ask for the appel.

### **The Deputy Bailiff:**

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

<b>Pour: 43</b>		<b>Contre: 1</b>		<b>Abstained: 0</b>
Connétable of St. Helier		Deputy H.M. Miles		
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy C.S. Alves				
Deputy I. Gardiner				

Deputy I.J. Gorst				
Deputy L.J. Farnham				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy P.F.C. Ozouf				
Deputy T.A. Coles				
Deputy D.J. Warr				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

**The Greffier of the States:**

Deputy Miles voted contre.

**The Deputy Bailiff:**

Deputy Miles, do you wish to scrutinise this matter?

**Deputy H.M. Miles (Chair, Corporate Services Scrutiny Panel):**

Absolutely not.

**Deputy P.F.C. Ozouf:**

Has it been scrutinised?

**The Deputy Bailiff:**

No. We now come to Second Reading. There are some amendments, one by P.P.C., to which the chair has referred, 2 by the Comité des Connétables. Chair of P.P.C., are you prepared to accept the amendments from the Comité?

**The Connétable of St. Martin:**

Yes, sir. We would like to propose the Articles as amended by our own amendment, P.P.C.'s amendment, and the Comité's 2 amendments, which we accept.

**The Deputy Bailiff:**

Are Members content to take the legislation as amended? Yes. How do you wish to propose the Articles, chair? There are 26.

**7.2 The Connétable of St. Martin:**

I would like to propose the Articles *en bloc*, please, and I am happy for the votes to be taken on separate Articles if Members so wish. Most of the Articles are administrative in nature and will

underpin the proposed new system. There are a couple of significant changes which I should have drawn attention to. Article 11 deletes the current provision for electoral registers to be available to view by the general public, while the amendment to Article 12 allows for a special candidates list to be provided only to those who have been formally declared as candidates. P.P.C. considers that there is sufficient justification to close the registers to the general public, but believes that this amendment provides a practical workaround which does not make standing for election harder or less safe for candidates, while equally providing protection for the public and their personal data. This amendment proposes that candidates be provided with a list of those on the electoral register once they have been formally declared a candidate at the end of the nomination process. At that point, they will be required to register with the Jersey Office of the Information Commissioner under the Data Protection (Jersey) Law 2018 and to complete a declaration prior to receiving the register. It is anticipated that this will serve as sufficient deterrent for anyone who might access or use the register improperly. P.P.C. accepts that the process of door knocking during election time is a Jersey tradition, but there is a risk in canvassing on anyone's doorstep, whether you know their name or not. Although the amendment proposed will provide candidates with a list taken from data used to compile the electoral register, Islanders will be able to opt out of appearing on that list if they write to the electoral administrator of their Parish. As an additional measure, the committee will be asking the Jersey Electoral Authority to provide clear guidance to all candidates to ensure they are mindful of safeguarding when conducting their campaigning in 2026. I propose the Articles and call for the appel.

#### **The Deputy Bailiff:**

We will come to the appel in due course, perhaps. Are the Articles seconded? **[Seconded]** Thank you. Does any Member wish to speak on the Articles in Second Reading?

#### **7.2.1 Deputy M.R. Scott:**

Yes, I am concerned that Article 9A just refers to elections of Deputies and Connétable in the context of the approval by the Assembly of the inclusion of Senators, and just wondered whether quite what happened that there was not an alternative, kind of it is suggested there was not an alternative possible about just saying elections for States Members.

#### **7.2.2 Deputy P.F.C. Ozouf:**

I asked whether the legislation has been scrutinised, but obviously the Constables may have a calling, they have scrutinised the legislation themselves, and some people I know do not want the Constables here, but if they have done a line-by-line scrutiny of it, then we have been well-served by the Comité des Connétables and I think that we have ended up with a better piece of work.

#### **7.2.3 Deputy M. Tadier:**

Yes, it is food for thought, is it not? Imagine the Constables being in a Scrutiny chamber somewhere away from here or even here on a different week. Be careful what you wish for, eh? But I think the serious point that has been made here is that scrutiny has been done of this legislation. It has been done in the first instance by the Assembly when the principles came for debate. It has then been done by the Comité des Connétables who you have got clearly an interest and some expertise in this area. It has been re-scrutinised by P.P.C. with a different pair of eyes, if you like, a fresh head after a debate, which they no doubt felt a bit scathed by, but I think ultimately did the right thing and did a good piece of scrutiny. So simply on that area, before we get to the Articles, I think there is a question in future whether P.P.C. should be scrutinised by a Scrutiny Panel. I do not think it should be, is what I am saying. I think the question needs to arise. It is not a government department. It is a *gestalt* entity of the Assembly, and as such it is already made up of a deliberately diverse group of people. It is our jobs, and whoever is in this position in the future in our seats, to scrutinise whatever comes out of P.P.C., because it is in States Members' interest and in the public interest for us and for

those future States Members to do that. I wanted to speak again in favour of those Articles which will give effect to the automatic registration. It was just occurring to me when the Constable of St. Brelade spoke earlier about the ongoing and important V.A.W.G. piece of work that is at the centre, quite rightly, of Government's and many departments' work at the moment. That when an electoral form currently comes through to a house, there is often, not always, but there is often a gatekeeper for the post in any given household and, depending on what that household is, depending on how democratic it is, so to speak, internally, that one person who controls the post may control ultimately who is registered to vote and who ultimately gets to vote. So I think, whether it is for spouses, partners, who may be in difficult relationships, or indeed children, because we know that children probably do not always get to see all the post, they simply might get something put in front of them saying: "I need your signature here, you are over 16, you are still living at home", to make sure that you are registered to vote. So I think it is really key that we do this for a more inclusive system whereby everyone, whoever they are, whatever power relationship they have domestically, that they will all be empowered equally at least to be on the register. It does not mean that all the problems will be solved because there can still be coercion that takes place in households. I know certainly I have knocked on doors many a time and the response comes: "I will just go and get my husband", or: "I will just go and get my wife because they are the ones who vote, so I do not bother voting". It is a very strange response that you get, but who are we to judge different family dynamics? But I think the strong message is, I think for all candidates knocking on a door, is that you want to feel that you have spoken to everybody that you can within a particular household because they are all individuals; they may vote differently of course. But we cannot force people to vote, but what we can do in these Articles, and in particular those that make voter registration obligatory, is that we give everybody the same power, the same starting point to be registered in the first place. So I welcome again these Articles and the amendments, which I think do put in proportionate safeguards, and I do thank the Constables also for the work that they have done in improving this legislation.

#### **The Deputy Bailiff:**

Does any other Member speak on the Articles? I call upon the Chair to reply.

#### **7.2.4 The Connétable of St. Martin:**

I thank everybody who has spoken, and I wholeheartedly agree with what Deputy Tadier has just said, and I would like to say to Deputy Scott that it has been drafted ... the legislation for this has been drafted by the same drafter who is working on the Senatorial draft, and this was the best way to deal with the matter. So I hope that answers your question. I am happy to take advice from good law drafters. So, anyway, I propose the Articles and I call for the appel.

#### **The Deputy Bailiff:**

The appel has been called for. Members are asked to return to their seats and I invite the Greffier to open the voting. If all Members have had the chance to cast their votes, then I ask the Greffier to close the voting. I can announce that the Articles have been adopted in Second Reading.

<b>Pour: 42</b>		<b>Contre: 0</b>		<b>Abstained: 1</b>
Connétable of St. Helier				Deputy M.R. Scott
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				

Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
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 J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

Do you wish to propose the matter in Third Reading, Chair?

### **7.3 The Connétable of St. Martin:**

Yes please. I would just like to say, I would just like to thank everyone who has spoken in support of these proposals, and to the Comité for their amendment. There is always an element of risk associated with the change, but P.P.C. considers that the risk in bringing forward A.V.R. is one which we can all help to mitigate. The risk is that those people who did not put themselves on the register in the past for whatever reason will still choose not to take part in the electoral process. If they do not vote, our already low turnout figure will plummet even further. We can all play our part, whether we are standing again or not, by encouraging everyone to vote, and making sure that the public are aware of the ways in which they can cast their votes next year, either by post or pre-poll beforehand, or in person at our first ever Sunday elections on 7th June.

### **The Deputy Bailiff:**

Thank you, Chair. Is the law seconded in Third Reading? **[Seconded]** Does any Member wish to speak on the Articles as adopted in Third Reading?

### 7.3.1 Deputy P.F.C. Ozouf:

I was slightly taken aback by Deputy Tadier's *gestalt* wording, and I was trying to find a suitable way of finding the way to thank the Constables and the chair of P.P.C. I can only say that I think the Constable is a *zeitgeist* of her time. That means the time spirit, the spirit of her age, and I think that she and her Constables, who do look good there, I am just a bit worried that they are going to have to move somewhere else. The Constables are a blend of parochial tradition and evolving civic expectations, and that should be about voter turnout and getting more people out to vote, and I hope that they are still sitting over there so we can look at them nicely next time around. I am sure they will be.

### 7.3.2 Deputy M.R. Scott:

I also want to commend all the work that has been done by the Constables and the P.P.C. on this matter. I have abstained, and in doing so, I just want to say it is not so much about any lack of confidence in the P.P.C. on the matter, but maybe I just have some questions in my mind about the approach of the law draftsman.

### The Deputy Bailiff:

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

[15:15]

### 7.3.3 The Connétable of St. Martin:

I think I have spoken enough and I have got more to say for the rest of the afternoon, so I would just like to propose the Articles in Third Reading.

### The Deputy Bailiff:

The appel is called for. I invite Members to return to their seats and the Greffier to open the voting. If all Members have had a chance of casting their votes, I ask the Greffier to close the voting. I can announce that the law has been adopted in Third Reading.

<b>Pour: 42</b>		<b>Contre: 0</b>		<b>Abstained: 1</b>
Connétable of St. Helier				Deputy M.R. Scott
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
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Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy M.R. Le Hegarat				



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

**Deputy J. Renouf:**

Sir, can I ask a point of order please?

**The Deputy Bailiff:**

Yes.

**Deputy J. Renouf:**

This morning there were a couple of Standing Order 12 requests made, and I wondered whether you had had time to rule on those and, if not, when you were proposing to do so.

**The Deputy Bailiff:**

I think Standing Orders require me to respond by 9.30 a.m. tomorrow morning, so I promise you I will do so before 9.30 a.m. tomorrow morning. Probably this evening.

## **8. Draft Elections (Jersey) Amendment Law 202- (P.28/2025)**

**The Deputy Bailiff:**

The next item is the Draft Elections (Jersey) Amendment Law, lodged by the chair of the Privileges and Procedures Committee. The debate resumes following the adoption of the principles on 14th May, and referral of the draft law to the Corporate Services Scrutiny Panel. Chair of P.P.C., there is an amendment lodged. One amendment lodged by Deputy Jeune to Article 4. Is that amendment accepted by your Committee or not?

**Connétable K. Shenton-Stone of St. Martin:**

P.P.C. is broadly supportive of Deputy Jeune's amendment, but we would like the Assembly to determine whether the residency criteria should be reduced. So we would ask that the amendment is debated separately.

**The Deputy Bailiff:**

How do you wish to propose the Articles in Second Reading, Madam Chair?

**The Connétable of St. Martin:**

I would like to take Articles 1 and 2 first.

**The Deputy Bailiff:**

Yes, so 1 and 2 first, and then come on to Article 3, which deals with prisoner voting.

**The Connétable of St. Martin:**

Yes, please.

**The Deputy Bailiff:**

Yes. Do you want to say anything in relation to Articles 1 and 2?

### **8.1 The Connétable of St. Martin (Chair, Privileges and Procedures Committee):**

I will just make a general speech for the principles, and I would really like to thank the Corporate Services Scrutiny Panel for their comments paper. Most of the proposed changes to the Elections (Jersey) Law 2002 are administrative in nature and designed to improve the electoral system for candidates, voters, and those tasked with running the process. They are based on the recommendations contained within the C.P.A. (Commonwealth Parliamentary Association) Election Observers Mission (E.O.M.) Report 2022, published after the last elections, and also the report of the Jersey Electoral Authority R.3/2023, and feedback from the electoral administrators. Probably the most contentious element is an amendment to Article 4, which I think is Article 3.

**The Deputy Bailiff:**

It is Article 3 of this Law, but Article 4 of the law it is amending.

**The Connétable of St. Martin:**

Yes, it is Article 3 of the Elections Law, in response to one of the Election Observers Mission's recommendations, and would extend voting rights to all prisoners based in Jersey. Currently, those detained in Jersey for longer than 4 years are disqualified from voting. In 2005, the European Court of Human Rights ruled that the U.K. was in breach of Article 3 of Protocol No. 1 of the European Convention on Human Rights in relation to prisoner voting rights. The central element to the ruling was that the U.K.'s then blanket ban on prisoner voting was indiscriminate and disproportionate. The U.K. now allows those on remand and awaiting sentencing to vote, but does not extend it to all prisoners. Northern Ireland follows the same rules. Scotland has extended the vote for those serving a sentence of less than 12 months, while Wales has been considering employing the same 4-year sentence limit as currently exists in Jersey. Ireland has extended voting rights to all prisoners, irrespective of length of sentence, and it did so in 2006. Both Guernsey and the Isle of Man offer full enfranchisement, and prisoners are able to vote by post for representatives of the district in which they were ordinarily resident prior to incarceration. P.P.C. believes it is time for Jersey to make voting available for all prisoners, irrespective of their sentence length. Other changes, as I have said, are mostly administrative and include a revised definition of a spoilt vote, alterations to how candidates' addresses are published, if they wish to use an alternative, changes to some of the processes around pre-poll and postal voting, mostly to accommodate the move to a Sunday election, and an extension of the Jersey Electoral Authority's remit to include the consideration of complaints from the public about the elections process and candidates. Also creating a co-ordinating role for the

J.E.A. (Jersey Electoral Authority) around the arrangements for hustings. I should point out that there is a typo in the report accompanying the registration on page 5, and that section referencing Article 41 is superfluous, as no change is made to that Article. I hope that Members will be supportive of these changes to the Elections Law.

**The Deputy Bailiff:**

Do you propose Articles 1 and 2 initially?

**The Connétable of St. Martin:**

Yes, please.

**The Deputy Bailiff:**

Those in favour of adopting Articles 1 and 2, kindly show. The appel has been called for. In relation to Articles 1 and 2 only of the law, I invite Members to return to their seats, and I invite the Greffier to open the voting. I invite the Greffier to close the voting, and I can announce that Articles 1 and 2 have been adopted unanimously.

<b>Pour: 43</b>		<b>Contre: 0</b>		<b>Abstained: 0</b>
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of St. Clement				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
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Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
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 M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				

Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

Now I will move on to Article 3.

## **8.2 The Connétable of St. Martin:**

I would like to take Article 3 separately.

### **The Deputy Bailiff:**

Yes. You have said something about it. Do you want to say anything more about Article 3?

### **The Connétable of St. Martin:**

Article 3 is the amendment to Article 4, prisoners. Deputy Jeune's amendment is to Article 3, but Article 4 of the law. Have I got that right?

### **The Deputy Bailiff:**

Yes, we are concerned with Article 3, prisoner voting now. Did I ask if the Articles were seconded? I am not sure if I did. Were the Articles seconded? I did, yes. Deputy Miles, do you want to speak about this, you had your light on?

### **Deputy H.M. Miles of St. Brelade:**

Yes, apologies. I am just a little bit confused because the Corporate Services Scrutiny Panel did perform some scrutiny on this law, and I am just a little bit confused about when I am supposed to stand up and address what the Corporate Services Panel concluded.

### **The Deputy Bailiff:**

You can do so now if you wish to do so. The principles have been adopted, and we are now looking at the Articles on the basis proposed by the chair of P.P.C. But I think the way in which she is going to propose them is designed to accommodate the comments that your panel made. The comments that your panel made were in relation to Article 3. It is called Article 4 in your comments, but Article 3 of this law, Article 5 of this law and what you referred to as Article 17IA, which I think is Article 8 of this law. So the 3 matters that you addressed, namely the disqualification of certain offenders, electoral complaints processes, and hustings. It is most appropriate for you to deal with your comments when the Article in particular that you are concerned with is being debated. If that is inconvenient, then you could deal with all the matters you wish to address now.

### **Deputy H.M. Miles:**

Thank you, sir, for that clarification. What I thought was going to happen was that I would be able to speak after the Connétable made her first speech.

### **The Deputy Bailiff:**

She was not proposing Articles *en bloc*, just Articles 1 and 2, which are administrative.

**Deputy H.M. Miles:**

But I understand that, sir, but my speech refers to the entirety of P.28. So is it appropriate for me to now deliver the view of the Corporate Services Panel in its entirety?

**The Deputy Bailiff:**

In the circumstances, yes.

**Deputy M. Tadier:**

Can I just intervene at this point for what is a point of order, but really a point of direction as well. I presume that the Corporate Services Chair is the main responder in all of these debates. Could you say, it is not clear to me when we break it down by Articles, but does that theoretically mean that she can respond in whatever iterations the chair of P.P.C. takes it in, and of course that is without a 15-minute limit, not that she would need it.

**The Deputy Bailiff:**

Yes, that is correct. Yes, Deputy Gorst.

**Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter:**

While I am grateful for your understanding this afternoon, I wonder if you could confirm that this is not creating a precedent that we can have a speech about the principles after each Article. You are simply doing it because of the delay in the debate?

**The Deputy Bailiff:**

No, I think it is absolutely right. This is not creating a precedent, simply because the principles have been adopted on a previous occasion, and it is convenient, I think, in the circumstances for the Scrutiny Panel to deal with its observations *en bloc*, even though the Articles are not being dealt with in that way, so it is not, as you rightly say, creating a precedent. Another point of order, Deputy Ahier, or do you wish to speak in due course?

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

No, I wish to speak on Article 3.

**8.2.1 Deputy H.M. Miles:**

I apologise for the confusion. I am rising to speak as the chair of the Corporate Services Scrutiny Panel, and therefore the main responder to the proposition. As we know, P.28 proposes amendments to the Election (Jersey) Law with the aim of improving the electoral system in Jersey for candidates, voters and facilitators of election processes. Following the approval of principles of P.28 at the States Assembly, P.28 was referred to the Corporate Services Panel for further scrutiny. We have had a limited timeframe so we have focused our scrutiny on the primary areas of concern by States Members that were mentioned during that States sitting. As Members can read, there is a comprehensive comments paper, which reflect the observations in respect of those areas of concern. To inform its scrutiny, the panel met privately with the chair of P.P.C. accompanied by the Greffier of the States and also wrote to the P.P.C. chair and the Minister for Justice and Home Affairs. I just want to make some observations about the 3 areas. Article 4, which is the disqualification of certain offenders, Article 5, the complaints process, and Article 17IA, the hustings. If I can begin with Article 4, the panel observed concern from some States Members about reliance on a 2005 ruling, that being the case of *Hirst v the United Kingdom*, which concerned a blanket ban on prisoner voting rights as justification for the proposed changes. Jersey does not have a blanket ban on prisoner voting rights and has in place an established legal mechanism to facilitate voting for persons serving prison sentences of 4 years or less. Importantly, the panel has highlighted that the proposed changes to the voting rights of prisoners incarcerated in Jersey are an expansion of the current rules on prisoner

voting rights and are not an obligation to ensure Jersey's continued compliance with the European Convention of Human Rights. While the decision to expand the current rules on prisoner voting rights is a decision for the States Assembly, the States of Jersey Prison Service has told the panel that this will have resource implications for the prison. The prison has also confirmed that it was not consulted regarding the proposed changes. The panel also questioned the justification for not enabling illegible voters who are incarcerated off-Island from exercising their right to vote in Jersey. In terms of Article 5, the electoral complaints process, the panel also observed concern from some States Members about the appeals process for complaints to the Jersey Electoral Authority. While a formal complaints process has not yet been established, the panel understands that the proposed changes mean that in addition to the implementation of a formal complaints process, the Jersey Electoral Authority will also be provided with greater autonomy and an enhanced role in the election process. The panel understands that the aim of the P.P.C. regarding the J.E.A. is for the J.E.A. to emulate the functions of the U.K. Electoral Commission and while it is not a complaints panel, the Jersey Electoral Authority will afford complainants a degree of administrative redress. The panel recognises the rationale for establishing a complaints process that ensures complaints are dealt with appropriately but to improve clarity regarding complaint handling for candidates in the public. This must be managed carefully to ensure it does not encourage vexatious claims or create additional challenges for those participating in electoral processes. In terms of the hustings Article, hustings fatigue was also raised as a concern by the State Members at the last sitting. The P.P.C. has proposed to reform candidate hustings through the inclusion of the new Article 17IA in the Elections Law. This will include the provision of a basic husting service centrally managed by the J.E.A., which will include a venue, equipment and scheduled hustings dates.

[15:30]

The panel has raised concern about the absence of an official public list of husting events, which creates additional challenges for candidates and in particular first-time candidates. While the proposed changes to the J.E.A. will have resource implications, the P.P.C. has advised the panel that the J.E.A. will be suitably resourced to discharge its new functions, which they have also been informed of. It was very clear at the last sitting that there is very little clarity about the role of the Corporate Services Scrutiny Panel in scrutinising legislation lodged by P.P.C. Indeed, this was the reason that I called the legislation in after the principles had been approved, and I thank Deputy Tadier for airing his views on this. To that end, the panel wish to highlight procedural concerns observed and areas of uncertainty raised by States Members about the scrutiny of legislative propositions lodged by the P.P.C. A lack of awareness among States Members about the mechanism of scrutiny of legislative proposals lodged by the P.P.C., myself included, that the referral of legislative proposals by the P.P.C. to Scrutiny is highly infrequent. Whether Members' concerns could be addressed by the P.P.C. as well as uncertainty about the role of the States' Assembly in holding the P.P.C. to account. The panel has noted that Standing Orders are silent regarding the identification of a specific Scrutiny Panel which will be responsible for scrutiny of legislation lodged by P.P.C. However, the panel's comments highlight the long-standing custom of the States Assembly that scrutiny of legislative proposals lodged by the P.P.C. will be undertaken by the Corporate Services Panel. The panel has suggested consideration be given to the customary role of Scrutiny in relation to legislation progressed by P.P.C. and that this should more clearly be formalised within Standing Orders and/or Scrutiny codes. The panel has requested that in future it is briefed on all draft proposals that the P.P.C. intends to lodge, and that this will ensure that the panel is at least informed of legislative changes proposed. Finally, the panel has highlighted that consideration and debate of such proposals by the States Assembly is of primary importance to ensure that legislation brought forward by P.P.C. is properly scrutinised and should be the principal method of scrutiny. It is for the States Assembly to be the principal method of scrutiny for proposals brought forward by P.P.C. The panel acknowledges that the P.P.C. has responded to key reports and feedback about Jersey's

electoral processes, however we also highlighted the importance and the need for thorough consultation with all stakeholders about the proposed changes.

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

Could I just have a point of clarification?

**The Deputy Bailiff:**

Yes, Deputy Jeune.

**Deputy H.L. Jeune:**

Just because the Articles are all getting a bit confusing, just to be clear, maybe not necessarily the chair in the chair's speech but maybe when we are going through in the voting it could be made really clear what we are actually going to be voting on because just the point, for example, about the disqualification of certain offenders, the switching between Article 4 and Article 3 depending on different bits of the Article is really confusing, and then of course afterwards my amendment is Article 4 as well. I just want to make sure that everyone will be clear on what they are voting for, when. So to make it very clear as and when the Articles come up, which Article.

**The Deputy Bailiff:**

You are right to raise that, but it is confusing, and the confusion is compounded by the fact that the report itself does not talk about the Articles in the law, but the Articles that are being amended in the main law, which is not particularly helpful and adds to it. But we will make it very clear as we go along which Articles we are concerned with. Currently we are debating Article 3 of the law, which deals with prisoner voting. Do you want to speak, because the next person to speak, Deputy Scott, is Deputy Ahier. Do you want to speak on this Article, or have you got a question for someone or your speech in due course? Yes, so Deputy Ahier.

**8.2.2 Deputy S.M. Ahier:**

I do not believe that Article 4 should be deleted from the Elections Law. This seeks to remove the provision disqualifying certain persons who have been convicted of an offence from voting in public or Parish elections. Not only do I disagree with this suggestion, but I wholeheartedly disagree with the concept that prisoners be given the right to vote at all. In 2001, a case was brought by John Hirst, a man who was serving a life sentence for manslaughter, who argued that the ban on prisoners voting was incompatible with the Human Rights 1998 Act. This was rejected by the British High Court. I believe that we should be following the United Kingdom's approach of a blanket ban on prisoner voting, and I am sure that this debate will highlight the provision of prisoners being allowed to vote to the public at large, and I am sure that it will come as a surprise to many that this is currently the case. We have been informed that 8 prisoners voted in the 2022 election and a good deal of effort was made to try to encourage others to do so. This seems to me to be a waste of time and resources. I am unaware of any direct engagement or consultation with the States of Jersey Prison Service to determine whether a change to the current system is necessary or supported. This was referenced by the chair of Corporate Services just before. How much will it cost to allow a minimal number of convicted prisoners to vote in next year's election? In the report, it states that this will place no additional financial or staffing implications on the administration of the election, but there will need to be supervision and management of visits by election candidates to prisoners, which will undoubtedly require extra resources to facilitate. Those who have broken the law to such a degree that it is deemed necessary for them to be incarcerated should not be permitted the right to vote. Since they have shown such poor judgment in being unable to adhere to society's laws, it seems peculiar to presume that they would use good judgment in the selection of candidates standing for election. It is not just the United Kingdom that prevents prisoners from being able to vote. There are other European countries which apply the same disenfranchisement of prisoners. In some parts of the United States, even those prisoners that have been released from jail, are still not permitted to

vote in presidential elections. That is something that possibly should be considered at a future date. I would never canvas convicted criminals in prison for their vote and I would not expect any convicted criminals to vote for me. I will not be supporting this amendment.

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

I will pass on this one actually; I want to speak on another Article, thank you.

**The Deputy Bailiff:**

Does any other Member wish to speak on Article 3?

**8.2.3 Deputy M.R. Le Hegarat:**

It is quite correct, the chair of the Corporate Services, that the prison was not asked in relation to this particular matter, but I would say that it probably would not be appropriate either for the prison governor or somebody within that remit to make that decision either. I think that is a decision for this Assembly. It is not really a decision for somebody who is the governor of a prison to make that kind of decision. There will potentially be an impact, as it is quietly highlighted from the Corporate Services Panel. So from the perspective of the financial part of it, I would ask that if it is decided by the Assembly to make voting more available for prisoners, that that is financed by the election and not by the prison, because clearly the prison have significant implications and they are resourced accordingly. I have no objection to allowing other prisoners to vote within our elections. Part of the remit and part of rehabilitation that goes on in the prison is about making good neighbours and, from my perspective, maybe that is actually where we start. Do we allow them to vote so that they do feel more part of our society? Some of them will of course have been voted when they receive their prison sentence. I have absolutely no objection whatsoever to supporting increasing voting rights for prisoners within our prison. However, this cannot come as a cost to the management and the running of the prison itself.

**8.2.4 Connétable M.K. Jackson of St. Brelade:**

I am pleased to follow the last speaker. I took the opportunity in 2022 to attend the prison on my election perambulations, if you can call them that, and the staff were very receptive and enabled my visit with ... I think it ended up as 2 particular prisoners who expressed an interest in talking to a budding politician. Whether they voted for me or not, I cannot say. They may have stuck with the none of the above, but that as it may be, actually the points they made ... I can tell you today there were 2 significant points made, one was about housing once they left prison and the other was finding a job, and those 2 points I have certainly taken on board since.

**8.2.5 Deputy I. Gardiner of St. Helier North:**

I did not think about prisoners vote or not vote until I joined Election Observers Mission in the U.K. last July. I was a member of the group that went to Liverpool to observe elections in Liverpool, and our team was the only team that visited prison, because it was first time during the U.K. elections that they changed the rules and there were categories of people who were in prison were allowed to vote. Why our mission, our team, went to see them, is actually to speak with the staff and engage with some prisoners who came to speak to us. I would like to share this experience. First of all, I would like to explain what are the categories that U.K. allowed to vote last election. It is not a blanket ban any longer. The people who are on remand, awaiting for trial or sentencing, the people who are convicted but not yet sentenced, civil prisoners, and prisoners for non-payment, fines, debts, contempt of court, and also those on home detention curfew and released on temporary licence can register and vote in the community where they are. The meeting with them was very ... actually it touched me. I saw prisoners and probably the people that I usually ... I did not engage with for a long time. They look at us and they said: "Yes, we have done wrong. We are here, but I will be released in a year. In a year's time, I am going back to my business, and what is happening with my business, and I hope I will get back on track. I hope I will never get back again. But what is happening in the



country, it is important for me.” But the most touchable, it is about, somebody said: “I have done wrong, but I left my wife, my children, and my wife and my children and my family are influenced for what will happen in the Parliament, what decision the politicians will take. And I would like to ensure that my views and my ... which will support my family who stay there and they have not done anything wrong.” I think these things really brought it back to some human reality. I really would like to emphasise, to support what the Minister, Deputy Le Hegarat, said. It is not about wrongdoing, it is about rehabilitation. It is about the chance to build a better path. When we trust people with the right word, we send a strong message that every citizen’s vote matters and we need to allow them to come back, that they will feel that they are not completely disconnected and excluded.

[15:45]

I understand that some boundaries need to be put in but, including prisoners, what I have learned from that experience - it is very, very strong experience - and one of the strongest experiences for the Election Observers Mission, including prisoners in our democratic process, we reaffirm the value of justice, respect, and believe that change is always possible. It is a difficult one, but this is for Members’ consideration. Thank you for listening.

#### **8.2.6 Deputy M.R. Ferey of St. Saviour:**

It is a pleasure to follow the last 3 speakers, actually, because I myself used to go up to the prison every month on a regular basis in my previous role, and part of what we used to do was prepare people for their rehabilitation, and that word has been used quite a lot in the last 3 speeches. What I found was a few things always stuck out for me. Firstly, people who had had debt problems and sometimes they would focus on a very small debt, and I remember speaking to a particular prisoner and asking him what he planned to do. He had a whole map as how he was going to pay this small debt off with the telecoms provider. I finally got asking him to when he had incurred this debt and it had been 5 years ago. On the way out I spoke to one of the prison officers and said: “Why do people get so fixated on something which appears so small and would not bother them if they were on the outside?” It is very common for prisoners to focus on this, what may appear quite small issues give them something to focus on when they come out. So part of what we did was start to create those relationships with prisoners so when they did come out they had a safe space to come and talk and continue those conversations and that relationship. Now let us face it, anyone who is incarcerated for a period of more than 4 years has committed a serious crime, there is no doubt about that. But if we seek to rehabilitate as many prisoners as we can and hopefully not become that revolving door, that can only be a good thing. I think keeping prisoners involved in the electoral process actually has to be a good thing. It will give people something to focus on even for a short period of time and something that they feel that they have been involved with so that when they come out maybe they can continue that relationship. I just think that it would be good to give all prisoners the vote and to allow them to be part of that process. I will be voting for this part of the proposition.

#### **8.2.7 Deputy J. Renouf of St. Brelade:**

Continuing the theme of people who visited the prison, I indeed also went to the prison during the election campaign, having been told that about half a dozen people in the prison were willing to speak to me. However, when I got there, I found they had changed their mind and they did not want to speak to me. No doubt, displaying impeccable good taste. They had better things to do with their time. Or maybe it was a reaction to speaking to the Constable. Who knows? But they had had their fill of politicians or political candidates. I do think, though, that seriously, this does raise some very, very interesting issues. I think what I find most problematic about the amendment is there is no case made in the amendment for why we should extend voting rights to all prisoners. The case has been made far more effectively by some speakers in the debate rather than in the amendment. I would have very much liked to see some discussion about why we should do that, where thresholds might lie, where we might draw the threshold if it is not 4 years. What the amendment goes for is completely

allowing all prisoners to vote, but there might have been discussion around extending voting rights to other categories or for longer sentences. I do think that is a shame, because the issues are quite profound. The only justification offered in the amendment, really, is the legal one raised by the C.P.A. (Commonwealth Parliamentary Association). I do not think that is valid, with respect, because it was based on a false premise, which is the premise that we had a blanket ban and we do not have a blanket ban. It seemed to me that that recommendation is a very weak recommendation on which to base such a significant change in voting rights. I think there have been some impressive speeches by Deputy Gardiner and Deputy Ferey asking us to think quite deeply about the issues raised, and they have certainly given me pause for thought in terms of how I intend to vote. Perhaps there will be a few more contributions which can further assist me. It is, it seems to me, about balancing the needs of rehabilitation and making good neighbours with the understandable desire to acknowledge that serious crimes demand serious consequences, and that you are deprived of your liberty when you go to prison, and therefore it may not be unreasonable to also deprive you of other rights that people might have in the outside world, including the right to vote. This is all about the balance and where that balance should lie, where the balance of rights and responsibilities lie, and as I say, I think it is a shame that there was not a much more detailed examination of that in the amendment, because I think it might have helped to clarify some of those issues. Those are my observations at the moment. I am not exactly sure how I will vote.

#### **8.2.8 Deputy M. Tadier:**

I will keep it brief, sir, on this narrow point. I think ultimately this is almost one of those that is a vote of conscience. I think Members will feel strongly about these kind of issues, it does not mean that we cannot have rational debates and try and make valid points either way in this. I would like to perhaps just approach it from a slightly different angle, is that if our view is one between the 2 arguments of punishment on the one hand and rehabilitation on the other, I do not think it is a particular punishment for a hardened criminal to take their right to vote away, they may be somebody who has never engaged in society at all and saying to them: "Oh you know what, we are not going to let you vote", they will simply say: "So what, I did not vote in the first place and I do not really care about your community, that is not much of a punishment." But of course there may well be those who are in prison for all sorts of reasons, errors of judgment, perhaps behaviour that does not necessarily define them or represent them as people, so I think we need to bear that in mind. I would say it is probably much more of a punishment if you allow them to vote and allow somebody like me to go to the prison for half an hour and speak to them about why they should vote for me than if you were to simply say: "You are not allowed to vote" and when you come out of prison you may not have an appetite to vote, so I will leave that thought with Members. It is not going to be compulsory for any candidate to go up to the prison. What I would say though is that I think it is absolutely imperative that when we give any new group of people the right to vote who did not have that right before, and I think these arguments apply equally to what happened when we gave 16 year-olds the vote - they are not the same groups of course - but it is incumbent on P.P.C. and on all of the electoral system to make sure that those who are gifted the vote also have the wherewithal to cast their votes in a meaningful way so that they have access to the electoral system. I would ask the Minister for Justice and Home Affairs to make sure that actually if prisoners are going to be given the vote then they have reasonable access to voting information, to material and potentially to those who wish to come to the prison. I think the interesting question is then, what information do candidates get about which prisoners are in their constituency? This is perhaps something which ties in with the last debate that we had. On a practical level, if there are, I do not know, 15, 20 new people in prison who have suddenly got access to be able to vote, will they appear on a special register? A bit like what happens in a care home. We know that there are elderly people who still have a registered home address perhaps somewhere in the Parish, but they are actually registered in that particular care home and we know that there is a group of people in that particular establishment who candidates can canvass if they want to. Will we be turning up at people's addresses? Will candidates be turning up

at an address knocking on an empty door and saying: "Oh that person is not here." Will candidates actually know who is in prison or not? So I think that is something which P.P.C. and the Minister for Justice and Home Affairs needs to give consideration to. There is also a data protection issue there, but it would be much simpler if candidates were given a list of those in prison who are in their constituency so they know exactly who they can ask to see or who might wish to be able to vote for them. I think those are the main points I wanted to make. The last point I would say is ... the last 2 points - the list gets longer - Deputy Ahier said that of course we cannot trust prisoners to exercise good judgment but it is not a criteria of exercising your free will to vote to have good judgment. Of course the question then arises what is good judgment? It is completely subjective. There is a great tradition in Jersey, which has been going on for centuries, I think, certainly decades, that the public like to come out and exercise poor judgment every 3 or 4 years. We have seen them do that for generation after generation. As former Senator Stuart Syvret said, the public ultimately get the Government that they deserve. So I think giving a few more prisoners the right to vote, to conclude, is not going to punish them anymore. I think it is more likely to help those who want to rehabilitate to get involved in the rehabilitation. They may be voting for Governments of course that will be in power-making decisions when they come out of prison and when they are trying to get themselves on the straight and narrow. So on balance I think I am quite comfortable to vote for this today.

**Deputy M.R. Scott:**

Sir, can I please ask a question of the Solicitor General?

**The Deputy Bailiff:**

Yes.

**Deputy M.R. Scott:**

The original Article before it was deleted did mention a position of prisoners who are at large. What would be the resulting position after the amendment please?

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

Under the law as it presently is, the convicted person serving 4 years or more is only prohibited from voting during the time that he or she is detained in the prison. So if they are released on licence they are able to vote. Under the new provision, a detained person in prison will be able to vote where they are entitled to vote in a public or Parish election, which means - given what has just been adopted - their names appear on the new electoral register because they are on the register of names and addresses.

**Deputy M.R. Scott:**

Just to follow up, what is the position with escaped prisoners? **[Laughter]**

**The Solicitor General:**

That is a good question. I do not know the answer. I would imagine escaped prisoners, being unlawfully at large, do not have any right to vote.

**Deputy M. Tadier:**

Sir, can I ask a question of the Solicitor General?

**The Deputy Bailiff:**

Yes, you may.

**Deputy M. Tadier:**

I guess on that one the answer is you just hand yourself in and then you can vote, but it might be too much of a price to pay to be able to vote for Deputy Ahier in St. Helier. The question is where the

names will appear. All these new prisoners who are going to be registered to vote, on the electoral register that is available to candidates will it show an address at the prison or will it show an address at their former address where they used to live just before they got incarcerated?

**The Deputy Bailiff:**

You can answer that one now, can you?

**The Solicitor General:**

I am not sure I can. I am not sure it is a question of law. I do not know necessarily how it will work in practice. All I can say is what the amended law says, which is a person detained in prison is entitled to vote if they are entitled to vote in a public or Parish election, which means that their name appears on the electoral register as being at a particular address. I do not anticipate that means the prison address; I anticipate it means the address of the constituency of ward in which they were living when they were at liberty. I was slightly flippant in my response to Deputy Scott's question and I did not mean to be. The answer is I genuinely do not know what the law envisages about prisoners who are, as it were, on the run within the Island.

**The Deputy Bailiff:**

Deputy Scott, another question?

**Deputy M.R. Scott:**

Yes. I think this just illustrates a concern about the process of the following up on something that Deputy Tadier said earlier about the ...

**The Deputy Bailiff:**

Are you wanting a question or making a speech now?

**Deputy M.R. Scott:**

I am making a speech, Sir.

**The Deputy Bailiff:**

All right.

**8.2.9 Deputy M.R. Scott:**

In the context of what we are doing right now, which is scrutinising legislation, we have Scrutiny Panels that scrutinise most legislation. We recently have found out or had established that the C.S.P. would have this role, and yet there seems to be this suggestion that we, the States Assembly, should be scrutinising this legislation, and only us. I would say that I do not really agree with that. In an ideal world what we would have had - just as I have requested with other legislation - is a blackline copy, we were going to scrutinise so that we are really clear about what we were approving and the consequences.

[16:00]

As this debate continues, I have this kind of discomfort that in the case of this particular provision that there are some other options I just wondered about; unexpired sentences in terms of the period of rehabilitation, Deputy Renouf has referred to the basis on which this particular amendment was brought by the P.P.C. in response to something by the C.P.A. that was mistaken. So I do not find this the most satisfactory process personally, so I will not support this particular provision.

**8.2.10 Connétable R.D. Johnson of St. Mary:**

I begin by saying that I was in the Assembly at the time of the vote which voted against the blanket ban and introduced the 4-year limit, as it were. I confess or claim that I voted against that relaxation

on the basis that within that 4-year penalty you could have committed a fairly serious crime, and I felt at the time that the gravity of the situation was such that you should not be allowed to vote. If that vote were taken again today I should be inclined to agree with the 4-year relaxation, and I say that from the point of view of rehabilitation. I am not sure it is coincidence or convenience that the 4-year period coincides with our election cycle and it, therefore, means that anyone who is committed to prison for 4 years is going to be able to vote in the next election, which brings me on to the question of rehabilitation. In that connection, I take on board the points made by Deputy Ferey and I can see the advantage in pursuing a rehabilitation procedure. But I question should that be for everyone, or why should it not be for those whose period in prison is going to terminate within 4 years? In short, I would have preferred a greater degree of consultation on this matter and I would have been inclined had an amendment been brought - and, yes, I should have brought it myself - that would have allowed those whose period expire within the next 4 years to be allowed to vote, because that would assist their rehabilitation procedure. But as it stands I remain against the blanket relaxation.

#### **8.2.11 Deputy P.F.C. Ozouf of St. Saviour:**

I support this Article and will briefly explain why. Its intent is to extend the right to vote to all prisoners in Jersey. Arguably there was a muddle; now there is a model, which is proposed by P.P.C. Under the existing law it seems that prisoners serving longer than 4 years are disqualified. That does not feel right. This threshold is being removed upon advice by the C.P.A.; we either take their advice seriously or not. It was regarded - as the Constable of St. Mary said - as a compromise intended to uphold seriousness of long offences, while complying with some human rights obligations. Voting is now to be extended to all prisoners. Voting will occur by postal vote, I note. An E.C.H.R. measured step that recognises that the right to vote is not a reward for virtue but a basic democratic entitlement. Civic inclusion can and always does support rehabilitation, and that is what I think this is about. Of course Corporate Services have rightly noted that the prison service was not adequately resourced or consulted. They maybe should have been. But I do not believe that is a reason for us to vote down this Article. I do believe the Government must now ensure that P.P.C. and the prison service has the right resource systems and clear guidance put in place so that we can deliver upon this promise as well, not just in law but in practice as well. I would like to see the inclusion for all prisoners; that is part of them being rehabilitated. I know that prisoners do bad things, that is why they are there, but they need to be rehabilitated and have a right, as we all do, in the democratic process. I think that should be a strong signal for rehabilitation to say that they are in prison but we want them to be out of prison and members of society that are included. We have got rehabilitation of offenders and all the rest of it, so I say well done, P.P.C. They have listened to the advice from the international observers, and we have got the right systems. It is possible to implement it properly with the right resources, which I am sure Government will respond to.

#### **The Deputy Bailiff:**

Solicitor General, have you got some further advice for us?

#### **The Solicitor General:**

Yes, thank you. I wanted to clarify what I said earlier and I apologise for not thinking about it more carefully when I was first on my feet. It is just about this question - and I am not sure that much turns on it necessarily - about a detained prisoner who is in fact unlawfully at large, on the run, are they enabled to vote. The effect of Article 4A(1), the substituted 4A(1), it seems to me is this: if they are unlawfully at large but they are entitled nonetheless to vote in a public or Parish election because their name is on the register then they are entitled to vote. They may put themselves at jeopardy of being arrested if they turn up at the polling station but that is a different matter. They would still be entitled to vote, applying the law on its face. I hope that is helpful.

#### **8.2.12 Deputy I.J. Gorst:**

I know Deputy Tadier said that maybe this is a matter of conscience, and indeed maybe it is. For my part, as the Connétable of St. Mary reminded us during the initial debate, there were a number of proposals brought forward. I do not, as I stand here, see that the case has actually been made. I understand the position of P.P.C.; they have had an Election Observers Mission report, they have made a suggestion, but for my part I am clear that our current approach of prisoners who have got a sentence under 4 years are able to vote currently, those over 4 years are not. The reason I think it is interesting is because I cannot recall entirely the nationality or the jurisdictions that those election observers came from when they came to Jersey to observe our elections, but I think there were certainly some from the United Kingdom and the devolved administrations. As we know, they have a system in place which is less favourable to prisoners than ours, so I do not think that the case has been made. Of course it is important that we think about prisoner rehabilitation but, as the Connétable of St. Brelade reminded us, they are issues around jobs, they are issues around housing when they come out of prison in order to re-emerge into our community and feel supported and feel that they have got provision. Of course Deputy Tadier said that a hardened criminal probably did not vote before they went into prison so it is no great benefit for them to be able to vote in. Of course we can take the opposing view which is, therefore, it is no great rehabilitation for them to be given the vote. We can argue that case either way. But as we stand here I understand why P.P.C. have brought forward this change but I do not believe that the case has been met and, therefore, I will be voting against Article 3 to remove Article 4.

#### **8.2.13 Deputy P.M. Bailhache of St. Clement:**

As a general rule, it seems to me people are entitled not only to their freedom but also to all civic rights which go with that freedom. But when people commit very serious offences and are sentenced to a long period of imprisonment it is arguable that they forfeit not only their liberty but also the freedom to exercise civic rights, and in particular the right to vote for Members of their legislature. The Court of Human Rights held that a blanket ban on prisoner voting was a breach of the convention. I do not think that the Election Observers were correct in describing our decision to allow only prisoners serving less than 4 years' imprisonment to vote as a blanket ban. It was not a blanket ban; it was a decision which struck a balance and I think it was a fair balance. Murderers, rapists, and others who commit very serious offences and take away other people's rights to life or respect for their physical integrity forfeit, in my view, not only their liberty but also their rights - at least for a time - to participate in the activities of civil society. If you behave in an uncivilised way it should not be surprising that some of your civil rights are taken away. Prisoners who are sentenced by the superior number to sentences of 4 years and more should not be entitled, in my view, to exercise voting rights. I think the balance that was struck 10 years or so ago was correct and I do not think that this particular amendment should be supported.

#### **The Deputy Bailiff:**

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

#### **8.2.14 The Connétable of St. Martin:**

Firstly I would like to thank the chair of the Corporate Services Scrutiny Panel, Deputy Miles, and say that I have taken on board what she has said and what she said in her comments paper. Just to say that the Jersey Election Authority is devising a policy for complaints and as this is an important aspect of their role they are making certain that the process is robust, especially as it occupied so much of their time in 2022. P.P.C. is happy to provide a list of its upcoming legislation to Scrutiny and is grateful for its review. Deputy Ahier, who is a member of P.P.C., he is very aware but I should say to the Assembly - and this was brought up by Deputy Scott - the reason this has come before the Assembly is that this issue is a recommendation but the P.P.C. was not unanimous on the issue of prisoner voting. So we decided to leave this to the Assembly to determine. Deputy Le Hegarat, with regard to prison votes, we were told this would result in an additional 37 votes based on the March

inmate levels. All prisoners vote by post at present and there is no expectation that this would change. We are not sure what additional resource implications this would be if it is purely postal voting. Deputy Renouf, as I said before, the committee have been divided on this and so we wish the Assembly to make the choice. The wording in the E.O.M. recommendation explicitly refers to the 4-year limit. I think Deputy Tadier asked about what address they would have and it is where they lived before they were incarcerated. Thank you to Deputy Ozouf. To Deputy Scott - I hope she does not mind me saying this - but if only the public were so keen to vote that they would break out of jail to do so. **[Laughter]** P.P.C. hopes that the changes will encourage voters, but not to that extreme. I would just like to read out, as I have been asked to, to make it more explicit to everybody what they are voting for. The Election Observers Mission, Article 3 of the Amendment Law: "The Election Observers Mission recommendation 4 from 2022 stated that, 'To allow for broader electoral participation on an equal basis, the blanket ban on the right to vote for persons serving prison sentences exceeding 4 years should be removed'. The Committee wishes to extend the vote to all prisoners based in Jersey." This Article deletes existing Article 4. As previously stated, this will bring us in line with our Crown Dependency colleagues. P.P.C. has determined that there are wider perceived benefits of extending voting rights, including the creation of social ties and a commitment to the common good and, therefore, wishes to remove the disqualification limit, extend the vote to all prisoners and offer them postal votes to allow them to participate in elections in the constituency in which they resided prior to being detained. The numbers for this are not huge and, as I have said, we were advised that had this been applied in March it would have extended the vote to an additional 37 inmates at La Moye.

**The Deputy Bailiff:**

Deputy, are you prepared to give way for a point of clarification?

**The Connétable of St. Martin:**

Yes.

**The Deputy Bailiff:**

Yes, Deputy Tadier?

**Deputy M. Tadier:**

I wanted to wait until the end of the speech but I think we are almost there. Could I ask the chair what the process is for a prisoner voting? I am mindful in passing this. If they are registered at their home address before they were in prison how do they physically vote?

[16:15]

**The Connétable of St. Martin:**

The only information I do know is that it was at their previous address and they do have a postal vote, so I presume that it would be forwarded to the prison for them to vote, or the prison officers would have some way of arranging the postal vote for them.

**The Deputy Bailiff:**

Is the appel called for?

**The Connétable of St. Martin:**

Yes.

**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. I can announce that the Article has been adopted in Second Reading.

<b>Pour: 28</b>		<b>Contre: 15</b>		<b>Abstained: 1</b>
Connétable of St. Brelade		Connétable of St. Lawrence		Connétable of St. Martin
Connétable of St. Peter		Connétable of St. Clement		
Connétable of St. John		Connétable of Grouville		
Connétable of St. Ouen		Connétable of St. Mary		
Deputy G.P. Southern		Connétable of St. Saviour		
Deputy M. Tadier		Deputy C.F. Labey		
Deputy S.G. Luce		Deputy S.M. Ahier		
Deputy L.M.C. Doublet		Deputy I.J. Gorst		
Deputy M.R. Le Hegarat		Deputy K.L. Moore		
Deputy R.J. Ward		Deputy Sir P.M. Bailhache		
Deputy C.S. Alves		Deputy H.M. Miles		
Deputy I. Gardiner		Deputy M.R. Scott		
Deputy L.J. Farnham		Deputy J. Renouf		
Deputy S.Y. Mézec		Deputy A.F. Curtis		
Deputy P.F.C. Ozouf		Deputy B. Ward		
Deputy T.A. Coles				
Deputy D.J. Warr				
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 K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

### **The Deputy Bailiff:**

Chair, do you propose Article 4?

### **8.3 The Connétable of St. Martin:**

Yes, Sir. Article 4 of the Amendment Law is a requirement for entitlement to be registered. This amendment simply makes a minor amendment to the wording of the law to ensure consistency in approach when referring to someone being ordinarily resident. There is an amendment to my Article 4. P.P.C. does not oppose this amendment but would prefer the Assembly to determine whether it wishes to extend eligibility to those who have only been resident for one year. I am advised that it should not be problematic to work this into the automatic voter registration programming, and it clearly will increase those on the register, be more inclusive, and send a strong message out to the public that we value the views of everyone who makes Jersey their home.

### **The Deputy Bailiff:**

Is Article 4 seconded? **[Seconded]**

### **8.4 Draft Elections (Jersey) Amendment Law 202- (P.28/2025): Amendment (P.28/2025 Amd.)**

### **The Deputy Bailiff:**



There is an amendment to Article 4 lodged by Deputy Jeune and I ask the Greffier to read the amendment.

### **The Greffier of the States:**

For Article 4 substitute – 4 Article 5 (entitlement to be registered) amended (1) This Article amends Article 5. (2) In paragraph (1)(c)(i), for “2 years” there is substituted “1 year”. (3) In paragraph (3)(a), for “becomes resident” there is substituted “becomes ordinarily resident”.

### **8.4.1 Deputy H.L. Jeune:**

I ask for Members to support this modest but meaningful amendment to Article 4 of P.28, which would make an amendment to Article 5(1)(c)(i) of the Elections Law, one that seeks to reduce the residency requirement to vote in Jersey from 2 years to one. I hope Members can see this is about strengthening democratic inclusion and not lowering any standards. During the last election knocking on doors I met Islanders who are fully engaged in the issues we debate here, and what issues Islanders want us to debate here. Sometimes these may not be aligned. These are people who live and work in our communities, pay taxes, social security, rates, already volunteer for scouts or community sports or charities, are engaged in Parish and community life, and starting to care deeply about Jersey’s future; a future they could see themselves and their families being part of. They were invested but they could not vote. The law told them: “You do not belong; not yet.” I believe that denying them a vote while expecting their civic participation elsewhere is inconsistent and disenfranchising, so this amendment seeks to right that small but important imbalance. Many of us in this Chamber have talked about how to encourage people to integrate, to get more involved in our community, to take part; but this current law tells them: “Not yet; wait” and in many cases that early enthusiasm while getting to know and understand their new community they have moved to, settling into their new home, could fade. People could feel shut out and disconnected. A 2019 study in the electoral studies found that earlier voting access increases political participation and social cohesion among migrants. Jersey relies on migrant labour. The stability of Jersey’s working age population has relied heavily on this inward migration. According to Statistics Jersey, around 3,700 people immigrated to Jersey in 2022 with net migration that year recorded at about plus 200. In 2023 net migration increased to plus 470. While full immigration figures in 2025 are not yet published, if proportions were similar to 2022 it is reasonable to estimate that approximately 4,200 people may have moved to Jersey in 2023. Although not all may be eligible to vote due to other criteria, many would have been able to. As an example, many of those would have moved from the U.K. and would be British, and anybody from Jersey who moves to the U.K. is automatically entitled to vote if they can prove residency, but yet here they would have to wait 2 years. If our economy and essential services depend on these people from the moment they arrive why should they not be able to participate in choosing the States Assembly that shapes the politics affecting their lives. These are engaged, invested residents, professionals, key workers, who want to be part of Jersey’s democratic process. Denying them that right for 24 months risks alienating them at precisely the moment we should be encouraging their integration. I believe one year of continuous residency is enough time for a resident to demonstrate commitment to this Island. The proposition filters out transient populations while still welcoming committed new residents. It is a standard already reflected in other jurisdictions like the Isle of Man, who had not seen a destabilising effect, and aligns with the recommendations from the 2022 Commonwealth Parliamentary Assembly Election Observation Mission to Jersey. Some may worry this change is too much or would not make a difference. I would argue that giving even one family a stake in our community sooner rather than later fosters that belonging and it deepens the roots. Democracy is not a zero sum game. Expanding the franchise ensures more balanced representative decision making. Everyone living and contributing here should have a say in shaping Jersey’s future, regardless of whether they have been here for one year or 30. Longstanding residents’ views remain vital but they should not come at the expense of silencing others who are equally affected by political decisions. This amendment is simple, it is fair, it reflects

the lived reality of many people who already call Jersey home. I ask Members to consider if someone contributes to our Island from day one, why must they wait 2 years to have a say in how it is run. Democracy is not a probation period; it is a partnership. I, therefore, encourage Members to support this amendment.

**The Deputy Bailiff:**

Is the amendment seconded? **[Seconded]** Does any Member wish to speak on the amendment to Article 4?

**8.4.2 Deputy M.R. Scott:**

I think that inclusivity is very important when it comes to understanding different viewpoints, particularly in producing policy and indeed in reviewing policy. But I also think that experience is important too, and I think that is the balance that one needs when it comes to having people participate in the voting process. I remember when I came here as an immigrant many years ago and I worked in a law firm and my qualifications - even though I had worked years as a relatively senior lawyer in the British Isles - was not recognised in this Island jurisdiction. I had to requalify. I was not even allowed to take the exams until I had been here for 2 years. During that time I learnt a lot about the way things are in Jersey and of course that old joke - I guess people do not use this anymore - about there being a boat in the morning if you did not like it. We still do, all right. You would laugh about it but there was a certain truth in that; there was as certain: "Well, okay, you can vote with your feet for now and that is an option." I do not think it is something that we particularly want but it is something that we should always be mindful of when it comes to those who come to our community as immigrants. I personally feel uncomfortable about agreeing to this amendment at this time, particularly with the introduction of automatic voter registration. I think that it is important to just see how things work, what the impacts are, and just be mindful as one goes along this journey. I am not convinced about supporting this amendment at this time.

**8.4.3 Deputy C.S. Alves of St. Helier Central:**

I think I am probably in a unique position in this Assembly as one of the few people that can vote in 2 jurisdictions at the moment. I am a Portuguese citizen, as well as a British citizen. As a result, I get a ballot paper posted to me when it is the Portuguese Republic elections. I have never lived in Portugal. I have never lived in Madeira. My family are from Madeira. I do not get a right to vote in the Madeira elections, but I do get a right to have a say over the main Portugal Government. That is important. Although I have not contributed to the economy in Portugal directly, maybe indirectly by going back on a number of occasions and as much as I can, I do have a stake in Portugal. Much like some of the contributions mentioned in the last Article that we debated, my family are there. What happens in the country does impact my family. It also impacts my possibility if I ever want to go and live there. However, I have never lived there and I have never economically contributed to Portugal. However, I think it is important that I have that right. It is important that anybody that has a stake in a community that they belong to, whether that is through citizenship or through being in that country contributing, has a right to have a say. I am swaying a little bit, but I also think it is a shame that if I were to leave Jersey, for example, I would not be able to have a say in the same way that I do with the Portuguese elections in the Jersey elections, because my family could still be here. I was born here and I have lived here all my life, but yet if I was to go and then return again I would lose those rights and I would have to wait 2 years; under this amendment, it would be one year. It is important that we recognise that if somebody has a stake in a community ... and this amendment is reducing the requirement of the 2 years down to the one year, it is a shame that we are not going further and allowing people who are Jersey people, if you like, and probably because of the absence of a Jersey citizenship qualification or whatever you want to call it, that we do not allow those who have left the Island to still be able to vote. This is definitely a step in the right direction. This is the right thing to do. I will be supporting this. I hope that others will as well. I hope that we send out

the message that we recognise the importance that people coming to this Island provide our Island with ... they have to pay taxes, they have to pay social security, all of those things. I would urge Members to vote in favour of this.

#### **8.4.4 Deputy P.F.C. Ozouf:**

I am sorry that other Members are not going to speak and I am sorry if I am appearing like a jack-in-the-box, but these issues are important. This is an example where part of the day one can be against a certain group of individuals, and I am looking across at Reform, but we are unified in other things.

[16:30]

That is one of the beauties of this Assembly and the beauties of our Island. I heard the former Bailiff when he was giving a Liberation speech talking about Jersey and the definition of Jersey people and the tapestry of peoples that we are. My late father thought it was amusing that he was regarded as such a Jerseyman as he looked up at a wall of a picture and said: "My great-grandfather was a (2 seconds of French spoken). He was an alien, such was the discrimination that did exist against Catholics and Norman immigrants. However, times have changed. We need to welcome people of all sorts of different nationalities. If I may say, that of the actual number of people that do come and work here and are here for one year, many of them are in our caring services. Many of them are in the hospital doing a terribly difficult job, at the consultant level, the nurse level and others. I met a policeman the other day. He was over from the U.K., coming from Essex, excellent individual, working in our police force. I thought to myself: these people are serving Jersey and they are working hard, they are paying their taxes, why can they not vote? Why can they not have a say in the democratic decisions that are encouraging us to do things like build hospitals or otherwise or pay decent salaries. It is absolutely right. We have always been a welcoming open community. The respect that we should afford our people that pay taxes ... if you are an ordinary resident, surely you should be able to vote? If we ask people to pay their taxes, they should be able to vote? I purposefully used care workers, people that work in the hospital. They take an interest in our Island. We do allow people in Jersey, unlike other places, who do not have British citizenship, as the last people said. That is a peculiarity of Jersey. If you are in here, yes, you need certainly a British passport. You need to be able to do your allegiance to the Crown. However, if you are a voter, if you are coming here to work ... and, my goodness me, it is difficult to come and work here these days. It is difficult to get a job that you can stay at for more than 9 months because of the work permit system that we had inflicted on us by the last-but-one Government, that basically brought in the U.K. law and plonked it in Jersey and said we had to prescribe by it. It is jolly difficult. We need to go out and say: we do need workers and we need workers that are going to stay for more than 9 months. We want them to commit to Jersey. At the moment we have this transient, throwaway culture of people that we accept into Jersey, then throw them out because they have been here for 9 months under a work permit system which, I have to say, I do not agree with. If you are here for more than 12 months, you should vote. The Deputy is quite right to bring that. I hope that other Members will send out a clear message that if you pay your taxes, if you are ordinarily resident, and if you are working ... think about that nurse, that person who is caring and working hard for Jersey. They are here out of choice and they should be able to have a say in our democracy after one year of residency. That presumably means paying their taxes. I support the Deputy. I know that other Members might not like it, but I want Jersey to be an open, welcoming place. Maybe it was not always, but now it should be. If you are good enough to work here and good enough to have a rental agreement then you should be good enough to vote.

#### **The Deputy Bailiff:**

I call upon Deputy Jeune to reply.

#### **8.4.5 Deputy H.L. Jeune:**

Thank you to all Members who have contributed to this vote. Taking a few points that I highlighted in my beginning speech and those that have been mentioned by Members, democracy is grounded in the principle that those who are governed should have a voice. People who live, work and pay taxes should have a say in the rules that govern them. I believe widening the franchise, broadening who can vote, is vital for any healthy democracy, especially in a small community-based jurisdiction like Jersey. I wanted to say to Deputy Alves, I am also one of the few privileged Members, along with Deputy Kovacs, here who can vote in a number of other jurisdictions and one that I would be fined if I did not vote, in Belgium. I am happy for that. I am happy to vote and for that I am happy to vote in the European elections as well. I am proud of being able to vote. I am proud to be part of the different systems that I am linked to. I have left the European Union physically but not in my heart. Again, I have left Belgium physically but not in my heart. I still feel that I am part of that democratic choice. That is important coming to Jersey, that those people still feel the same, that they are included and it builds a stronger legitimacy for the election outcomes. We are not talking about a huge number of people. Because it will not be the people who arrive within 12 months before the election happens, every 4 years. We are not talking about huge numbers. Just like we were not talking about a huge amount before when we voted for the prison population. I believe every vote counts. I believe everyone should be entitled to widening the franchise and to bring them and motivate people who arrive in this Island to engage, to integrate, to invest in the community, to welcome those newcomers to our Island. We need to build a culture of participation. We still have not got it right. I believe we recognise that we do not have it right. This is just a small amendment that would help those who want to vote to be able to vote after 12 months.

#### **The Deputy Bailiff:**

Is the appel called for? The appel has been called for. Member are invited to return to their seats. You are voting on the amendment to Article 4 lodged by Deputy Jeune and I ask the Greffier to open the voting. If all Members have had a chance of casting their votes, I ask the Greffier to close the voting. I can announce that the amendment has been adopted.

<b>Pour: 30</b>		<b>Contre: 16</b>		<b>Abstained: 0</b>
Connétable of St. Helier		Connétable of St. Lawrence		
Connétable of Trinity		Connétable of St. Brelade		
Connétable of St. Peter		Connétable of St. Mary		
Connétable of St. Martin		Connétable of St. Saviour		
Connétable of St. John		Deputy C.F. Labey		
Connétable of St. Clement		Deputy S.G. Luce		
Connétable of Grouville		Deputy I.J. Gorst		
Connétable of St. Ouen		Deputy K.L. Moore		
Deputy G.P. Southern		Deputy Sir P.M. Bailhache		
Deputy M. Tadier		Deputy M.R. Scott		
Deputy L.M.C. Doublet		Deputy R.E. Binet		
Deputy M.R. Le Hegarat		Deputy A. Howell		
Deputy S.M. Ahier		Deputy T.J.A. Binet		
Deputy R.J. Ward		Deputy M.R. Ferey		
Deputy C.S. Alves		Deputy B. Ward		
Deputy I. Gardiner		Deputy M.B. Andrews		
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 J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy H.L. Jeune				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				

## 8.5 Draft Elections (Jersey) Amendment Law 202- (P.28/2025): resumption - Article 4 as amended

### The Deputy Bailiff:

We now return to Article 4 as amended. Does any Member wish to speak on Article 4 as amended?

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

Sorry, could we confirm what this is?

### The Deputy Bailiff:

Yes. We are considering Article 4, which was proposed by the chair. Then there was a debate on the amendment to Article 4 only by Deputy Jeune. We are now returning to Article 4 as amended. Does any Member wish to speak on Article 4 as amended? It may be that no one does, because we have just had a debate on the amendment, which effectively is Article 4. Are Members content to adopt Article 4 as amended or is the appel called for? The appel is called for on Article 4 as amended. I ask the Greffier to open the voting. Members are now voting on Article 4 as amended. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. Article 4 as amended has been adopted.

<b>Pour: 36</b>		<b>Contre: 8</b>		<b>Abstained: 0</b>
Connétable of St. Helier		Connétable of St. Lawrence		
Connétable of St. Brelade		Deputy C.F. Labey		
Connétable of Trinity		Deputy I.J. Gorst		
Connétable of St. Peter		Deputy M.R. Scott		
Connétable of St. Martin		Deputy R.E. Binet		
Connétable of St. John		Deputy A. Howell		
Connétable of St. Clement		Deputy T.J.A. Binet		
Connétable of Grouville		Deputy M.B. Andrews		
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy M. Tadier				
Deputy L.M.C. Doublet				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy L.J. Farnham				

Deputy K.L. Moore				
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 J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy H.L. Jeune				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				

### **The Deputy Bailiff:**

Chair of P.P.C. (Privileges and Procedures Committee), how do you wish to propose the balance of the Articles?

### **8.6 The Connétable of St. Martin:**

I would like to propose Articles 5 to 17 *en bloc*, but I would like to read out an explanation for each one. I do not believe any are controversial. Article 5 of the Amendment Law, resolution of disputes. During the 2022 election period the J.E.A. dealt with many complaints about the scope of what was limited by Article 13 of the Elections Law, which provided that the J.E.A. could only accept those made by candidates and could only be about another candidate or an individual carrying out election functions. The J.E.A. received many inquiries which were ineligible for consideration under these terms, but would be classed as complaints in the ordinary meaning of the word. Themes covered by these inquiries included election material and its citing, use of social media and comments made at hustings. The J.E.A. said in its report the J.E.A. believes that its role in dealing with disputes needs to be reconsidered. The Election Observers Mission recommendation 12 stated: “In order to bolster the system or election dispute resolution and make it more inclusive. Consideration should be given to the establishment of administrative redress available to persons other than the contestants.” This Article extends to the resolution of disputes by the Jersey Electoral Authority. The J.E.A. was still in its infancy when the last elections were held and it struggled to define its role in the short period leading up to election day and meet the expectations of the public. Extending the J.E.A.’s complaint handling jurisdiction will align better with the remit of the U.K. Electoral Commission on which the J.E.A.’s role is based. This time there will be sufficient lead-in time to publicised clear guidance regarding the functions of the J.E.A. and make it explicit what they will and will not adjudicate upon. Article 6 of the Amendment Law, when oaths are taken. This Article simply affixes a timeframe for newly elected Members oaths to be taken. Article 7 of the Amendment Law, nomination forms content. This is a minor amendment. At present this Article allows candidates to provide an alternative address on their nomination form and to specify that their home address should not be made public. However, when the poll is announced, it includes their address. This amendment simply ensures it is that alternative address which will be published. Article 8 of the Amendment Law: new Article 17IA hustings. This is a completely new Article to manage the hustings process for 2026 and onwards. In 2022, candidates and the public reported hustings fatigue, with some candidates attending multiple events on successive nights across constituencies. There were problems when clashes occurred or candidates had prior commitments and therefore could not attend

an event. They were worried this would appear to the electorate that they were as dedicated as their counterparts. This new Article places the co-ordination and management of the hustings with the J.E.A. rather than with the candidates. It will ensure events can be scheduled to avoid clashes, which will make them more accessible to the public and also reduce the associated costs of having to fill multiple events on the same date. It is proposed that the J.E.A. will provide the dates before the nomination period, so that prospective candidates are able to plan for them and ensure their availability to attend. Articles 9 and 10 in the Amendment Law, notices in the *Gazette*. These amendments are to accommodate the elections moving to a Sunday. Article 11 of the Amendment Law, ballot papers: this amendment expands the requirements of the content of a ballot paper so the J.E.A. could allow photos of candidates, if deemed appropriate. Article 12 of the Amendment Law, polling stations: the E.O.M.'s recommendation 9 stated: "The number of voters per polling station should be reviewed to ensure polling stations are in close proximity to voters residences and/or easily accessible via public transport, and to ensure that polling stations are manageable if many voters turn out on election day." The committee considers there should be greater flexibility as to where polling stations are located to ensure they are placed in the optimum position for voters.

[16:45]

This amendment simply places the decision as to where the polling stations should be with the J.E.A. in consultation with the Autorisés. Article 13 of the Amendment Law, candidate information. This amendment allows for information about candidates to be made more accessible within the polling station. At present there is a requirement to have the photos and names of those standing on display. This addresses accessibility issues to allow for reasonable adjustments like large print or translations. Article 14 of the Amendment Law, giving ballot paper to elector. In 2022 voters reported being asked if they wished to vote in both the Deputies and Connétables elections within their constituency Parish. This caused some confusion and the committee is keen that no voter is disenfranchised from casting all of the votes to which they are entitled. The J.E.A. suggested that this need for questioning be removed from the law. Article 32(a) will be removed so that electors will be given ballots automatically for each of the polls taking place. It is a matter for them if they subsequently choose not to cast all of their votes. Article 15 of the Amendment Law, assisted voting home visits. This amendment ensures that requests for home visits for Islanders to cast their votes on election day itself are available only for those who find themselves unable to vote on election day as they had intended to, due to unforeseen circumstances. Home visits require 2 members of staff to be sent to a person's home to take their vote. This amendment limits access to those who could not reasonably have known that they needed to apply for a postal vote instead. Article 16 of the Amendment Law, changes reference to spoiled ballots. This is an administrative amendment to ensure consistency. This amendment follows on from the change to the definitions in Article 1 and substitutes the word "spoiled" for "cancelled", which is the generally understood definition. Article 52A, result in public elections or Parish elections: amended in Article 52A(3)(a) for "spoiled" there is substituted "cancelled". The intention is to help with completion of the returns form by the Autorisés. Article 17 of the Amendment Law ...

**The Deputy Bailiff:**

I am sorry to stop you there, but Article 16 contains the word "annulled" not "cancelled". There is a spelling mistake in the report.

**The Connétable of St. Martin:**

Sorry, yes.

**The Deputy Bailiff:**

Sorry to interrupt you.

**The Connétable of St. Martin:**

Thank you, Sir. So, for “spoiled” there is substituted “annulled”. The intention is to help with completion of the returns form by the Autorisés. Article 17 in the Amendment Law, procedure for postal voting. This change makes the deadline for the return of postal votes several days earlier than election day. This is required as postal voting increases in popularity, as it will ensure that there is sufficient time to process the envelopes returned. It is also of particular importance as there is an agreement for elections to be held on Sunday, as there is no postal delivery at the weekends in Jersey. This change will require postal votes to be received 2 working days before the poll. I hope that Members will support these administrative changes to the Elections Law.

**Deputy R.J. Ward:**

Sir, may I ask a point of clarification?

**The Deputy Bailiff:**

Yes.

**Deputy R.J. Ward:**

On the last bit, may I ask the chair of P.P.C., with the postal voting, is it received the date it is received or the date it is posted; that is the important thing? I would like clarity there. How is that recorded as being received? Who is it dated by? It looks like you would have to open the ballot paper to see it is there or will it be inside an envelope? I just want to be clear. I will speak about it when I speak, but just to be clear.

**The Deputy Bailiff:**

Do you want to answer that now or later on? Okay. Point of clarification?

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

Yes, Sir. Before this is seconded, unless I missed it, I was not aware Members have been asked if they were content that this would be taken *en bloc*. I would have interjected at that point and requested that Article 5, the next one, would be taken as a separate vote to allow a separate debate. I do not believe Members were asked whether they were content with the remaining Articles being *en bloc* as well as what the proposer wished to happen.

**The Deputy Bailiff:**

Yes. In that case, we will have a separate vote on Article 5 in any event, as requested. Are these Articles seconded? **[Seconded]** In order to avoid confusion, there is no difficulty with what we have adopted so far. We will have a general debate on Articles 5 to 17 and then a separate vote on Article 5. That is what we will do. Yes, do you want to speak to the Articles as proposed, Deputy Scott?

**Deputy M.R. Scott:**

Yes. I had a question for the Solicitor General again.

**The Deputy Bailiff:**

Yes, all right.

**Deputy M.R. Scott:**

With this particular Article, which enables people to make complaints to the J.E.A., which does not have its own review body, so I suspect that the recourse, if people are not happy with the way it does things, is judicial review. I would like that confirmed. Also, bearing in mind the law suggests that the J.E.A. monitor conduct and produce a Code of Conduct and the terms of reference, where exactly are they to be clear that this is all in support of fair elections, rather than more extraneous details about conduct?

**The Deputy Bailiff:**



Is that a question you want to respond to now?

**The Solicitor General:**

No, I would like time, please.

**8.6.1 Connétable D.W. Mezbourian of St. Lawrence:**

I would like to refer to Article 26, if I may, polling stations. We know that the Autorisés in consultation with the J.E.A. will be able to decide whether the polling station that the Parish suggests for use is sufficient or not. All Parish Halls are used as a polling station. In my Parish, we have had the debate for some years regarding the top of the Parish, where the Parish Hall is, and the lower part of the Parish, i.e. the Millbrook area, which is well built up residentially, and whether there should be a polling station at the bottom of the Parish. My question to the chairman of P.P.C. is: if it was deemed that a polling station should be used in the lower part of the Parish as well as the Parish Hall and it was a building that is used commercially and there would be a charge for its use, who would be liable to pay that charge? I have not heard of anything that addresses that. I am not sure it is going to happen, but if we approve this then it is likely that it could happen and there could be a consequent charge. Does the Parish pick up the tab? Is it covered by expenses that can be given to the Parish?

**8.6.2 Deputy R.J. Ward:**

Just a few points to make on the areas this covers. I must point out an irony when there is talk about hustings fatigue and the Assembly has voted for another type of hustings, which will take place, 12 of them for whoever is going to stand for Senator will have to attend all 12 Senatorial hustings, which may have 30 or 40 people stood there who will talk for 30 seconds maximum, if that, on every question that is asked. There is a real irony to talk about hustings fatigue when what we have in this Assembly is brought back the worse form of hustings that you could possibly have to find anything out about a candidate. In terms of polling stations - this is on a Sunday, the election - I would suggest that in so many jurisdiction around the world, and I have observed a few of them now, I am quite interested in the way elections are run, and using schools is a very good idea. The schools will not be open on those days, because it is Sunday. It may limit a couple of clubs for one day, but they will know more than a year in advance that they cannot use that day. That should not be a problem. It would be a very good idea because schools are so central to our communities. They have car parks, quite frequently. They are accessible. Also, it may encourage young people to vote because it is a place they would go to. It sounds like a subtle thing, but young people go to schools, they go to secondary schools, they go to colleges, but they may not visit the Parish Hall very often. If they do, it might be for the wrong reasons some times. They might not want to visit the Parish Hall. Opening up the schools is a very important thing. I would also suggest that we need to look at pre-polls. It would be a very good idea to have a pre-poll somewhere such as Highlands College, which is central to all post-16 provision in this Island within a 5 or 10-minute walking distance, to encourage young people to actively vote and be part of our electoral system. As Minister for Education and Lifelong Learning, if there is anything I can do to facilitate that then we certainly will. These are the type of things that we need to do to encourage people to get to the polling station and vote on election day. So I welcome these changes; they are very good. Dispute resolution is a problem throughout the world in elections, as to what will be reported, what will not be reported and what will be dealt with. The Jersey Electoral Authority has a real role to play there and the clarity around what they will and will not deal with is very important. If that can be made very clear it will help. It will not stop complaints being made that are nothing to do with the J.E.A., because they tend to be made on election day because people get angry about things. That seems to be what happens. Finally, in terms of postal voting, we need absolute clarity as to when those postal votes are accountable. I would like to see from the day they are posted. We often have delays on the Island, for all sorts of reasons, particularly if postal votes are coming from the U.K. and for students who are in the U.K. Around June time there will still likely be some students in the U.K. People might be away for all

sorts of reasons. If they make the effort to take a postal ballot, post it in the days beforehand, but it does not arrive because of whatever delay in the postal system and it is not counted, that is not good for us as a democracy. I recognise it has to be here before election day, but if we are going to set that postal ballot day a significant number of days before election day we will have a situation whereby the postal ballot might arrive 2 days into the 4-day break, if it arrives a day before, we are going to have a grey area. That will constitute problems in the long-term. It is a small matter, but it is an important one.

[17:00]

I would not say anything bad about Jersey Post, but perhaps sometimes post does not arrive as quickly as we thought they might either. There are issues around that. I would like to see those things addressed. Other than that, I do feel that these are good steps forward and I am happy to support these Articles.

### **8.6.3 Deputy A.F. Curtis:**

I do not mean to say much on this, but I am glad we at least have a chance to discuss Article 5, which introduces a new or extended remit for the Jersey Electoral Authority for complaints. The chair of the Corporate Scrutiny Panel did mention this in her speech, that it is important that any complaints process is appropriate and can deal with correct complaints and is not there to serve vexatious or frivolous complaints. I rise to hope that the proposer in her summing up can provide more detail as to which issues in particular she feels are being caused by not allowing the public to complain and not just candidates and how this is intended to work. I know that we expect guidance to be issued, but is the idea that a greater number of complaints would be considered legitimate or is it that there are several illegitimate complaints that we are not able to rule as inadmissible incredibly early? I am somewhat concerned and worried that elections can be quite touchy areas and one can imagine that people would be quite happy to throw in a couple of complaints on what would be entirely frivolous matters and direct away from what should be debated, which are policies and the candidates at play trying to use the complaints process of the Electoral Authority for that. Further information would be appreciated on what the impact of widening this is. Lastly, I would like to understand the clarity between the dealing of complaints between election materials and the highways. In the last sitting we approved a change to the Highways Law to provide the power to exempt election advertising material. That is only subject to the material and its placement complying with the conditions, if any specified, in an order under that law. I know last election there was a lot of media about where materials were placed. I thought we had dealt with that one. Before we do go ahead and change and really widen up the scope of a complaints system that we have very little information about how it will function and what it really serves, I would like some more information.

### **The Deputy Bailiff:**

Solicitor General, you are ready to respond to a question.

### **The Solicitor General:**

Yes, Deputy Scott asked about the J.E.A. and judicial review. I am not aware that there has, as yet, been any application for leave to judicially review a decision of the Jersey Electoral Authority, specifically its decision around the resolution of disputes. I go from the first principle and I advise in this way, first of all it is a statutory creature established by Article 13A of the Elections Law. Second, under that statutory provision, it is able to exercise statutory powers, including the resolution of disputes. Those powers are in the nature, in my view of public law, decision-making powers. They are in their resolution of disputes capacity tasked under 13D(2) of the law as presently enacted to take such steps as it considers appropriate for the purpose of seeking to address or resolve the complaint. It seems to me in the ordinary course if an attempt were made to seek leave to judicially review, a court would be likely to approach the J.E.A.'s decision-making on the basis that those

decisions were amenable to judicial review. The court would assess the decision-making, applying the standard judicial review principle: was the decision lawful? That is to say, was it a decision which the J.E.A. had the power to make? Was it a rationally made decision or was it irrational? Was it procedurally fair? Bearing in mind 13D(2): “The J.E.A. may take such steps as it considers appropriate for the purposes of seeking to address or resolve the complaint.” One would think that those procedures would have to have due regard to principles of natural justice to afford a fair hearing.

**Deputy M.R. Scott:**

Part of my question was about the contents of the Code of Conduct and, in terms of that content, what terms of reference would it refer to? Can it only be designed in support of fair elections or is it totally up to its discretion?

**The Solicitor General:**

That is already provided for in Article 13 of the Elections Law, which remains unaltered by these amendments. That provides that: “The Code of Conduct prepared by the J.E.A. may, in particular, include guidance on the manner in which candidates are expected to conduct their election campaigns; the use and content of advertisements or other campaign material that are published in any form, broadcast or circulated on line; conduct while present at a polling station or at the count. J.E.A. must publish the Code of Conduct in such manner as it considers appropriate.” That provision does not appear to me to be exhaustive, because of the reference to, in particular “include guidance on”, which would tend to suggest that the Code of Conduct might include other guidance.

**8.6.4 Deputy P.M. Bailhache:**

I am glad to follow Deputy Alex Curtis, because I too would like to express some reservations about Article 5; 2 reservations in fact. The first one is technical, because Article 13D(3) of the law currently gives the States power to make regulations to make further provision about (a) the functions and powers of the J.E.A. in respect of complaints made by candidates, and (b) the procedure to be followed by the J.E.A. on receipt of a complaint. It is surprising that although there is an amendment to paragraph (1) to change the nature of the Article so as to empower the public, not just a candidate, to make a complaint, that has not been reflected in paragraph (3). There would be an inconsistency if this was adopted, because paragraph (1) would refer to the public and paragraph (3) would refer to complaints made by candidates. The States would have power, in other words, to make regulations in respect of complaints by candidates, but not have the power to make regulations in respect of complaints made by the public. That seems to me to be not right. The second reservation is very much on the lines of Deputy Alex Curtis’s observations. I wonder if we are not opening a Pandora’s Box by allowing complaints by the general public. It is not clear to me how many complaints are envisaged. Is this going to turn the J.E.A. into a kind of ombudsman or complaints authority? If any member of the public can complain, many of them may. More importantly, what will the J.E.A. do about these complaints? It is not clear to me what they will do. Although there may be some information in the J.E.A.’s report as to how they dealt with any complaints that were made by candidates in the last election, I do not know what they are. In summary, I am not clear about what is envisaged for this potentially very large power to be conferred on the J.E.A. I would have liked to have seen much more clarity about what we envisage to be the consequence of conferring this power.

**8.6.5 Deputy I. Gardiner:**

I am grateful to Deputy Alex Curtis for raising this point. I have one question and I would like to hear from the chair of P.P.C., when and how nominations, if new nominations, of the new members for the J.E.A. will take place and would we have different requirements for nominated members to consider, which will be based on decisions that will be made today? If we are changing the roles of the Jersey Electoral Authority, we need to consider who will be dealing and what type of candidates needs to be there? I am hearing Deputy Bailhache, who raised really valid points, what will be the

foundation, the base, to handing, once we are opening it really wide? And I am worried if it will now become political pinko battlefield, but I would listen to the response.

#### **8.6.6 Deputy P.F.C. Ozouf:**

I am grateful for Deputy Curtis to raise the issue of Article 5, because we are giving voters a new right to complain. So I am not sure how we are going to end up in the elections, but I hope that everybody does not complain or else we will need a complaints panel for a complaints panel. This amendment, as the previous speakers have said, opens a door, and I think that we are walking into another room without the finished furnishing that is clear. Until the J.E.A. publishes detailed rules, we will not yet know, except what they are trying to say, and I understand what P.P.C. is saying, that they want to follow the U.K. Electoral Authority. But who is going to say whether this guidance or whatever they are going to say is valid or not? We have heard a lot about the Commission of Standards and certain issues about that. There is a concern about making things up as you go along, and I think that democracy is not well served by that. I wonder very kindly if the president of P.P.C. would explain, if she could, what guidance is going to be issued, when, and who is going to authorise it, if I may ask? Because, otherwise, we risk turning, I think as Deputy Bailhache and I think Deputy Curtis was trying to say, we end up running into fog. I welcome potentially the opportunity for people to complain, that is all fine, but I proposed an ombudsman; I do not know where that has gone, I do not think it is going anywhere. It has to come with a filter, not a funnel. We are opening the door for something that is a general right for the public, which I just do not understand. If it is not prescribed ... I do not want to criticise P.P.C. because I know they have got a really difficult job, and the Electoral Commission, I am really concerned whether or not we are giving them an absolutely unworkable thing to do. So I legitimately am waiting to be persuaded. But, at the moment, I am not sure, and I do not know whether or not we can vote against it, because I am not sure whether we are going to have to come back to some of these issues, dare I raise the issue of the Senatorial legislation, which is not before us, but I welcome and I know the chair of P.P.C. is bringing this forward as quickly as she can. What is absolutely clear is that, in the past, hustings have been a muddle and there has been a concern about the organisation of it. It is fine for St. Saviour, I suppose, one Parish, not 3, much easier. We are simple and we can have one in the north or the south. But multi-seat constituencies, which are a great thing because it is legitimising democracy, have got to have some organisation. Dare I say it, but we have agreed the principle of Senators, but I am not sure we have agreed whether or not we are going to have it on the same day. I know that the likely Senatorial candidates really want to come back into this Assembly with a sort of real swagger about them because they are important, they have been elected Island-wide. But at the end of the day, we are all equal in here, and I think that, yes, they will have done a marathon of hustings, 12, but maybe that is going to be fixed because they will not have done a marathon of 12 because we are going to have some sense. I know the late, great Senator Shenton was the one I was corrected on, having brought in the Parish-wide, every Parish has to have a hustings. But I am worried about the standing of the Deputies and the Constables, and I welcome this proposal, but I do worry about what we are getting to. I think it is right that we are going to have an arrangement whereby we can have hustings, because it has got to be fair. Everybody in this Assembly is equal.

[17:15]

Whether or not they get elected by the purist Senatorial hustings process or not, which is not really about that, and I would say without this very welcome Article, we are going to have a hustings law where we are going to need a spreadsheet and a time machine and a clone to get to all of them. It is going to be really difficult for voters to decide, do they go to the Deputies hustings, do they go to the Senators one, do they go to the Constables, and which one do they go to? It is just mind boggling. Another candidate has got to go to the 3 hustings in the 3 different Parishes that they represent. I mean, we are confused. I know everybody wants to have more votes and all the rest of it, but we are creating a potential nightmare. We are creating a nightmare because it is going to be very difficult,

but that is not an issue for today. I want us to have democracy, not a farce. So I welcome this arrangement, but I worry about how it is going to work in the longer term. I have a little concern, if I may, about the issue of postal voting. The postal voting is now going to be brought forward. We are going to have to have a really strong campaign to say: "Get your vote in early, otherwise you will not have your postal vote." I am not exactly sure whether it is quite right, if I may very respectfully say, to say that the postal vote is invalid if it does not get there before the day before. I just do not understand that. I really want to be constructive, but I am not sure about that. It is really important that we have democracy. It is really important that democracy is seen to work fairly and does work fairly. We have got great things in our democracy. We have made some huge improvements. I just would not want us to be in a position of doing things inadvertently. I know the P.P.C. has got a very difficult job on their hands in trying to basically meld this issue forward. I welcome all of these Articles with one question about the postal vote issue. Well, 2 questions. The postal vote deadline, I am not sure it is right to say that, if a postal vote lands 2 days late, it is a vote not counted. Is there any discretion at all? I am not sure I am comfortable with that, especially when the vote is on the day. For the complaints panel, I am not sure whether the chair is not opening a Pandora's box, as Deputy Bailhache and others have said. It is really difficult, this. Without guidance, we really do not know what we are going to be doing. So I am worried about that and I want to be really nice to the chair of P.P.C., because she is a *zeitgeist*. She is brilliant, but she has got a very difficult job to do.

#### **8.6.7 Deputy M.R. Scott:**

Like others in this Assembly, I totally appreciate the positive intention of the Articles that we are discussing. But I also am perturbed, because I see an inconsistency in terms of how the P.P.C. have put forward these changes, where they are giving power to the Jersey Electoral Authority, to members of the electorate, in the context of elections, which can get extremely nasty with discrediting of others. Saying: "Okay, here you are, the J.E.A. would like you to take some sort of control here", and some sort of regulatory, and, dare I say, even an investigative role, and at the same time there has not been an amendment that perhaps can ensure that when this is done, this is done in a way which perhaps can be better thought out. So I refer to the Pandora's box that Deputy Bailhache has referred to, and the hand-tying, because there is no amendment of Article 13Z(3) of the main law that allows regulations that can mean the States Assembly can offer a bit more in the way of tramlines in terms of what is produced in this way. I am going to contrast this with the comments that were adduced in terms of the proposition that I put forward, where powers ... it has been suggested certain members of the community have power, but very much subject to what I would say is safeguards, and that there has been a reluctance to do that. This comes back to the whole process of scrutiny itself. The devil is in the detail. In an ideal world, I am thinking, okay, some Greffe officers have advised P.P.C. in terms of this detail. Some Greffe officers have, I presume, advised the Corporate Services Scrutiny Panel in respect of the scrutiny of the law. But, even now, where are we? We have got Members of the Assembly of certain backgrounds who are just saying: "Well, hold on, hold on, really, maybe this might have been thought through a bit more", before we, the States Members, who generally, and I am not criticising anyone for this, I know often people must think that Deputy is now getting into the detail and we hate it. Many people are quite high level and that is okay, but you need that balance. You really need that balance to make good law, to make good results for the community, and dare I say, even for us. So, I am going to propose a reference back under Standing Order 83, because I do believe there is a Pandora's box here. I do believe that it merits some further consideration by the P.P.C. before we go on to approve this particular provision without the P.P.C. perhaps considering a bit more, perhaps the accompanying amendment of 13D(3), or even just the whole basis that there is going to be a code of conduct. That is what people will be measured against it. If there are complaints, that will be investigated. What is the process there? What is the resourcing for that? There are many questions and the fact is, is that I have been aware of more and more independent bodies popping up with inconsistent rules about how they operate, even how they publicise

information. It has got to be thought through as we try and gather up all this stuff and maybe have an ombudsman, or maybe not, maybe we can change the States of Jersey Complaints Panel that only can look at Ministerial portfolios. I mean, it is a bit of a mess. I am sorry.

**The Deputy Bailiff:**

Deputy Scott, if you are proposing a reference back, and I note the time, it is 5.23 p.m., it is necessary for you to specify with some care what the purpose of the reference back is.

**Deputy M.R. Scott:**

The purpose of the reference back ...

**The Deputy Bailiff:**

It may be, if the adjournment was proposed now, that is something you could reflect on overnight so you can tell Members with some precision tomorrow morning precisely why it is you think this should be referred back so they can consider that tomorrow morning when we will debate your proposal for reference back.

**Deputy M.R. Scott:**

So, I will propose an adjournment first?

**Deputy R.J. Ward:**

May I speak? I think if somebody is going to propose a reference back, they should have thought what the reference back was at the beginning when they stood up and said: "I am going to propose a reference back" [**Approbation**] and therefore be able to immediately say: "I want a reference back for this point." That is what the Standing Order reads to me. Saying now: "I will propose a reference back, but I will have to think about it overnight and come back in the morning and see what it is", does not strike me as fair to us.

**The Deputy Bailiff:**

I follow that, but a Member is entitled to propose without notice a reference back. I am asking the Member, we only have 6 minutes left today, to consider overnight the basis upon which she wishes to propose a reference back. Then I think we will all be in a better place, including the proposer and Members of the Assembly, considering it. But it is a matter for the Assembly. It is only my suggestion.

**Deputy M. Tadier:**

Can I just ask, has Deputy Scott finished her speech or is she in the middle of it?

**The Deputy Bailiff:**

I do not know. Let us find out. Deputy Scott, you are still speaking, are you, presumably?

**Deputy M.R. Scott:**

Sir, I finished my speech on a proposal that we have a reference back. But that has not been seconded, so in the meantime I am going to propose an adjournment. But I will be proposing a reference back. I personally would be quite happy to explain to Members right now why there should be a reference back. But I guess you should just basically decide whether you want to have a rest and support an adjournment first. You do not have to. If you do not, I will propose a reference back.

**The Deputy Bailiff:**

I thought you proposed the adjournment. Have you proposed the adjournment?

**Deputy M.R. Scott:**

Yes.

**The Deputy Bailiff:**

Are Members content to adjourn now?

**Deputy M. Tadier:**

No, sir. No. Can I speak on why?

**The Deputy Bailiff:**

On why you do not want to adjourn? Yes, you can. The proposal is to adjourn now. The proposal for reference back, the Deputy has mentioned she will pursue that tomorrow morning. But the proposal she has just made is to adjourn.

**Deputy M. Tadier:**

This is highly unsatisfactory. We have got 5 minutes of ordinary time left to debate and ordinarily what would happen is that Deputy Scott should finish her speech. She could take a full 15 minutes if she wanted to and then at the end of it she could decide whether she wants to move a reference back.

**The Deputy Bailiff:**

The adjournment has been proposed. We must stick to the procedure.

**Deputy M. Tadier:**

I know, and I am just explaining why I do not think this process has been satisfactory, why we should adjourn now. As far as I am concerned, Deputy Scott has made her speech. She has finished her speech. I am next in line to speak. I am happy to speak no longer than 5 minutes to take us to 5.30 p.m.

**The Deputy Bailiff:**

She has proposed the adjournment.

**Deputy M. Tadier:**

I know, and that is why I am saying I do not want to adjourn because I would like to make a short speech. One time offer only. It may not be the case in the morning. I may have to speak in the morning, of course, on a reference back and make another 15-minute speech after that. So I propose that we do not adjourn now, I make a short 5-minute speech, maybe less, and that if somebody in the meantime wants to make a reference back or not, then we should decide that I think this evening before we adjourn. I do not think it is satisfactory to adjourn and to curtail this just so that we can then consider that other way.

**The Deputy Bailiff:**

I am going to put this to the vote now.

**Deputy R.J. Ward:**

Are we allowed to speak on this?

**The Deputy Bailiff:**

No. These procedural matters are really for the Presiding Officer to deal with. If we have a long debate on whether to adjourn, then it will make the whole thing unmanageable. So I am going to put it to the Members now. If you wish to adjourn, you will vote pour. If you wish to carry on, you will vote contre. I ask the Greffier to open the voting. The proposal is to adjourn. If all Members have

had the opportunity of casting their votes, I ask the Greffier to close the voting. The Assembly has agreed to adjourn now. So the States are adjourned until 9.30 a.m. tomorrow morning.

**ADJOURNMENT**

[17:28]