

STATES OF JERSEY

OFFICIAL REPORT

TUESDAY, 18th MARCH 2025

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[9:30]

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

The Deputy Bailiff:

Chief Minister, did you want to say something?

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

Yes, Sir. I should declare that the microphones are not working in the Assembly, which suits me if it means we cannot take questions of course. But I think it is not really possible for the Assembly to function until the problem is fixed. I wanted to bring that to your attention.

The Deputy Bailiff:

Well, I think it is now fixed.

Deputy L.J. Farnham:

It is fixed now, Sir? Can they turn the heating on as well, please? **[Laughter]**

The Deputy Bailiff:

We will see about that.

COMMUNICATIONS BY THE PRESIDING OFFICER

The Deputy Bailiff:

1.1 Welcome to His Excellency the Lieutenant Governor

On behalf of Members, I would like to welcome His Excellency to the Chamber this morning. **[Approbation]**

APPOINTMENT OF MINISTERS, COMMITTEES AND PANELS

2. Appointment of an unelected member to the Public Accounts Committee.

The Deputy Bailiff:

There is a nomination by Deputy Gardiner of the Public Accounts Committee for the appointment of an unelected member of the committee. The requirement under Standing Order 124 that at least 14 days before the meeting during which the unelected member is to be appointed notice be given to the Greffier of the intended nominee and the nomination distributed to Members, those requirements have been met. In accordance with Standing Order 124(4), I invite Deputy Gardiner to make her nomination.

2.1 Deputy I. Gardiner of St. Helier North (Chair, Public Accounts Committee):

I would like to appoint Mr. Ali Awan. He is a qualified chartered accountant with a strong background in financial oversight, risk management, regulatory compliance and governance, and he brings valuable expertise to his role as a lay member to the Public Accounts Committee. I would like to ask the Assembly to appoint Mr. Ali Awan as a lay member to the Public Accounts Committee.

The Deputy Bailiff:

Thank you, Deputy. Is the nomination seconded? **[Seconded]** Under Standing Order 124(2), nominations from other Members may be considered but notice of such nominations must be given to the Greffier at least 2 working days before the meeting. No other nominations were received. I therefore declare Mr. Ali Awan has been appointed as a member of the Public Accounts Committee. **[Approbation]** There are no matters of privilege or petitions.

QUESTIONS

3. Written Questions

Deputy A.F. Curtis of St. Clement:

Could I, under Written Questions, request a ruling by you over lunch on the response to Written Question 110, part (e)? I do not believe that the answer given is sufficient or a valid answer. This is a question titled “Written Question to the Minister for Environment on Maisons Les Arches” and the answer given is: “There has not been sufficient time to answer the question.” I would like to contest otherwise that there was sufficient time. I have prepared an email to send to you to review in your ruling, Sir, if you would be happy to do so.

The Deputy Bailiff:

If you send me an email, I will reply within the time set out in the Standing Orders. That is Written Question 110(e), in particular? Thank you very much.

[9:45]

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

Just before I ask my first oral question, I would just ask the leave of the Assembly, my second ... I have to attend a brief medical appointment in the middle of the morning so I have to leave the Assembly about 11.00. I should be back within about 45 minutes, however I think my second question might fall during that time and therefore I would ask that it is put at the end of the questions.

The Deputy Bailiff:

Yes, I am sure that Members are content with that. Are Members content to put that question at the end? Yes, thank you very much.

3.1 Deputy M.B. Andrews of St. Helier North of the Minister for Health and Social Services regarding the number of staff employed in the Department for Health and Social Services (WQ.73/2025):

Question

Will the Minister advise the number of staff employed in the Department for Health and Social Services broken down by –

- (a) full-time and part-time equivalents;
- (b) staff on zero-hour contracts;
- (c) staff on fixed-term contracts; and
- (d) the number of staff employed through an agency?

Answer

- a. full-time staff and part-time equivalents;
 - Full Time: 2,071 FTE, (2,071 Headcount)
 - Part Time: 504.59 FTE, (649 Headcount)
- b. staff who only hold a zero-hour contract;
 - 790 Headcount (FTE N/A as hours variable depending on service need)

- c. staff on fixed-term contracts;
 - FTE: 154.87 (167 Headcount)
- d. The number of staff employed through an agency.
 - 100 FTE & Headcount
 - 9 Headcount (FTE N/A as hours variable depending on service need)

3.2 Deputy J. Renouf of St. Brelade of the Minister for Health and Social Services regarding the hospital's treatment options for skin conditions (WQ.74/2025):

Question

In relation to the hospital's treatment options for skin conditions, will the Minister provide an update on the purchase of a new phototherapy machine, including the cost and when he expects it to be operational, and detail the amount spent each year since 2019 on ciclosporin to treat skin conditions?

Answer

The phototherapy service in Jersey was suspended in 2020 as elective activity was reduced during the COVID-19 pandemic. The equipment required to provide this service is over 25 years old and spare components are now no longer manufactured. As a result, the only viable option for reinstating the service is to invest in new equipment. Although two capital replacement bids have been submitted, neither has been successful as different, more vital equipment has had to be prioritised. This has prevented us from re-establishing the service. The replacement bid will continue to be re-visited as are opportunities to resource this service. A recent quote to inform the capital prioritisation process for a new machine was £70,000.

The amount spent on ciclosporin since 2019 for skin conditions is as below:

	2019	2020	2021	2022	2023	2024	Total
Ciclosporin	£9,377	£12,765	£12,504	£8,476	£7,604	£9,504	£60,230

It is important to note that the use of ciclosporin is indicated following individual patient assessment. Some of the annual revenue spend could be mitigated by utilisation of a machine.

3.3 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Minister for Infrastructure regarding an East/West bus route serving the northern Parishes (WQ.75/2025):

Question

Will the Minister advise what progress is being made with LibertyBus to introduce an East/West bus route serving the northern Parishes to improve connectivity and links with other routes without requiring travel through St. Helier, and if no progress has been made, advise why not?

Answer

Establishing this route is one of my ministerial priorities.

I fully recognise the social benefits generated by improved connectivity and I am happy to confirm that a great deal of progress has been made on this route with LibertyBus as part of the work for the new 2025 Bus Operator Contract, which commences on 6th April 2025.

When instructed, this service will run as a pilot service until the end of the year, when it will be reviewed as any new route would be. This east-west route will connect the Enid Quenault Health Centre and Red Houses area with northern parish communities. The ambition is that the route will be introduced at the end of May when the new Summer Timetable is published.

3.4 Deputy R.S. Kovacs of St. Saviour of The Minister for Treasury and Resources regarding the Disruption Loan Guarantee Scheme (WQ.76/2025):

Question

Further to [R.15/2025](#) and the three confirmed defaults relating to the Disruption Loan Guarantee Scheme (Covid), will the Minister state –

- (a) the names of the companies involved;
- (b) whether the companies are still operating;
- (c) the reasons for the defaults; and
- (d) what measures have been taken, if any, to recover the defaulted loans and when these measures were taken?

Answer

(a), (b), and (c)

I do not feel it is appropriate to publicly disclose information on the specific arrangements of individual companies but in any event government's relationship was with the lending bank and not the underlying borrower. I understand, however, that none of the relevant companies are still operating. We have been advised by the banks that there were several contributing factors for the loan defaults.

Further detail on the scheme can be found in [R.15/2025](#).

(d)

As with the previous answer, I do not feel it appropriate to provide detail on specific measures and dates of any action taken by the banks.

The general approach under this scheme to managing and collecting loans and the role of underlying banks in that process is provided below.

Under the scheme, the Government issued guarantees to lenders covering 80% of any defaults, with the lenders being responsible for managing the collection of the loans.

The scheme places reliance on the underlying banks to complete their usual credit recovery steps and only pays out once banks have taken all reasonable steps in accordance with its Recovery Process, including to realise any other Collateral provided in respect of the Scheme Facility.

The banks' approaches ranged from engagement with borrowers about repayment options through to pursuit of recovery processes. The terms of the scheme require lenders to submit a written declaration of compliance with all terms of the guarantee, including completion of their ordinary credit recovery actions.

3.5 Deputy D.J. Warr of St. Helier South of the Minister for Infrastructure regarding the timeline to empty Fort Regent (WQ.77/2025):

Question

Will the Minister detail the timeline to empty Fort Regent of all activities, the cost to keep the building running in 2025, and which department will be responsible for the Fort upon its closure?

Answer

The end of 2025 remains the timeline to withdraw all remaining sports activities from Fort Regent.

The cost of running the facility for the Sport Division this year is forecast at £580,000. There is a forecast pre-planned maintenance cost of £66,000, and an estimated reactive maintenance spend of between £70,000 to £80,000.

Jersey Property Holdings will retain responsibility upon the closure of Fort Regent. It must be made clear however, that although the site under the roof will be empty, the state of the electrical distribution system, the water system and the presence of hazardous materials means that any further use of that site will not be possible without a considerable package of works and JPH will be providing security and overseeing a safe 'mothball' process of the structure only.

Having a clear site will enable and assist the process that is ongoing to regenerate, update, and improve Fort Regent for the future, including any remedial works that are required, notably making it a safer, quicker and more cost-efficient process.

It is important to note that provision has been made for La Petite Ecole nursery to remain operational on site at Fort Regent.

3.6 Deputy I. Gardiner of St. Helier North of the Minister for Social Security regarding deferred Class 1 Social Security payments (WQ.78/2025):

Question

Further to the response to [Written Question 47/2025](#), regarding the 823 businesses that had deferred Class 1 Social Security payments at the end of 2024, will the Minister state the number of these that –

- (a) are still actively trading;
- (b) did not submit their 2024 annual return; and
- (c) are officially dissolved?

Answer

At the end of 2024, there were 823 employers that had deferred Class 1 Social Security payments.

- (a) 587 of these employers are still actively trading according to records at December 2024.
- (b) We do not, at this stage, have access to the JFSC Annual Confirmation Statements that companies are required to submit. However, we can confirm that of the 587 employers still actively trading, 473 had submitted a Combined Employer Return to Government in December 2024 or January 2025. A further 49 have submitted returns during 2024, albeit not in December or January 2025.
- (c) Our records show 151 of the 823 businesses have ceased trading.

3.7 Deputy M.B. Andrews of St. Helier North of the Minister for Health and Social Services regarding numbers of social workers (WQ.79/2025):

Question

Further to the response to [Written Question 37/2025](#), will the Minister state –

- (a) the number of social workers who are employed as locums or agency staff; and
- (b) the number of social workers who are employed full-time, part-time and fixed-term equivalents?

Answer

In Adult Social Care there is one locum senior social worker, covering a vacancy in safeguarding whilst recruitment takes place.

In Mental Health there is one locum social worker who finishes in the next couple of weeks.

There are no locum or agency staff in Community care.

In Children's Social Care there are 35 Social Workers employed via agencies. These are included in the total in the below table.

Team	Current Employed Social Workers	Vacancies	Full-Time	Part-Time	Fixed-Term Equivalent	Comments
Children's Services	86	44 (35+9)	47	3	1	35 of the vacancies are covered by contingent workers with 9 remaining unfilled
Adult Social Care	13.8	1	12.8	2	0	
Safe-guarding Adults	3	1	3	0	0	
Capacity and Liberty Assessment	5	0	5	0	0	
Hospital Social Work	2	1	2	0	0	
Adult Mental Health Services	16	1	16	0	0	Two vacancies filled since 17/02/2025
Total	125.8	13				

3.8 Deputy M.B. Andrews of St. Helier North of the Minister for Health and Social Services regarding Assisted Dying and adult safeguarding (WQ.80/2025):

Question

Further to the adoption of ‘Assisted Dying’ ([P.18/2024](#)), will the Minister –

- (a) state what legislation and policies are currently in place for adult safeguarding;
- (b) advise whether, in his assessment, these existing protections are sufficient for the safeguarding of vulnerable adults; and
- (c) advise whether any consideration has been given, or is being given, to the introduction of adult safeguarding legislation and, if not, why not?

Answer

- (a) There are a number of Laws currently enacted that contain provisions that safeguard adults, these include the: Capacity and Self-Determination (Jersey) Law 2016, Mental Health (Jersey) Law 2016, Human Rights (Jersey) Law 2000 and the Data Protection (Jersey) Law 2018 and the Domestic Abuse (Jersey) Law 2022 as well as a range of customary law offences that could result in the prosecution of actions that would be directly contrary to the safeguarding of adults.

There are also multiple, well established, published policies and procedures in place that facilitate the safeguarding of adults. These are not limited to: Health and Care Jersey – Safeguarding Children, Young People and Adults at Risk Policy, Safeguarding Partnership Board – Adult Safeguarding Policy, Adult Safeguarding Procedures, Self Neglect Policy, Information Sharing Protocols in respect of Safeguarding Cases and Serious Case Review Procedures. Furthermore, the States of Jersey Police actively provide intelligence in the form of Adult Protection Notices to the Single Point of Referral (SPOR) that are followed up and investigated in line with the published policies.

- (b) There is a strong policy basis that underpins the safeguarding of adults in Jersey with a culture of multi-disciplinary cooperation among all services involved. Providing for statutory duties in relation to adult safeguarding matters would, however, further strengthen protections for the safeguarding of vulnerable adults in Jersey.
- (c) Recognising the requirement for strengthened protections the Council of Ministers has prioritised, in its 2025 legislation programme, the development of Adult Emergency Protection Orders which are largely akin to Emergency Protection Orders for Children. This legislation will also place a number of statutory duties on services, in respect of safeguarding matters, these include: a duty to cooperate, a duty to carry out enquiries, a duty to share information and a duty to report safeguarding concerns. The policy work to develop these legislative provisions is active and ongoing. Post-implementation of Emergency Protection Orders, further consideration will be given to the requirement to introduce other legislative provisions, for example, requiring needs assessments for potentially vulnerable adults

In addition to all of the above, the Assisted Dying Law, will bring forward specific measures to protect any potentially vulnerable adults who may request an assisted death. The details of these safeguards are set out in ([P.18/2024](#)) and are further expanded on in the published [assisted dying law drafting instructions](#).

3.9 Deputy M.B. Andrews of St. Helier North of the Minister for Health and Social Services regarding locum and agency staff (WQ.81/2025):

Question

Will the Minister state the total number of locum and agency staff employed in his Department for each of the last five years and, for each year, the total cost associated with their employment?

Answer

Data concerning the total number of locum and agency staff employed by Health and Care Jersey for the past 5 years is being analysed by officers to ensure that I can provide an accurate answer to Deputy's question.

I thank the Deputy in advance for his patience, and I will ensure the answer is provided in full by 5pm on Wednesday 12th March.

3.10 Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter of the Minister for Health and Social Services regarding organ donations (WQ.82/2025):

Question

Will the Minister set out for each of the full years from 2017 (inclusive) the number of organ donations that have occurred in Jersey from both deceased and living donors, including, if possible, the number of donors involved in those donations; and will he further state the number of people living in Jersey who are currently awaiting a transplant?

Answer

Since 2017 (inclusive) there have been 8 completed donors from which there have been:

- 14 kidney transplants
- 4 liver transplants
- 1 pair of lungs
- 4 Hearts for valves

There were also organs donated that were unsuitable for transplant, however these were all donated to Research programmes.

- 2 kidneys
- 1 liver
- 1 pancreas

In 2017, there was a further donation that went to theatre, but on examination was found to have enlarged lymph nodes. Liver & kidneys were retrieved and transferred to centres on the mainland however the biopsy could not exclude a malignancy, and they were disposed of.

HCI services work with the centralised Organ Donation Service led by NHS Blood and Transplant across the United Kingdom. Our organ donation figures are included in the UK's demographic.

Currently, there are 7 patients in Jersey awaiting a transplant.

3.11 Deputy D.J. Warr of St. Helier South of the Minister for Infrastructure regarding any planned preventive maintenance works for the Lido (WQ.83/2025):

Question

Will the Minister confirm whether there are any planned preventive maintenance works for the Lido, providing the anticipated costs of any such work, and, if there are no such planned works, advise why not?

Answer

Ongoing maintenance of the swimming pool, including the cleaning of the pool steps, and the cleaning of the public toilets, is currently budgeted at £77,000 annually. In addition, there are planned preventative maintenance works for the Havre des Pas Bathing Pool and Café buildings for the next five years which are estimated to be in the region of £26,000 per year.

3.12 Deputy M. Tadier of St. Brelade of the Minister for External Relations regarding frozen Russian assets (WQ.84/2025):

Question

Will the Minister confirm what powers, if any, Jersey has to spend, donate or loan the capital (or any related interest) from any frozen Russian assets that have either been frozen by Jersey directly or are held in Jersey?

Answer

There are no powers under the Sanctions and Asset-Freezing (Jersey) Law 2019 or otherwise that would allow Jersey to seize (or otherwise spend, donate or loan etc.) frozen assets. These assets still legally belong to the legal owner, even if they might be subject to an asset-freeze.

3.13 Deputy H.M. Miles of St. Brelade of the Chief Minister regarding Arms' Length Organisations (WQ.85/2025):

Question

Further to the response to Written Question [69/2025](#), and noting that the Chief Executive's presentation of 23rd January 2025, as [published on the Chamber of Commerce website](#), clearly makes reference to "54 new public funded ALOs since 2005", will the Chief Minister –

- (a) provide the Government's definition of what an Arms' Length Organisation ("ALO") is;
- (b) state whether he has any plans or intention to seek to disband any of the organisations or bodies listed in response to the Written Question; and
- (c) state whether he has any plans or intention to reduce or withdraw public funding from any of the organisations or bodies listed in response to the Written Question?

Answer

- a) In his presentation, the Chief Executive used the term "ALOs and organisations linked to government" in a general sense to highlight the complexity and costs of governing.

The Government's definition of Arm's Length Body is published in the relevant section of the [Public Finances Manual](#) and has recently been updated to improve the categorisation of these bodies between "States Owned Entities", "States Established Delivery Entities" and "States established Independent Bodies or office holders".

- b) There are currently no plans to disband any of the organisations listed in the response to WQ.69/2025.
- c) There are currently no plans to withdraw public funding from any of the organisations listed in the response to WQ.69/2025. As to any reduction in expenditure, all financial

allocations are subject to decisions taken in the approved 2025 Budget and which makes clear that government will be considering issues such as sharing of resources and cross-organisational working. In the current challenging financial context, it is appropriate that these issues are considered in conjunction with these organisations.

3.14 Deputy J. Renouf of St. Brelade of the Minister for the Environment regarding supplementary planning guidance relating to the development of properties with a floorspace of greater than 3000 square feet (WQ.86/2025):

Question

Further to Ministerial Decision [MD-ENV-2025-94](#) regarding supplementary planning guidance relating to the development of properties with a floorspace of greater than 3000 square feet, will the Minister explain why there was no notification that the matter was under review and no public consultation?

Answer

The development of new guidance or change to the suite of existing supplementary planning guidance forms part of the Minister's drive to improve the efficiency and effectiveness of the island's planning service, as set out in this Government's priorities, approved by the States Assembly in May 2024. This is a tool that can be used to provide more certainty and confidence to applicants about how to realise appropriate forms development that the community needs and wants, whilst also seeking to deliver the most sustainable forms of development for Jersey in accord with the policy objectives of the bridging Island Plan. The development of new guidance and the review of the existing suite of guidance, therefore, remains at the Minister's discretion in seeking to deliver the Government's stated priority.

There is no legal obligation for the Minister for the Environment to undertake public consultation on the development of new or change to existing supplementary planning guidance. The reason for this is that supplementary planning guidance is just that – it is supplementary to the policy that has been approved by the States Assembly, and which is set out in the island plan. The development of island plan policy goes through a very comprehensive and robust process of public consultation, independent examination and ultimately States approval. That is why the island plan is the primary consideration in planning decisions and carries significant weight. Supplementary planning guidance cannot, therefore, change island plan policy and needs to be in accordance with it. The changes recently made to supplementary planning guidance do not alter the fact that island plan policy remains in place and will continue to be applied through the planning process.

The Minister is, however, obliged to consult with other ministers about supplementary planning guidance where this might affect their portfolio interest. The Minister for Housing and the Minister for Sustainable Economic Development have both been engaged in relation to the changes recently made.

Whilst the Minister for the Environment is not legally bound to undertake wider public consultation, it is custom and practice to do so when new guidance is being developed, or where significant revision to existing guidance is proposed. In the case of the most recent changes to guidance, it was the Minister's judgement that this was a minor change to existing guidance and did not, therefore, warrant wider consultation at this time. This provision was also only introduced in to planning guidance relatively recently, in July 2023, when it was incorporated in to guidance about Housing development outside the built-up area; and Density standards. Both of these pieces of draft supplementary planning guidance were, themselves, the subject of consultation and the Minister had regard to the feedback from this consultation as part of his review of the 3,000 sqft floorspace parameter, as set out in his ministerial decision.

The Minister considers that the 3,000 sq ft floorspace limit on the development of larger homes was not particularly helpful as guidance, and that the island plan policy framework, together with other pieces of supplementary planning guidance that sat underneath it, was sufficiently robust to deal with proposals for large new or extended homes.

As with all supplementary planning guidance, the Minister remains open to considering its effectiveness, relative to the planning policy objectives that it is designed to support and deliver.

3.15 Deputy J. Renouf of St. Brelade of the Minister for Sustainable Economic Development regarding the 1% funding mechanism for Arts, Culture and Heritage (WQ.87/2025):

Question

Further to his response to Oral Questions without Notice on 4th February 2025, regarding the 1% funding mechanism for Arts, Culture and Heritage (ACH), will the Minister –

- (a) explain how much additional funding has been allocated to the ACH budget as a result of the States decision to adopt [P.69/2024](#);
- (b) detail how that additional funding has been spent to date; and
- (c) confirm that this additional funding for ACH has not been achieved by reallocating existing expenditure to the ACH budget?

Answer

- (a) The twenty-seventh amendment to the proposed Budget 2025-2028 on arts, culture and heritage funding, included the commitment to review spending across Government “to ensure that the total expenditure on arts, heritage and culture is captured when considering the 1%.” That work is currently underway, pending the outcome of this review, no additional budgets have been allocated to date.

- (b) To date the 1% budget within the Department for the Economy has been deployed as follows:

Arts Grants	£18,400
Lunar New Year Festival	£20,000
Ballet d'Jerri	£296,000
ArtHouse Jersey	£615,793
Jersey Heritage & Jersey Archive - Core + R&R	£3,258,818
Human resources	£25,780

- (c) As set out in the answer to WQ.25/2025 the 1% funding for Arts, Culture and Heritage is spread across a number of departments and heads of expenditure. There is not a single “ACH budget”, and it was never the intention that this should be the case. P.69/2024 sought to ensure that 1% of States revenue expenditure is for the purposes of Arts, Culture and Heritage. In calculating whether the 1% threshold is being met it is perfectly reasonable to consider whether existing expenditure across departments meets that definition, This is not “reallocating existing expenditure” but recognising that many departments have a useful contribution to make to furthering Arts, Culture and Heritage objectives.

3.16 Deputy J. Renouf of St. Brelade of the Minister for Health and Social Services regarding the former Chief Officer of Health and Community Services (WQ.88/2025):

Question

Will the Minister confirm whether the former Chief Officer of Health and Community Services has returned to work following a period of medical leave; and will he state what work, if any, for the former Chief Officer has been tasked with, when he was tasked with it, and what his expected total remuneration will be until the end of his contract?

Answer

The former Interim Chief Officer (CO) of Health and Care Jersey (H&CJ) returned to work in December 2024 following a period of medical leave.

He was tasked with some specific work areas to focus on for the period until the end of his contract in March 2025, including consolidation of the use of off-Island tertiary centres and UK health providers to help improve quality and value of services received; establishing a network of small island health and care service providers to enhance the exchange of solutions to increasing specialisation of care and rising costs; considering the further use of private insurance to support possible sustainable funding solutions for health and care; and providing advice and support to the current Chief Officer as required. These pieces of work were agreed on his return to work in December.

The expected total remuneration for the whole contact period of April 2024 to March 2025 inclusive is £294,765.

3.17 Deputy P.F.C. Ozouf of St. Saviour of the Minister for Treasury and Resources regarding interest tax relief provided for mortgage holders (WQ.89/2025):

Question

Will the Minister state the total amount of interest tax relief provided for mortgage holders for residential property for the tax years 2022, 2023, and the most recent figures available for 2024, broken down by relevant tax bands?

Answer

Mortgage interest tax relief is only available to taxpayers who benefit from marginal relief. For each of 2022 and 2023, the cost of mortgage interest tax relief was £9m. Revenue Jersey are unable to release figures for a year of assessment until assessments are completed for all returns.

3.18 Deputy P.F.C. Ozouf of St. Saviour of the Minister for Treasury and Resources regarding the number of properties purchased in 2025 (WQ.90/2025):

Question

Will the Minister state the number of properties purchased in 2025 to date, to include transactions that have been through the Royal Court and any other transactions, with those figures broken down by –

- (a) properties less than £1.5 million;
- (b) properties over £1.5 million; and
- (c) properties that were sold through a shared ownership scheme

with, in respect of (a) and (b), the figures also to be split to show purchases of principal residences (by owner-occupiers) and, separately, purchases that are not principal residences (i.e. for rental purposes)?

Answer

The table provides figures for the total number of properties that sold between 1 January and 21 February 2025 and were subject to either Stamp Duty or Land Transaction Tax.

	Properties that are not main residence	All other property transactions, including main residence
Property value <£1.5m	37	108
Property value >£1.5m	0	16

With regard to Land Transaction Tax, the figures do not include devolution of estate or sole into joint ownership as these attract a standard rate of tax and do not require the disclosure of the property value.

All other properties transactions may include transactions involving commercial property.

Properties that are not intended to be used as the purchaser's main residence are subject to a higher rate of tax. These properties are not necessarily used for rental purposes.

Jersey does not operate any shared ownership schemes; all schemes run by the Government and Andium homes are 100% ownership by the purchaser with the assistance as a charge on the property.

13 properties have been purchased this year to date either through Andium Homebuy or the Government's First Step Scheme. These properties are included in the count of all other property transactions.

3.19 Deputy P.F.C. Ozouf of St. Saviour of the Chief Minister regarding cost increases to household expenditure (WQ.91/2025):

Question

Will the Chief Minister provide a breakdown of the percentage increase in cost for each of the main categories of household expenditure since June 2022, including, but not limited to, food, other groceries, insurance, and other significant costs; and will he advise which, if any, of these categories have risen at a rate exceeding that of the equivalent UK figures?

Answer

With the agreement of Deputy Ozouf, a full response to this Written Question will be provided on 17th March 2025.

3.20 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Minister for External Relations regarding Jersey's Memorandum of Understanding (MoU) with Rwanda (WQ.92/2025):

Question

Will the Minister agree to publish Jersey's Memorandum of Understanding (MoU) with Rwanda that was signed in 2024; and will he provide an update on the Bilateral Investment Treaty that was to be developed with Rwanda under the 2019 addendum to the 2016 Memorandum of Understanding, and, if it has been developed, will he publish this alongside the MoU?

Answer

I have published the MoU with Rwanda, and it is available to view on the government website:

[Memorandum Of Understanding between the Government of Rwanda and the Government of Jersey](#)

Negotiations on the proposed Bilateral Investment Treaty between Jersey and Rwanda commenced in 2024 but have not been concluded. As usual, I would engage with Members, including through the Economic and International Affairs Scrutiny Panel, ahead of the conclusion of the agreement, which would then be presented to the States upon signing in the usual way.

External Relations continue to monitor and assess Jersey's international relationships to ensure that they are appropriate and in line with wider UK foreign policy, in accordance with our constitutional relationship.

3.21 Deputy I. Gardiner of St. Helier North of the Minister for Education and Lifelong Learning regarding the Third Amendment to the Common Strategic Policy (P.21/2024) (WQ.93/2025):

Question

Further to the adoption of the [Third Amendment](#) to the Common Strategic Policy (P.21/2024), in which it was stated that “we will provide adequate provisions and opportunities for lifelong learning, re-training and attractive flexible roles to ensure that age is not a barrier to older workers and to allow our ageing workforce to continue to participate in an evolving job market”, will the Minister advise what specific actions, if any, were undertaken to meet this commitment in 2024 and what plans, if any, exist for 2025?

Answer

Since the Assembly endorsed the Common Strategic Policy (p.21/2024) I have progressed different policies that will contribute to the overall ambition for lifelong learning. These are set out below.

Skills Jersey has now completed a comprehensive piece of analysis working alongside industry to identify where there are significant sector skills gaps. The insights from this work, to be published in the next quarter, will inform future investment in skills training to address these gaps.

The Skills Development Scheme will act as the vehicle that will commission training going forward. Since its official relaunch in the summer of 2024 the scheme has financially supported training in the following areas:

- technological upskilling to improve productivity and digitalisation.
- electric/hybrid motor vehicle maintenance
- heat pump design and installation

A priority area for 2025 will be the review of the financial arrangements to support apprenticeships. This pathway is already associated with high levels of continued employment following completion. My ambition is to introduce changes that will enable the expansion of the current apprenticeship offer in Jersey.

In Higher Education the final stages of legislative drafting are in progress to introduce significant changes to the financial support provided to those who study through distance learning. This will create parity of funding across all modes of study and may provide an easier route to retraining for some who may already be balancing work and family commitments. The changes are intended to take effect in 2025 with students able to apply for financial support as soon as the legislative changes come into effect.

In addition, I have introduced a policy of inflation protection to income thresholds. Income thresholds determine the amount of grant that is awarded to students. This change will ensure that the value of grants is maintained in line with economic conditions.

The eligibility criteria for the Jersey Bursary have also been widened. The Jersey Bursary provides financial support to individuals who wish to study at post-graduate level where study at that level is not mandatory to obtain a professional qualification.

The changes, which are now in effect, include:

- Part time and distance learning courses are now eligible for consideration
- The removal of the requirement to hold a minimum of a 2:1 degree
- Removal of the requirement to provide 2 academic references. Only one reference is now needed, and it does not need to come from an academic source

These changes aim to support lifelong learning, particularly for mature learners who often have commitments such as employment or caring responsibilities. In such cases, leaving Jersey for an extended period or enrolling on a full-time course is not always feasible. We are making it easier for individuals to access flexible study options that can be undertaken while living in Jersey and that enable learners to balance their study with other responsibilities.

Removing the requirement for two academic references makes it easier for mature learners, who may have been out of education for many years and no longer have a relationship with their former educators, to meet the application requirements for the Jersey Bursary. This will help individuals pursue opportunities to retrain or advance their education to higher levels.

3.22 Deputy I. Gardiner of St. Helier North of the Minister for the Environment regarding the Third Amendment to the Common Strategic Policy (P.21/2024) (WQ.94/2025):

Question

Further to the adoption of the [Third Amendment](#) to the Common Strategic Policy (P.21/2024), in which it was stated that “we will enable the design of homes for our ageing population to allow them to remain living independently”, will the Minister advise what specific actions, if any, were undertaken to meet this commitment in 2024 and what plans, if any, exist for 2025?

Answer

It has been recognised, for some time now, that the ageing demographic of Jersey will generate an increased need for accommodation to meet the housing needs of older people in particular.

The need for homes that better meet the needs of older people can be met, in part, by the provision of smaller units of accommodation as part of the overall supply of homes. The current island plan has specific policy provision that requires residential developments of five or more dwellings to include a proportion of smaller homes to encourage and enable ‘right-sizing, where appropriate. This has served to ensure that larger developments, even where they are predominantly providing family accommodation, include a proportion of smaller homes, as evidenced by recent planning

permission awarded in 2024 for the development of sites rezoned for the provision of affordable homes. This policy will remain to be applied in 2025 and beyond.

In anticipation of this challenge, changes to the island's building byelaws were also made in 2008 to ensure that dwellings were adaptable to the long-term needs of occupiers, and to incorporate features that will enable occupants to cope better with reducing mobility and to 'stay put' longer in their own homes. All homes built since that time will have had to meet these standards and are still required to do so. Building byelaws are currently being reviewed which presents the opportunity to ensure that these standards remain appropriate in this respect.

3.23 Deputy I. Gardiner of St. Helier North of the Minister for Sustainable Economic Development regarding the Better Business Support Package (WQ.95/2025):

Question

Will the Minister advise what the eligibility criteria are to receive a Better Business Support Package (BBSP) from the allocation to support the transition to a living wage; and will he further advise how the intended outcomes will be assessed by the end of the year, and whether businesses with outstanding debts to Social Security, or for GST or Tax, will be eligible for a BBSP?

Answer

The Better Business Support Package (BBSP) is made up of multiple schemes including three that are onward grants for employers and employees:

- The Rural and Marine Support Schemes
- The Registered Employee Support Scheme
- The three grants administered by Jersey Business (Productivity, Skills and Visitor Economy Development Grants)

The eligibility criteria for each can be found on [Better Business Support Package: Employers urged to prepare](#).

For the grants administered by Jersey Business, this includes an eligibility criterion that businesses must be up to date with tax contributions or on a repayment plan, which will be verified by Treasury as part of the application process.

Delivery progress and outcomes for each BBSP scheme will be monitored through established internal governance processes and updates will be published in due course later in the year.

3.24 Deputy D.J. Warr of St. Helier South of the Minister for Social Security regarding grants for the provision of carpets (WQ.96/2025):

Question

Further to the response to [Written Question 57/2025](#) will the Minister provide the total value of all grants given by her Department for the provision of carpets in properties for each of 2023 and 2024; and explain why there was a 12% increase from 2023 to 2024 in the number of grants given?

Answer

Year	Total value	Total number of grants
2023	£169,935.64	130

2024	£190,554.13	146
Grand Total	£360,489.77	276

The increase in the number of grants from 2023 to 2024 is 16 grants. The number of special payment requests for carpets will often vary on an annual basis or across the year, as it is affected by factors such as new social housing developments becoming available to tenants.

3.25 Deputy K.M. Wilson of St. Clement of the Minister for Housing regarding evidence used to inform housing policy (WQ.97/2025):

Question

Will the Minister advise what evidence sources he utilises to inform housing policy, in addition to those provided by Statistics Jersey?

Answer

Statistics Jersey provide a foundation of statistical evidence that informs housing policy, from understanding current housing market activity, housing affordability, future housing needs and also the feelings of Islanders about their housing through the Jersey Opinions and Lifestyle Survey.

In addition to these, I draw from other quantitative and qualitative sources, including those provided by Government:

- The Affordable Housing Gateway
- The Assisted Purchase Pathway
- The Homelessness in Jersey Report
- Annual Stamp Duty Income Forecasts (Income Forecasting Group)
- First Step Assisted Home Ownership Scheme and other schemes including Andium Homebuy
- Policy exceptions monitoring (access to social housing and first-time buyer discretions)
- Island Plan housing supply and demand, including planning applications

I ensure that housing policy-making has regard to wider policy and regulatory activity taking place within Government, and I also have regard to what I would see as more of an anecdotal evidence-base, which I draw from engagement with constituents, housing providers, developers, the property sales industry, representative groups and business leaders, which helps to ensure public and business sentiment about housing is understood.

3.26 Deputy K.M. Wilson of St. Clement of the Minister for External Relations regarding involvement with UK Foreign Policy (WQ.98/2025):

Question

Will the Minister advise to what extent his department has any involvement in the development of UK Foreign Policy and if it is not involved, explain why not; and will he further explain how the development of Jersey's external relations policy is informed by world events?

Answer

The conduct of UK foreign policy is ultimately a matter for His Majesty’s Government. Nonetheless, Jersey maintains an open and positive relationship with the Foreign, Commonwealth and Development Office (FCDO), supported by the Ministry of Justice in accordance with our constitutional relationship.

This relationship includes regular discussions relating to Jersey’s bilateral and multilateral engagement with third countries, such as Ministerial visits, treaty negotiations, or consular issues, as well as informing the UK’s representation of Jersey’s interests in line with the 2007 Framework for developing the international identity of Jersey agreed between Jersey and the UK.

Our high-level engagement with the FCDO, both in London and across UK overseas diplomatic missions, ensures that UK foreign policy appropriately reflects these interests whilst also respecting the UK’s formal responsibilities under international law.

Jersey maintains an external relations policy which is distinct from, albeit closely aligned to, that of the UK. The Common Policy for External Relations contains the core principles of the Island’s international engagement and outlines the priority areas for activity with key partners including the UK, France and wider European or non-European nations.

Within this overarching framework, the work of the Ministry of External Relations continues to be informed by global events. Officials regularly advise Ministers on matters that may impact not only our long-term bilateral and multilateral relationships, but which also affect vital aspects of our day-to-day work including the implementation of Jersey’s autonomous sanctions regime.

3.27 Deputy K.M. Wilson of St. Clement of the Minister for Sustainable Economic Development regarding new businesses in Jersey (WQ.99/2025):

Question

Will the Minister state –

- (a) how many new businesses commenced trading in 2024 and, to date, 2025;
- (b) how many of these new businesses have received financial support from Government in the form of a loan or grant; and
- (c) in what sector of the economy these new businesses have been established?

Answer

- a) 2024 – 841 new resident business licences were granted
2025 (as of 4/3/25) – 173 new resident business licences have been granted
- b) Financial support from Government would be limited to the Agriculture and Fishing sectors. The Rural Support Scheme has seen an increase in the number of recipients rising from 64 in 2023 to 80 in 2024 and up to 106 in 2025 with an increase also noted amongst the Marine Support Scheme.

8 applications to these schemes represent businesses established since the 1st January 2024 with the remaining increase from amongst established businesses that are now accessing the scheme.

c)

Industry code 2007	2024	2025
Agriculture and fishing	34	5

Computer and related activities	38	6
Construction and quarrying	102	25
Education, health and other services	222	56
Electricity, gas and water supply	0	1
Financial and legal activities	38	5
Hotels, restaurants and bars	37	6
Manufacturing	41	5
Real estate and other business activities	225	41
Transport, storage and communication	16	6
Wholesale and retail trades	88	17

3.28 Deputy M.B. Andrews of St. Helier North of The Minister for Education and Lifelong Learning regarding job opportunities for university graduates (WQ.100/2025):

Question

Will the Minister advise what work, if any, has been undertaken to specifically notify university graduates of job opportunities available within Jersey in their respective fields of expertise; and, if no work has been carried out, will the Minister pursue this matter, and if not, why not?

Answer

The Skills Jersey's Careers Guidance team deliver Post 18 Options workshops and Jersey Labour Market Information workshops to students prior to them leaving for University. In these workshops students are shown where to look for internship and graduate opportunities, such as the [Internships, Work Experience and Local Opportunities webpage on Gov.je](#).

Jersey students studying overseas can subscribe to receive the undergraduate newsletter [Connected](#) that is sent out by Skills Jersey 3 times a year. This is sent to undergraduates and those who have graduated in the past three years and have signed up to receive recruitment opportunities. This includes current on-island opportunities, open days and career guidance opportunities and all are encouraged to follow Skills Jersey social media to receive on-island opportunities. E-shots are also regularly sent throughout the year with job opportunities from local businesses, direct marketed to those studying for, or with, relevant degrees. [Example 1](#) / [Example 2](#) / [Example 3](#)

A further development in 2024 was the launch of [Jersey Connections](#) network, a platform designed for Jersey's diaspora community, including undergraduates and graduates living in the UK and beyond. The network aims to share insights into island life, training opportunities, and general events. In the future, Jersey Connections also intends to expand its focus to actively sharing employment opportunities, ensuring that both members and their wider networks can easily access and distribute relevant links.

Skills Mentoring is also available to undergraduates and graduates, to support them in identifying vacancies and opportunities in the industry they are looking to join in Jersey, whether for holiday work or on return to Jersey after completion of studies.

3.29 Deputy M.B. Andrews of St. Helier North of the Minister for Health and Social Services regarding the proposed new ‘stand-alone’ Health department in the Health & Community Services Annual Plan 2025 (WQ.101/2025):

Question

Further to the [Health & Community Services Annual Plan 2025](#), proposing a new ‘stand-alone’ health department, will the Minister advise –

- (a) the anticipated date that it will be established and implemented;
- (b) whether there will be a resultant new health charge and, if so, how will this charge be applied;
- (c) whether private sector funding will be required or will services be fully funded by the Government; and
- (d) what consideration, if any, has been given to the governance of such an independent body; and, if none, why not?

Answer

The reference to a ‘stand-alone department’ in the Health and Community Services Annual Plan 2025 was not intended to imply that an independent health and care services organisation would be established outside of government. I was describing:

- a health and care department that included all of the Government of Jersey’s health and care functions, as opposed to some other those functions operating from other government departments (for example, the public health and digital health teams being part of Health and Care Jersey, as opposed to part of the Cabinet Office)
- the establishment of a Partnership Board which brings together government officials and charitable and private providers of health and care service.

I have no plans to establish an independent organisation outside of Government, hence questions (a) to (d) above are not relevant.

3.30 Deputy M.B. Andrews of St. Helier North of the Minister for Treasury and Resources regarding housing units sold by the States of Jersey Development Company (WQ.102/2025):

Question

Will the Minister state the number of housing units sold by the States of Jersey Development Company since 2023 and, of those units, the number sold that are not main residences?

Answer

Since Deputy Andrews’ Written Question of 14 October 2024 and the answer provided: [States Assembly | WQ.345-2024](#), the States of Jersey Development Company (“SoJDC”) has sold one further unit bringing the total number of homes sold by SoJDC in the Horizon development since 2023 to 276 (out of 280). This unit was sold to an owner occupier and therefore the number of homes sold by SoJDC not as main residences remains the same as WQ.345-2024 at 129 homes.

No other housing units have been sold by SoJDC since 2023 other than in the Horizon development.

3.31 Deputy M.R. Scott of St. Brelade of H.M. Attorney General regarding legal restrictions on the use of logos for political campaigns (WQ.103/2025):

Question

Will H.M. Attorney General advise whether there is any legal restriction on the use of a logo for a political campaign by any group of electoral candidates not registered as a political party or individual electoral candidate and, if so, what is the nature of that legal restriction?

Answer

The requirements of the Political Parties (Registration) (Jersey) Law 2008, in respect of *emblems*, only apply to a political party which is registered under (or applying for registration under) that Law, and that Law does not impose an obligation on any person or group of persons to be registered under it. There are otherwise no specific legal restrictions applicable to logos for political campaigns.

3.32 Deputy M.R. Scott of St. Brelade of the Chair of the Privileges and Procedures Committee regarding the election of Scrutiny Chairs (WQ.104/2025):

Question

Will the Chair advise when the Commissioner for Standards' recommendations for revisions to the Members' Code of Conduct and the results of its survey of Members are to be published by the Privileges and Procedures Committee, and when the revised Code of Conduct is to be brought forward by the Committee; and advise the reason for the delay in progressing the Commissioner's proposed revisions in light of the matters of concern they are intended to address?

Answer

PPC has approved a revised draft of the Code of Conduct which will provide Members with greater clarity in relation to the behaviours expected of them both as public representatives and colleagues.

In conjunction with the revised Code and the responses from the consultation, the Committee will also be publishing guidance notes to provide Members and the public with explanations and examples so that interpretation of the Code is clearer. These notes are currently being drafted by the Greffier and Commissioner for Standards, although they will be a 'live' document which can be updated to reflect relevant examples as they arise.

The Committee anticipates that the revised Code and associated guidance notes will be lodged for debate in May or June. The Committee will be arranging training for Members, led by the Commissioner, that same month.

The Committee notes that the Deputy has suggested that the revisions will be those of the Commissioner – this is not the case. Members should not forget that this is our Code. Following the consultation which took place last year, the revised Code reflects the feedback received from Members as well as the Commissioner and it also takes inspiration from the Codes of other jurisdictions. This is not work which should be rushed through – these are very significant rules which help enhance the reputational standing of this Assembly and us all individually as Members.

3.33 The Connétable of St. Lawrence of the Minister for Children and Families regarding the Complex Needs Team (WQ.105/2025):

Question

Will the Minister explain the purpose of the Complex Needs Team within his department and provide details of the following –

- (a) the services provided;
- (b) how the services are accessed;
- (c) whether there is a waiting list for access to those services; and
- (d) the extent of the waiting list if one exists and the actions taken, if any, to reduce it?

Answer

The Complex Needs Team assess disabled children's needs and provide ongoing support to those likely to need continued support through Adult Social Care.

(a) The services provided

The Complex Needs Team (CNT) provides support to children with the most complex medical and disability needs. The team completes statutory and non-statutory duties including:

1. Child in Need, Preparing for Adulthood or Pathway Plans
2. Child in Need Plans for Specialist Short Breaks
3. Children in need of Protection
4. Children in Care (Article 17, Full Care Order or Short Breaks CiC)

(b) How the services are accessed

Access to services for children are informed by an assessment of a child's needs. Factors such as the complexity of need, family circumstances and age of the child or young person will be taken into consideration. Referrals will come through the Children & Family hub for a social work assessment. If there are any safeguarding concerns, then this would be via a referral to the Multi-agency Safeguarding Hub so that a social work assessment can be completed in partnership with all relevant professionals involved with the child/ young person. This assessment would be completed by either the Assessment and Support team or the Complex Needs Team dependent upon the primary concern.

Children eligible for a service from the complex needs team include:

Children who have chronic, permanent and substantial disability.

- Children who have a life-threatening illness.
- Children on the autistic spectrum whose functioning within wider society is severely affected as per the matrix of need.
- Children with disabilities where their care needs cannot be met because their carers have a disability themselves.
- Children who have a substantial disability as a result of an accident. This might include severe head injuries following a road traffic accident.

- Children who have a substantial sensory impairment. This might include being
- blind or deaf, who also have an additional disability.
- Children who require an assessment for specialist short breaks (tier 3)

For young people aged 14+ the team would trigger a referral to adult services as part of initiating the transition process and would complete Preparing for Adulthood assessment (completed within the same timescales as Children and Families assessment). The assessment would trigger a Preparing for Adulthood Plan which are reviewed either every 6 weeks or every 6 months depending on whether they are open for short break only.

(c) Whether there is a waiting list for access to those services

There is a short waiting list for overnight short breaks via Eden House and Oakwell and to access community support via Centrepont.

There are three children awaiting community support from Homecare via Centrepont. and limited provision through Centrepont and the Care Hub.

(d) The extent of the waiting list if one exists and the actions taken, if any, to reduce it?

There are two children currently waiting for overnight short break provision and three children awaiting community support from Homecare via Centrepont. The waiting list is kept under constant review, and it is anticipated that the wait for overnight breaks reduce in the near future. Since November 2024 the service has commissioned an alternative community resource via Care Hub in order to reduce waiting times and meet demand. The service is continuing to develop its community short break provision in consultation with key stakeholders.

3.34 Deputy S.M. Ahier of St. Helier North of the Minister for Infrastructure regarding electric vehicle rechargeable batteries (WQ.106/2025):

Question

Will the Minister advise –

- (a) the number of electric vehicle rechargeable batteries stored at the La Collette recycling facility and how these are being kept;
- (b) whether a recycling solution for the batteries has been identified and the cost of safe disposal of each battery; and
- (c) whether customers will be required to pay a fee to cover the disposal cost?

Answer

- (a) There are currently no Electric Vehicle batteries stored at any of the La Collette facilities including the Waste Metals Facility.
- (b) As part of the agreement with Hunt Bros for services provided from the Waste Metals Facility, there is a mechanism to accept Electric Vehicles and provide a solution for the recycling of the batteries. This is subject to compliance with licensing conditions set by

the Regulation Department on behalf of the Environment Minister. The breakdown of costs for this service is commercially confidential but consists of the removal of the traction battery, shipping and processing at an authorised facility in the UK.

- (c) To date we have seen very few end-of-life electric vehicles being disposed of in the Island. Given the numbers and ages of electric vehicles registered with DVS we don't envisage more than a dozen likely to be disposed of per year for the next few years.

Other jurisdictions have taken a 'producer responsibility' stance with the end-of-life disposal costs of electric vehicles and batteries. For example, the UK has the End-of-Life Vehicles (Producer Responsibility) Regulations 2005 and Waste Batteries and Accumulators Regulations 2009. This means that the vehicle and battery producers are required to take back the vehicle or batteries at the end of their life at no cost to the end user.

The assumption is that these end-of-life disposal costs are therefore embedded in the purchase price of vehicles and the producer is incentivised to ensure that the vehicles and batteries are designed to be cost-effectively split into their component parts and those parts re-used or recycled.

This principle of producer responsibility is one we aim to see mirrored in Jersey. Under that principle I do not envisage either the taxpayer or the end user needing to cover the full costs of disposal of EVs or their batteries at the point that they are disposed of in the long-term.

However, further work is needed to get us to that point. The Environment Minister and I wrote to the Chair of the Jersey Motor Trades Federation on 28th February, and to our electric vehicle incentive participating retailers on 3rd March, in order to understand how these regulations are applied by producers of the vehicles imported into Jersey. In addition, officers are engaging with the UK government to understand the options available to us.

In the meantime, I am working with the Minister for the Environment to establish a limited pilot scheme to be in place for when we do start to see EVs coming for disposal. This pilot will enable us to gather data to understand more about the disposal processes and costs for end-of-life electric vehicles or their batteries. During this pilot the costs of disposal will not need to be met by customers. The current intention is that this pilot will be allocated funding from the Climate Emergency Fund from the budget allocated to supporting the uptake of electric vehicles.

3.35 Deputy J. Renouf of St. Brelade of the Minister for Health and Social Services regarding the Women's Health political Advisory Group (WQ.107/2025):

Question

In relation to the Women's Health Political Advisory Group, will the Minister –

- (a) advise the membership of the Group;
- (b) provide the Group's terms of reference;
- (c) detail the frequency of past meetings and meetings planned for the rest of the political term;

- (d) advise the nature of the advice he expects and receives from the Group;
- (e) explain how the Group provides advice to him and how this advice is recorded; and
- (f) clarify the parts of his work programme for which he is seeking the Group's advice?

Answer

- (a) The Group is made up of Deputy Andy Howell (Chair), Deputy Lyndsay Feltham, Deputy Elaine Millar, Deputy Hilary Jeune, Deputy Raluca Kovacs, Deputy Barbara Ward, Deputy Helen Miles and Connetable Karen Stone.
- (b) Appendix 1 is the current version of the WHPAG terms of reference. The Group, and its terms of reference, were established by the previous Minister for Health and Social Services and has continued under the current Minister, albeit with some changes to membership.
- (c) Meetings are held approximately every 12 weeks, There are three meetings scheduled for the remainder of 2025 (April, July, November) There are no dates currently scheduled for 2026.
- (d) As per the Terms of Reference, the Group provides advice and shares insights with the Assistant Minister. It focuses on matters that fall within the MHSS's remit (for example reviewing and advising on the recent contraception survey and the termination of pregnancy policy) but it will also take account of other related GoJ workstreams. The Assistant Minister for Health and Social Services is delegated by the Minister to chair the Group.
- (e) The Group provides advice to the Minister, via the Assistant Minister as Chair. This is generally verbal feedback. High level actions arising from the meeting are recorded.
- (f) The current areas of work on which input has been sought include the proposed updates to the Termination of Pregnancy Law and IVF funding. The Group has also considered the findings of the recently published Women's Strategic Needs Analysis and will, over the coming months, be focusing on identifying the areas of priority activity related to women's health and wellbeing.

Appendix 1

Women's Health Political Advisory Group

Terms of Reference

Purpose

1. The women's health political advisory group ("WHPAG") provides a space for political colleagues to consider matters related to women's health and wellbeing.
2. The Group is established by the Minister for Health and Social Services (MHSS) and will be chaired by the Assistant Minister for Health and Social Services (AMHSS).
3. As the Group is established by MHSS it will focus on matters that fall within the MHSS's remit (for example, development and funding of health care and wellbeing services) but in doing so will take account of other related GoJ workstreams including (but are not limited to):
 - a. the Taskforce on Violence Against Women and Girls ("VAWG") as lead by the Minister for Home Affairs
 - b. the free period products scheme, as lead by the Minister for Social Security.
4. Member of the Group will provide advice and share insights with AMHSS with a view to informing MHSS's priorities and policy and strategy decisions where those relate to women's health and wellbeing. This will include:
 - a. consideration of matters brought to them by AMHSS and providing advice and share insights on those matters

proactively arising matters with AMHSS which the Group members wish to be considered by MHSS.

Membership

5. Members include:

Name	Title
Andy Howell	Assistant Minister for Health and Social Services delegated by the MHSS to Chair this group
Barbara Ward	Assistant Minister for Health and Social Services
Lyndsay Feltham	Minister for Social Security
Elaine Millar	Minister for Treasury and Resources
Helen Miles	Deputy
Karen Stone	Connétable, St. Martin
Hilary Jeune	Deputy
Raluca Kovacs	Deputy

Conduct of Business and administrative matters

6. The Group will be chaired by AMHSS and supported by officers as required.
7. The Group is not a formal sub-committee of the Council and Ministers.
8. Meetings will be convened by AMHSS. It is broadly anticipated that these will be on an 8-week cycle but may vary depending on the needs of the work.
9. All members of the group will be contacted in advance and invited to raise items to be placed on the agenda.
10. Agenda and papers will be circulated in advance of each meeting. Notes and actions shall be taken at each of the meetings and shall be circulated to members within the timescales agreed by the group.

Version	Changes	Author	Date agreed
1.0	New	Rebekka Martini	
2.0	JSNA reporting	Rebekka Martini	17/03/23
3.0	Update and membership changes following new CoM appointments	Rebekka Martini	03/04/24

3.36 Deputy J. Renouf of St. Brelade of the Minister for Infrastructure regarding St. Aubin's Tunnel (WQ.108/2025):

Question

Further to his answer during questions without notice on [21st January 2025](#) regarding the work at St. Aubin's Tunnel, will the Minister advise –

- (a) what work is expected to be undertaken for the £200,000 quoted;
- (b) the timeline for the completion of that work;
- (c) how he expects the Tunnel to be used once the works have been completed;
- (d) whether tenants have been secured;
- (e) whether rent paid by tenants is expected to rise as a result of the work; and
- (f) his long-term vision for the future of the Tunnel?

Answer

- (a) The work proposed in the tunnels is exclusively to make them safe to use from a fire safety perspective. The focus is on improving fire alarms and emergency lighting where necessary, fire separation (including doors and fire screens), and ensuring safe escape routes. This is crucial for the safety of anyone using the tunnels. We currently have two design options that are being developed to provide more cost certainty. This will establish the most efficient design to make the tunnels safe for the existing tenants.
- (b) It is the intention that Jersey Property Holdings (“JPH”) will complete the work during 2025. However, the proposal will require planning permission, and the tunnels are a listed structure. Secondly, JPH is currently in negotiation with the property owners above the tunnels to agree to a perpetual rights of way contract. Both factors could delay the works beyond 2025. I have asked that the tenants are kept fully up to date with the status of the work as it progresses.
- (c) Currently, there are two commercial tenants –
- St Aubin’s bike hire who use one tunnel for storage and a second tunnel as a workshop/store; and
 - Le Petit Train who use the main tunnel to store two trains and for a workshop area.

In addition, there are two voluntary organisations who use a tunnel each respectively as a rifle range, both of which have been in occupation for a considerable time –

- Jersey Air Rifle Club; and
- St Brelade’s Smallbore Rifle Club

The works of themselves should not have an impact in this respect.

- (d) The current tenants remain in occupation. Noting my previous understanding that tenants would have to vacate the Tunnels due to fire safety concerns, I have asked officers to ensure that all tenants have current lease agreements as we progress towards undertaking these fire safety works.
- (e) JPH are currently reviewing the rents. I have been clear that the rents must be fair to the commercial tenants and the voluntary organisations, recognising the differing basis on which they operate.

There are ongoing discussions regarding the future operation of the Tunnels, including the potential of occupying further tunnels. Any decision for the future of the tunnels will be taken following engagement and consultation with the existing tenants.

3.37 Deputy A.F. Curtis of St. Clement of the Minister for The Minister for the Environment regarding the Maison Les Arches (Northern Quarter) development (WQ.109/2025):

Question

With regards to the Maison Les Arches (Northern Quarter) development originally approved under Planning Application [PP/2015/1538](#), will the Minister advise –

- (a) the justification given by the applicant, if any, for amending the layouts of multiple one-bedroom units within Block A to studio apartments;
- (b) the justification given by the Planning Authority, if any, for allowing minor amendments to convert multiple one-bedroom units within Block A to studio apartments;
- (c) the justification by the Department that this matter could be handled as a minor amendment, and not through a revised application;
- (d) the number of applications in the past five years, that have had minor amendments which changed the number of bedrooms or occupancy of units in a development; and
- (e) the number of applications approved, in the past five years, that created new studio apartments, and the total number of studio apartments approved under such permissions?

Answer

a) My officers have reviewed the application files and noted that the applicant sought changes in blocks A, B and C of this development at the same time. The alterations in blocks B&C were sought on the basis of requirements of Building Bye-laws, following advice from a fire engineer.

In respect of block A, the applicant advised that the five units to be changed from 1 bed apartments to studio apartments did not meet Andium's needs in terms of their floor area requirements and they considered a Studio layout more appropriate which would also meet existing demand.

b) There is no written record of a justification for this.

c) This was a judgement exercised by the case officer at the time based on the nature of the amendments in the wider context of the approved scheme.

d) This would require the department to review every application for new residential development over the past 5 years. There has not been sufficient time to undertake this exercise since the question was submitted. In future, the implementation of the new RIDA system should allow for this kind of information to be established more easily

e) There has not been sufficient time to establish an answer to this since the question as submitted.. In future, the implementation of the new RIDA system should allow for this kind of information to be established more easily.

3.38 Deputy I. Gardiner of St. Helier North of the Minister for Social Security regarding debts owed by dissolved businesses (WQ.110/2025):

Question

Further to the her response to [Written Question 78/2025](#) regarding the 151 businesses that deferred Class 1 Social Security payments and have ceased trading, will the Minister advise –

- (a) the total amount of debt owed and average debt per business;
- (b) the estimated cost of recovering this debt per business; and

whether the Minister can be assured that the directors of these dissolved businesses will not be able to apply for any States grants, loans or subsidies through a newly registered business and if not, why?

Answer

Written question 78/2025 refers to businesses that had deferred Class 1 Social Security contributions outstanding at the end of 2024. Class 1 contributions are paid by all businesses that have employees, these businesses may be owned by individuals, companies, partnerships etc. All businesses operating in Jersey require a Control of Housing and Work (Law) 2012 (CHWL) business licence.

WQ.78/2025 identified that 151 businesses had ceased trading by the end of 2024. This figure was obtained by cross referencing against the business licensing records to determine whether the business licence was still active. The 151 businesses referenced in the last question no longer hold an active business licence under the Control of Housing and Work (Law) 2012.

In most cases this means that they are no longer trading, however this could also be because business licences are merged or adjusted for other administrative purposes under CHWL. It is important to note that these businesses will be a mix of different trading entities, not just limited companies. To determine whether a company is dissolved, this would need to be confirmed with the JFSC who regulate company administration – I do not hold this data.

- (a) The 151 entities which no longer held business licences on 31st December owed £1.502m, this has subsequently reduced to £1.386m on the 1st March, an average of £9,200 per business.
- (b) It is not possible to estimate the cost of recovering this debt per business. There is a central income and debt collection team within Government. In 2024 the cost of this team was £1.5 million, and they collected £1.4 billion in income. The income and debt collection team cost less than 1p per £1 of debt collected.

As I am not responsible for the allocation of all States grants, loans and subsidies, I am unable to provide the assurance sought in the final part of the question.

3.39 Deputy I. Gardiner of St. Helier North of the Minister for Infrastructure regarding St. Helier neighbourhood Improvement Area programmes (WQ.111/2025):

Question

Further to the adoption of [P.51/2024 Amendment 23 as amended](#), will the Minister advise the total amount that has been allocated for the development of St. Helier Neighbourhood Improvement Area programmes in 2025?

Answer

The entire forward public realm programme – £2.5 million per annum – is committed to projects within the town of St. Helier. These are guided by the Island Plan's *St. Helier Public Realm and Movement Strategy*, which provides a strategic framework for managing and developing St. Helier's streets.

Further to this work, Amendment P.51/2024 to the Government Plan 2025-2028 requests:

"Across the period 2025-2028, up to £500,000 within the Infrastructure Rolling Vote (Public Realm) will be used to support St. Helier's Neighbourhood Improvement Area programmes, provided that additional matching funding is contributed by the ratepayers of the Parish of St. Helier to meet the costs of the relevant projects." [Emphasis added]

Additionally, a separate Amendment has requested an £100,000 contribution towards developing a *West of Island Planning Framework*.

All expenditure from the Infrastructure Rolling Vote (Public Realm) is subject to affordability. As requested by the Assembly, in the absence of detailed information Infrastructure & Environment has currently made a notional provision for these contributions of £310,000 within its Long-Term Capital Plan, spread across the 2025-2028 period. The exact amount will be determined by the schemes brought forward and could be increased to £500,000. However, the current allocation and any increased amount will impact the currently planned programme of improvement works in St. Helier, potentially delaying or extending the period required for improvements to key areas such as the town centre, its connections to gateways such as Charles Street Car Park, Markets, residential neighbourhoods and St Helier's parks.

For the funds to be released, three conditions must be met:

1. A parish scheme must be agreed upon;
2. Match funding must be voted by ratepayers;
3. The programme must be deemed affordable over the period.

While Public Realm projects provide better streets and spaces for the town community, they rely upon civil engineering enabling works. Civil engineering works are also subject to practical constraints, including time, resource capacity, and coordination with utilities and stakeholders. Works to change the use of public roads such as neighbourhood improvement zones can be complex, requiring community engagement, design, procurement, and scheduling considerations. Typically, moving a significant project from prefeasibility to construction would be expected to take 12 to 24 months.

Discussions with the Parish are ongoing as to which schemes should be brought forward but these have yet to be concluded.

3.40 Deputy I. Gardiner of St. Helier North of the Minister for Health and Social Services regarding reclassifying cannabinal and cannabinal derivatives (WQ.112/2025):

Question

Following the adoption of [P.31/2024, as amended](#), will the Minister advise what progress, if any, has been made to reclassify cannabinal and cannabinal derivatives, except where contained in cannabis or cannabis resin, from Class A controlled drugs to Class B controlled drugs and when this change will be implemented?

Answer

As agreed, the matter of the classification of cannabinal and cannabinal derivatives was referred to the Advisory Council on the Misuse of Drugs ('the Council') in July 2024.

The matter was initially considered at the next full meeting of the Council, but, given the level of specialist and technical detail involved, it was referred for consideration by a specifically tasked sub-group of the Council.

As such, we currently await the Council's written advice on the matter. Once this has been received, we will be in a position to consider the issue in full and update the Assembly, hopefully within the next two months.

3.41 Deputy S.M. Ahier of St. Helier North of the Minister for External Relations regarding frozen Russian assets (WQ.113/2025):

Question

Will the Minister advise –

- (a) the total value of frozen Russian assets as of 1st of March 2025;
- (b) if these assets have accrued interest since the implementation of sanctions, and if they have, how much is the interest accrued as a percentage of the total asset value; and
- (c) whether there is any legal impediment to using the interest from these frozen Russian Assets to benefit Ukraine?

Answer

- (a) the total value of assets reported to the Minister for External Relations as frozen under the Russia sanctions regime is published on a quarterly basis. The figure, as of 31 January, is £1,385,900,000 (rounded to the nearest £100,000). The next update will be published before the end of May.
- (b) Accrued interest is reported to the Minister and included in the total figure but is not disaggregated.
- (c) There are no powers under the Sanctions and Asset-Freezing (Jersey) Law 2019 or otherwise that would allow Jersey to seize (or otherwise spend, donate or loan etc.) frozen assets. These assets still legally belong to the legal owner even if they might be subject to an asset-freeze.

Frozen Russian state assets:

There is a specific legal obligation to report frozen Russian state assets to the Minister and I would receive any such report through the Financial Sanctions Implementation Unit. However, to date,

none have been identified and reported to me, and no such funds have been identified through other means. Therefore, I have no reason to believe that there are any frozen Russian state assets held in Jersey.

This reporting requirement on Relevant Financial Institutions (which covers financial institutions, Designated Non-Financial Businesses and Persons, and Virtual Asset Services Providers) relates to the assets of the Central Bank of Russia, the Russian Ministry of Finance, or the Russian National Wealth Fund. It also includes a person owned or controlled directly or indirectly by these entities, or a person acting on behalf of or at the direction of these entities.

The current position of the UK:

The UK recently announced that it will be using profits generated by frozen Russian state assets to pay back a loan to Ukraine. However, the UK has not proposed seizing the frozen assets of private persons or using any profits generated on said frozen assets.

3.42 Deputy J. Renouf of St. Brelade of the Minister for Treasury and Resources regarding the Maison Les Arches site (WQ.114/2025):

Question

Further to [Ministerial Decision MD-TR-2025-135](#), will the Minister, in her capacity as majority shareholder of Andium Homes, advise –

- (a) the reasons for allowing Andium to acquire part of the Maisons Les Arches site;
- (b) who initiated discussions over the acquisition of the site;
- (c) what analysis was undertaken to confirm that this would be a commercially advantageous transaction for Andium; and
- (d) whether there has been any analysis undertaken on whether falling house prices will impact the commercial viability of the development, and if not, why not?

Answer

- (a) The Maison Les Arches site is what was known as the Northern Quarter development. By Ministerial Decision MD-TR-20022-493, the then Minister for Treasury and Resources approved the acquisition by Andium of the majority of the Northern Quarter site and permitting Andium to enter into a Development Agreement relating to the development of the site.

The Contractor would deliver 195 homes on the site, 169 of which were to be acquired by Andium as affordable homes, the balance of which would be retained by the Contractor and sold as open market homes. The development also provides resident parking, commercial spaces for local businesses, a community centre and public realm improvements.

In signing Ministerial Decision MD-TR-2025-135, I have authorised Andium to acquire the balance of homes on the site from the Contractor which means that the 26 remaining homes, which would otherwise be sold on the open market, will now provide more affordable housing opportunities. Of the 26 homes, 4 are 3-bedroom town houses which provides a rare opportunity for family houses in the heart of St Helier. The homes come with the remaining 46 car parking

spaces on the site. The acquisition also received the support of the Minister for Housing from a housing policy perspective.

(b) The Contractor initiated the discussions with Andium Homes.

(c) The Andium Board carefully considered whether the acquisition of the additional homes was a commercially advantageous transaction for Andium, ensuring financial viability and assessing the benefits of the additional supply against its objectives within its approved Strategic Business Plan for the delivery of additional affordable housing.

In addition, the Treasury Department commissioned a third-party assurance review which concluded that was an excellent opportunity for Andium to both create a more cohesive development as well as increase stock numbers in the short term as Andium looks to secure permissions and funding for further developments, most notably on the Bridging Island Plan sites.

(d) The analysis that Andium undertakes when considering opportunities like this includes stress testing various scenarios, including declining house prices, and the third-party assurance review considers that stress testing work.

The Deputy's question refers to the commercial viability of the development. That analysis and stress testing was undertaken before the Northern Quarter development commenced in July 2022, and updated for these additional 26 homes. Whilst the original development agreement between Andium and the Contractor provided for fixed prices for the delivery of each unit, the viability of the development is kept under continuous review.

3.43 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity of the Minister for Health and Social Services regarding the overnight call-out nursing care service (WQ.115/2025):

Question

Will the Minister advise what changes, if any, have been made to the overnight call out nursing care service (such as the service available through Family Nursing and Homecare) over the last 12 months and explain the reasons for any changes made?

Answer

An overnight nursing service was piloted between 2021 and 2023 on a waking nights model. Data collected during this period showed that the need for overnight nursing was 1.2 contacts per night on average. This level of activity did not justify a full 24 hour service, so it was proposed to move to an on-call overnight nursing service from January 2024. FNHC, who provided the previous pilot service, were unable to provide an on-call service so HCJ was commissioned to provide it. The new service commenced in March 2024 and was staffed by agency nurses working from the Emergency Department due to the inability to recruit to posts. Overnight cover was provided by JDOC GPs during January and February.

Activity was monitored continually throughout 2024, and declined further to an average of 8 calls per month (March-October 2024). These calls were mainly in relation to end of life care and catheter care. Jersey Hospice Care and FNHC, who deliver this care in normal working hours, have agreed to improve planning and preventative measures to minimise the need for care delivery outside of normal working hours. The JDOC GP service is also available over night. On this basis

and considering clinical risk and quality of patient care, HCJ SLT determined that the overnight agency nursing service could safely be ceased. Discussions with JDOC are currently ongoing to determine future arrangements.

3.44 Deputy A.F. Curtis of St. Clement of the Minister for Social Security regarding the Transform Programme (WQ.116/2025):

Question

Will the Minister advise what progress, if any, has been made in relation to the Transform Programme, including whether procurement has concluded, and the estimated start date to deliver this programme with a contracted partner?

Answer

A primary supplier has been selected, and the contract is due to be signed imminently with the Transform Programme starting in April.

3.45 Deputy L.M.C. Doublet of St. Saviour of the Minister for Treasury and Resources regarding charging for services (WQ.117/2025):

Question

Will the Minister advise –

- (a) whether he is actively considering introducing charges and, if so, for which services;
- (b) which services he is considering introducing charges for in future;
- (c) which services he considers will remain exempt from any charges; and
- (d) what criteria he is using to determine which services are 'core' and should continue to be delivered for free at point of access, and those which may be subject to a charge?

Answer

HCJ currently levies a charge for several patient services (for example, contraception and radiology services) and some non-patient facing services (for example, licences issued under the Misuse of Drugs Law) in addition to charging patients who are not eligible for HCJ funded services.

The Minister is considering the potential introduction of new charges:

1. as a deterrent to misuse of services. For example, charging patients who:
 - do not attend an appointment and do not notify the Department of their non-attendance in advance. In 2024 patients failed to attend approx. 1 in 10 hospital appointments, which drives up waiting times and waste critical resources

- attend the Emergency Department as opposed their GP for non-urgent care. In 2024 50% of attendance at ED were for minor illness which equates to around 28,000 attendances in total.
2. for some non-essential services, with a view to striking a balance between ensuring that all Islanders have fair, affordable access to services that are necessary to their health and wellbeing, whilst not creating an unsustainable financial burden for the Island. This is a critical given the known increasing costs of the health and care provision in Jersey, although the potential impact of charging for non-essential services on patient choice is recognised (or conversely, of not providing non-essential services). An example of a non-essential service is the homebirth service which is currently suspended.
 3. for some services provided to non-residents including the provision of free care in the HCJ's emergency department (except for where free care is provided under the terms of reciprocal care agreement).

This work is in its initial stages and, as such, the decision-making criteria (as referenced in (d) above) have not yet been developed. In accordance P.63/2003 any new charge for an existing service would need to be approved by the States Assembly prior to introduction.

3.46 Deputy P.F.C. Ozouf of St. Saviour of the Minister for Treasury and Resources regarding interest claimed as an expense against residential property rental income (WQ.118/2025):

Question

Will the Minister provide an estimate of the total amount of interest claimed as an expense against residential property rental income for the last 5 years, an estimate of the corresponding reduction in tax revenue resulting from such deductions, and explain the reasoning behind the Government's current policy of providing tax relief on loan interest payments for the purchase of letting properties?

Answer

Article 90AB of the Income Tax Law allows taxpayers to deduct the cost of the interest paid on a loan to acquire or extend land or buildings against the income arising from letting that land or building on the open market. The deduction is available for all types of land and taxpayers are not required to indicate whether the land or buildings being let is residential, commercial or mixed use.

It is therefore not possible to quantify the amount of interest deducted, or the associated reduction in revenue, from income arising from the letting of residential rental properties only.

Jersey's income tax system has been designed since its inception to levy tax on the profits generated from a business. This basic design feature applies across all types of business, albeit with appropriate adjustments agreed by the States Assembly to address different business sectors

and structures. Accordingly, businesses have long been entitled to deductions to recognise those costs they have incurred in generating their profits, including any interest incurred on acquiring assets for business purposes. This includes interest incurred to acquire property which is being let commercially.

As agreed by the States Assembly through the 22nd Amendment to the 2024-2027 Government Plan, Revenue Jersey will be publishing a consultation on the removal of interest relief for residential letting properties later this year.

3.47 Deputy P.F.C. Ozouf of St. Saviour of the Minister for Infrastructure regarding speed limits on public roads (WQ.119/2025):

Question

Will the Minister explain the current policy and process for setting speed limits on public roads, and to what extent, if any, parish input is sought or considered during this process?

Answer

Current Speed Limit Setting Process

The Island Speed Limit Review Process was agreed with the Parishes as part of the 2016 'Island Road Safety Action Plan'. The plan included a jointly agreed framework for how speed limits would be applied based on the character of the surrounding road environment (unless, for example, a known road safety issue required a different limit).

The process is comprehensive and uses the following broad stages:

- Stage 0 - Preliminary engagement with Parish Roads Committee: Briefing on process, preparation, and distribution of current speed limit information / maps.
- Stage 1 - Initial Speed Limit Review: Infrastructure & Environment (I&E) technical review of all parish roads against speed limit framework (below) and parish dialogue – this process can be heavily directed by the Parish Roads Committee in determining the draft speed limit changes, particularly in relation to the application of Green Lanes and village settings.
- Stage 2 - Public Consultation: The type and extent of public consultation is directed by the Parish and can include hard copy questionnaires at the parish hall, parish hall drop-in public briefings, a full parish assembly, or a public on-line consultation (via Gov.je). All consultation material and consultation result analysis is prepared by I&E.
- Stage 3 – Pre-Order Drafting Preparation: We review the location of needed sign poles, utility service records, signage schedules etc. and prepare a Ministerial Report and legislative drafting instructions.
- Stage 4 - Order Making

- Stage 5 (Parallel to Stage 4) – Site Implementation & Publicity: Signs are fabricated, new sign poles are put into location and signs bagged until the new speed limits come into force. Speed limit changes are advertised via social media and/or a media release. Honorary Police will initially attend new speed limit zones to further make the public aware of the speed limit changes. I&E can help with the installation of signs / poles on by-roads if requested.

Steps	Stage 0 - Preliminary Engagement	Stage 1 - Initial Speed Limit Review	Stage 2 - Public Consultation	Stage 3 - Pre Order Drafting Preparation	Stage 4 - Order Making	Stage 5 - Site Implementation & Publicity	Follow up Actions	
1	Create Existing Road Map and current Speed Limit Schedule	Initial IE Technical Review	DPIA Signoff (only if comments are invited during consultation)	Obtain Formal Parish Change Request	Instruction to Law Drafters (Change Schedule + Drafting Notes)	DLO Work Material Purchase or Contractor Engagement (tender?)	Site Checks / Audit	
2	Initial Parish Briefing and Issue Maps & Speed Limit Schedule	Parish Tie-ins / Cross Parish Boundaries Review	Consultation Comms Prep and Handover	Site Signage Location Review - Prepare Signage Plan	1st Draft Check	Confirm Utilities Info is adequate	Update Master GIS Dataset	
3		Hand Over to Parish & Initial Parish Review	Brief Minister	Utilities Records Requests (Notify DLO Signage Team)	Final Draft	Inform parish of pending implementation	Parish Recharges	
4		Confirmation by Parish of draft speed limit changes	Consultation Period	Hand Over to Parish Draft Change Schedule (Incl. site signage positions) - Parish Sign Off?	Statutory Parish Consultation	Implementation on site (DLO or Contracted Out)	Parish Follow-Up - 3 Months	
5		Signing Sense Check	Consultation Results Paper Copies Pickup & Collation	Change Schedule + Drafting Notes Complete?	Ministerial Briefing & MD 2 & Report (upload to Dynamics)	Advanced Media Coverage		
6		Draft Speed Limit Changes Agreed?	Data Reviewed & Parish Report Prepared	Agreed Implementation slot and Date in Force? (DLO or Contracted Out)	Order Signing	Stages 4 & 5 run in parallel		
7			Publish Consultation Results on Gov,je Consultation Page	Email separately: Constable, Signage team, Law drafter to check implementation slot				
8				Ministerial Briefing & MD 1 & Report (upload to Dynamics)				

DPIA – Data protection impact assessment

DLO – Direct labour organisation

Speed Limits Policy

The Island Speed Limit Review Process was agreed with the Parishes as part of the 2016 ‘Island Road Safety Action Plan’. The plan included a jointly agreed framework for how speed limits would be applied based on the character of the surrounding road environment (unless a known road safety issue required a different limit, etc.).

The policy is set out on gov.je as follows:

“The Comité des Connétables has agreed a framework against which speed limits will be reviewed and standardised across the Island. We want Jersey’s roads to be enjoyed by everyone.

Managing the speed of traffic helps other road users feel safer and encourages people to walk and cycle. This is especially important for those travelling to and from school.

Speed limits are set according to a framework that provides consistency across our Island. We are in the process of reviewing all speed limits across the Island against this framework.”

Speed limit	Description
40 miles per hour	The all-island maximum speed limit is 40mph, or 30mph for vehicles over 3.5T or towing a trailer
30 miles per hour	All roads in the urban or built-up area should be subject to a 30mph speed limit, with extensions into rural areas where appropriate
20 miles per hour	<ul style="list-style-type: none">• Village centres, typically where people might be walking between a church, a Parish Hall, a shop or a pub, for example, should be 20mph• Tourist bays where pedestrian and cycle movements are likely to be high should be 20mph• Part-time 20mph zones may be signed around schools, at times when children are present
15 miles per hour	Green Lanes have a 15mph speed limit. Motorised vehicles should give priority to pedestrians, cyclists, and horses at all times

The policy is graphically communicated though the following images and text:

Framework for Speed Limits

We want Jersey's roads to be enjoyed by everyone

Managing the speed of traffic helps other road users feel safer and encourages people to walk and cycle. This is especially important for those travelling to and from school.

Speed limits are set according to a framework that provides consistency across our Island. We are in the process of reviewing all speed limits across the Island against this framework. Details are set out below:



The all-Island maximum speed limit is 40mph, or 30mph for vehicles over 3.5T or towing a trailer.



All roads in the urban / built up area should be subject to a 30mph speed limit, with extensions into rural areas where appropriate



Village Centres, typically where people might be walking between a church, a Parish Hall, a shop or a pub, for example, should be 20mph

Framework for Speed Limits



Residential areas that are not "through routes", where pedestrian and cycle movements are likely to be high should be 20mph.



Tourist bays where pedestrian and cycle movements are likely to be high should be 20mph.



Part-time 20mph zones may be signed around schools, at times when children are present

Green Lanes have a 15mph speed limit. Motorised vehicles should give priority to pedestrians, cyclists, and horses at all times



Please note that where the framework indicates a 40 or 30mph speed limit, a lower speed limit may be applied for road safety reasons.

3.48 Deputy L.M.C. Doublet of St. Saviour of the Minister for Health and Social Services regarding costs of providing services relating to births (WQ.120/2025):

Question

Will the Minister detail the actual or average cost of providing the following services –

- (a) an elective caesarean section;
- (b) an emergency caesarean section;
- (c) a home birth (low risk pregnancy/low intervention/vaginal birth);
- (d) a hospital birth (low risk pregnancy/low intervention/vaginal birth); and
- (e) an induced vaginal birth in hospital?

Answer

It is not possible to calculate the actual or average cost for maternity services, because each case is highly individualised, with varying levels of intervention, complexity, and resource utilisation. Factors such as length of stay, additional medical support, and any complications can all significantly impact the overall cost. This applies to both caesarean and vaginal deliveries.

In the table below, I have outlined the NHS tariffs for each type of delivery for which an average cost was requested.

Appendix One NHS tariffs

Maternity pathway - guide prices, proposed for 2025/26	
Type of Birth	Guide Price
Home Birth	2,807
Vaginal Birth Hospital	2,807
Elective Caesarean Section	4,564
Emergency Caesarean Section	6,613
Vaginal Birth with Induction of labour	4,564

Health and Care Jersey (HCJ) provide a 24/7 maternity service for all women in Jersey, supported by a multidisciplinary team, including Consultant Obstetricians, medical specialists, and midwifery teams. Given the unpredictable nature of labour and birth, HCJ staffing levels are structured to always ensure safe and responsive care.

3.49 Deputy P.F.C. Ozouf of St. Saviour of the Chief Minister regarding the gas network (WQ.121/2025):

Question

In the context of a number of recently reported and ongoing concerns relating to the gas network, will the Chief Minister, in coordination with those Ministers with relevant responsibilities, provide details of the specific steps the Government has taken during this term of office to reassure Islanders and particularly residents of St. Saviour of the safety, sustainability and reliability of the Island's gas infrastructure, and what further actions, if any, are planned in the coming months?

Answer

Specific steps

Government teams have completed a new Gas Emergency Measures Plan, which has been informed by learning from recent incidents, to ensure coordination across all relevant agencies and improved preparedness for a range of scenarios.

Ministers and officers have significantly improved communication with the new management of the gas company, Island Energy. This has ensured a better the flow of key information in relation to the safety and reliability of their network together with their plans for investing in upgrades. This information assists in monitoring safety aspects and in the formulation of policy.

The Infrastructure Department have undertaken more than 1,000 tests in the sewer network, and data relating to gas has been shared with Island Energy for immediate response. Liaison between the Infrastructure and Environment Department, the Emergency Planning team and the Gas Company has been improved in respect of day-to-day operations where gas leaks are detected and remediation work is required. This has resulted in better multi-agency coordination and clearer communications to the public.

To underpin this, the Government has brought forward legislation to update the Jersey Gas Company (Jersey) Law 1989, which was lodged on 11 March. The amendment will provide greater powers for the Minister for Justice and Home Affairs, particularly in relation to calls for information and it introduces a requirement that the company informs the Government of incidents. The new legislation also makes provision for future changes to the law as required so that the Government can be more responsive.

The Government has established a Ministerial Group to focus specifically on gas issues and provide regular oversight. Membership comprises the Chief Minister, as Chair, together with the Ministers for Environment, Infrastructure and Justice and Home Affairs. Ministers are supported by a senior level Officer Group that monitors the workstreams and any issues arising.

Further actions

This remains a highly important matter for the Government and all workstreams are ongoing and closely monitored. The Chief Minister recently wrote to the CEO of Island Energy to request further information in key areas which will inform the next actions of the Government:

- Detailed information and conclusions arising from recent incidents, including those at Clos Maurant and Le Geyt.
- Further details in relation to the risk assessment for the Island's gas network.
- An understanding of the company's investment and implementation plans for the network upgrade program, including the amount of pipe to be replaced and progress to date.
- Plans, timing, and costs for the capping remediation program.
- Details of the company's planned communications plan for the capping and disconnection program.

In addition, a new series of regular meetings is being scheduled with the management of Island Energy to ensure regular updates, oversight and coordination.

Ministers have arranged for the CEO of Island Energy to brief States Members on 4th April and the new legislation is scheduled for States debate on 22nd April.

3.50 Deputy L.M.C. Doublet of St. Saviour of the Minister for Health and Social Services regarding breastfeeding (WQ.122/2025):

Question

Will the Minister state the number of mothers breastfeeding from discharge from maternity care and after 6 weeks from birth, and broken down by the following types of births –

- (f) an elective caesarean section;
- (g) an emergency caesarean section;
- (h) a home birth (low risk pregnancy/low intervention/vaginal birth);
- (i) a hospital birth (low risk pregnancy/low intervention/vaginal birth); and
- (j) an induced vaginal birth in hospital?"

Answer

Data Availability and Reporting Approach

This response presents data on breastfeeding rates by birth type for deliveries occurring in 2024, covering the period from 1st January 2024 to 31st December 2024. It shows the proportion of mothers who initiated **breastfeeding at birth** and those who were **breastfeeding at discharge from maternity care**, broken down by birth type. Data on breastfeeding at six weeks postpartum is unavailable for reporting.

To ensure clarity, comparability, and data privacy, only percentages are provided in this response.

- Percentages represent the proportion of mothers in each birth category who breastfed.
- The denominator for each percentage is the total number of recorded deliveries for that specific birth type.

Definitions of Deliveries

A **delivery** refers to the completion of pregnancy, with each delivery counted once per mother, regardless of whether it results in a single or multiple birth (e.g., twins or triplets).

Deliveries are classified as follows:

- **Home Birth** – A planned home birth, typically attended by midwives.
- **Spontaneous Vaginal Birth** – A vaginal birth where labour started naturally (without medical induction) and proceeded without the use of forceps or ventouse.
- **Assisted Vaginal Birth** – A vaginal birth where medical intervention was required to assist delivery. This includes:
 - **Instrumental Vaginal Birth** – A vaginal birth assisted with forceps or ventouse.

- **Other Assisted Vaginal Births** – Deliveries requiring intervention that does not involve forceps or ventouse (e.g., manual rotation, episiotomy assistance).
- **Elective Caesarean Section** – A planned caesarean section carried out before the onset of labour.
- **Emergency Caesarean Section** – A caesarean section performed due to complications after labour has started or due to urgent medical need.
- **Induced Birth** – A birth where labour was medically induced, regardless of whether the delivery resulted in a vaginal birth or a caesarean section.

Important Caveats on Home Births and Induced Births

Due to the low number of home births, percentage-based comparisons should be interpreted with caution, as small absolute changes can lead to large percentage variations.

Induction of labour is a **method of initiating labour** rather than a mode of birth. As such:

- **Induced births category** includes all births where labour was medically induced regardless of whether the final mode of delivery was **vaginal or via caesarean sections**.
- Because this category overlaps with other birth types, percentages for induced births should be interpreted separately from the standalone birth categories.

Breastfeeding Rates by Birth Type

Birth Type	Breastfeeding at Birth (%)	Total Breastfeeding at Discharge (%)
Home Birth (Low Risk)	85%	85%
Spontaneous Vaginal Birth	82%	78%
Assisted Vaginal Birth	76%	85%
Elective Caesarean Section	71%	68%
Emergency Caesarean Section	68%	67%
Induced Birth	74%	69%

Data Source: Hospital Patient Administration System (Maternity reports)

How to Interpret This Table:

- **Breastfeeding at Birth (%)** – The proportion of mothers who initiated breastfeeding immediately after delivery, relative to all deliveries in that category.
- **Total Breastfeeding at Discharge (%)** – The proportion of all mothers breastfeeding (either exclusively or mixed feeding) at discharge, relative to total deliveries in that category.

Further Notes on Data Completeness

While every effort has been made to ensure data quality, there are **instances where records may be missing or incomplete**, particularly in breastfeeding status.

- Percentages are calculated based only on available recorded data.
- Some facilities may have inconsistencies in reporting, leading to minor variations in totals.

Despite these limitations, the data provides a robust overall picture of breastfeeding trends by birth type.

Final Summary

Although data on breastfeeding at 6 weeks postpartum is unavailable, the figures above provide insight into breastfeeding initiation and continuation until discharge. Percentages have been used instead of absolute numbers to ensure privacy and accurate comparisons across birth types.

4. Oral Questions

4.1 Deputy K.L. Moore of the Minister for the Environment regarding a reverse osmosis system to treat water and to remove PFAS and nitrates (OQ.54/2025);

Will the Minister advise what progress has been made towards the introduction of a reverse osmosis system to treat water and to remove P.F.A.S. (per- and polyfluoroalkyl substances) and nitrates?

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

I am committed to ensuring the safety and quality of our water supply and protecting public health and that is why I have asked the independent P.F.A.S. scientific panel to prioritise water regulation and treatment options as the first phase of report 4. At a meeting that will be held in public of the panel on 30th April, there will be a focus on presentations from Jersey Water on its progress on water treatment options. Water treatment experts will also give evidence on current and emerging treatment options at this meeting, helping to understand what treatment solution would work best in Jersey. I anticipate an interim report from the panel in the summer, which will allow me to recommend a more stringent regulatory standard for P.F.A.S. levels in mains water and to inform the treatment solutions adopted by Jersey Water to achieve this new standard. Standards, treatment and water management methods are already in place to manage nitrate levels but it may well be the case that a solution for treating P.F.A.S. will also benefit water quality as a whole.

4.1.1 Deputy K.L. Moore:

I am grateful to the Minister for his answer. In relation to his comment regarding nitrates, how does he believe his continuing derogation on the level of nitrates in public water balances with his commitment to assuring the best possible quality?

Deputy S.G. Luce:

It was quite recently that I was asked to grant or otherwise a derogation for nitrates in water. The Deputy will know that it is some 10 years now since we started the action. What was then a nitrate working group of the farming industry, it is now called the Action for Cleaner Water Group and which has had great success over the years in reducing nitrate levels. I am not aware that we have had any incidents of nitrates above levels for many, many years now, but Jersey Water still applied to me for this derogation. The last I believe that they will ever apply for. I was happy to grant it on the basis that for a number of years we have not got anywhere near the nitrate levels and it is there very much just as a backstop.

4.1.2 Deputy I. Gardiner of St. Helier North:

Following the Minister's answer about introduction of stricter regulations in Jersey. Would the Minister advise where we are currently - Jersey - as a jurisdiction compared to other world jurisdictions for the P.F.A.S. regulation; if you are thinking about Europe, U.K. (United Kingdom) and other states?

Deputy S.G. Luce:

Jersey currently has a level which is the same ... I believe we meet E.U. (European Union) levels and the guidance also in the U.K. we take into account, and Jersey water levels for P.F.A.S. in water is below those consistently. If one looks around the globe, I believe there are varying levels of acceptable P.F.A.S. levels in water. But the job of the independent panel is to review all those levels to see where other countries around the globe are and to report back in the summer as to where they consider a new satisfactory level should be and how we might get there.

4.1.3 Deputy I. Gardiner:

Would the Minister advise when he is expecting to introduce these new regulations, following the summer report, if it will be needed?

Deputy S.G. Luce:

It is my expectation, as I have said, to receive this report from the panel in the summer about water. I will then need time to consider where any new regulatory level may be set, and then of course I will have the most important thing. I will have to speak with Jersey Water about how quickly we can achieve that new level. The Deputy needs to know that in the U.K., for example, it would be normal to give a region 5 or 6 years' lead-in time. The new infrastructure that will be needed to achieve these levels is not something that is going to be built in 6 months. It is going to be a considerable piece of development and we will need to consider very carefully where that goes and how it is built.

4.1.4 Deputy M. Tadier of St. Brelade:

Does the Minister know whether a derogation that has been asked for has ever been refused by himself or by previous Ministers? If not, what other disincentives are there for a water company to regulate its behaviour if no such derogations have ever been denied?

Deputy S.G. Luce:

I am not aware that a derogation has ever been refused, but it may well have been in the past that a good warning was given that no derogations would be further issued for some particular thing, and I cannot think what it would be. I believe that the derogation is there just to allow the company to very, very, very occasionally, should it need to, exceed by some small amount or by accident an exceedance. I am not sure what the penalties would be of going over the limit if there is no derogation in place.

4.1.5 Deputy M. Tadier:

A derogation can be asked for but it does not have to be granted. I think that is the point that is coming out. Is the Minister prepared more widely, whether it is to do with P.F.A.S. was the original question, for compensation to be given eventually if needed either as an *ex gratia* payment to those who have potentially suffered from Government's involvement in P.F.A.S. in the water or indeed for possible legal challenges that result in a lawsuit against the Government.

Deputy S.G. Luce:

I have not had any conversations with any officers or others about compensation at this point and certainly I would want to get to the very end of the reports that come back from the independent P.F.A.S. panel before that is even considered.

4.1.6 Deputy J. Renouf of St. Brelade:

The Minister talks about the infrastructure that may be needed to reduce levels. Currently Project Breakwater is examining long-term infrastructure spending. Would the Minister consider whether or not to include P.F.A.S. remediation as part of Project Breakwater?

Deputy S.G. Luce:

I have had some very, very initial discussions with the Chief Minister about how the funding for any new treatment works might be found but at this point it is far more important to me to get the new regulations right, to get the quality of the water correct, and worry about who pays for it later. I have spoken with Jersey Water about that and, as the Deputy has just stated, it will be a considerable expense in very broad terms, and these are very initial stages. Some indications would state that it is around £20 million for each of the 2 treatment works we have currently in Jersey. It may be that those treatment works fall away and we build a new treatment work somewhere else on the Island to serve the whole Island. For me, the money is the secondary consideration. The most important thing is getting the quality of the water right.

4.1.7 Deputy J. Renouf:

I agree that getting the quality of the water right is a priority, but my understanding is that Project Breakwater is the long-term planning vision for infrastructure spending in the Island, and therefore would it not make sense to include P.F.A.S. remediation as an item within it?

Deputy S.G. Luce:

It may well do, but we need to remember that, at this point in time, although we are a large shareholder in Jersey Water, and Jersey Water remains a private company, and as such it would be under normal circumstances incumbent upon that company to go away and spend the money on any infrastructure works if necessary, and see how their balance sheet survives and where they get the money from to pay for it.

4.1.8 Deputy K.L. Moore:

The Minister is well aware that this matter has been ongoing for some time and therefore the residents particularly, and those with higher levels of P.F.A.S. in their blood systems, are extremely anxious. Will he commit, once he has received report 4, to a specific timeframe for delivering actions and will he also reassure the Assembly that he has the resource available to him to meet his Ministerial objective of delivering a plan for regulation within a short timeframe?

Deputy S.G. Luce:

There are a number of questions there. All I can do is assure the Assembly and the Deputy that as soon as I get the information required I will be considering it and speaking with Jersey Water about where the new acceptable levels for P.F.A.S. will be. At that point I will also have to consider how quickly that has to come into force. But, as I said previously, we need to be aware of the fact that if a new treatment works is required it will not be something which will appear overnight, and certainly not in a couple of years.

Deputy K.L. Moore:

Sir, I do think perhaps the Minister missed the question, which was about timeframe and resource. Just a commitment that there is resource dedicated to it.

Deputy S.G. Luce:

Obviously I will commit to a timeframe. Jersey Water will have to be aware of that if we are going to have a new treatment works the resource will have to be found. I know it is secondary to the

importance of the quality of the water but money will have to be found and discussions will have to be had between Jersey Water and Government to see how the funding is going to be put in place.

4.2 Deputy M.B. Andrews of St Helier North of the Minister for Housing regarding protection for buyers of immovable properties (OQ.53/2025):

Will the Minister detail what protection exists for buyers of immovable properties in situations when the seller withdraws from the contract before it is passed before the Royal Court, and advise whether there are any plans to change the current process to provide more protection to buyers?

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

The short answer to the first part is that there are not really many protections for either party when something happens at the last minute causing the transaction to fail before it reaches court. Obviously that can be very upsetting and even devastating for those who had their hearts set on buying a home, and can cause difficulties for situations with connected chains. There are things that buyers and sellers can do to protect themselves beforehand. They can choose to use pre-sale agreements, but obviously there is a balance to be struck there in weighing up the risks and potential benefits against the costs and time that that would take. Standard seller questionnaires can be used to help identify potential issues early on to give all parties a chance to mitigate against them causing problems further on down the line. I know that some would possibly desire that a wholesale look at the property transaction process with a view to making comprehensive changes was undertaken, and there may well be a point in the future where this could be done. But at this moment in time it is not something that I think I could fit in among the rest of my priorities.

4.2.1 Deputy M.B. Andrews:

Is the Minister of the opinion that at some point in time there perhaps needs to be an opportunity to look into this area and to potentially look at bringing forward legislation in the future to protect those who are looking to acquire property?

Deputy S.Y. Mézec:

I certainly do not think that there would be any harm in that if done at the right time, where it was not detracting from other competing priorities. I do not have a fixed view on what changes ought to look like, and I know that there will probably be mixed views on that in different parts of the professions that support people in buying and selling homes. But at some point it would do no harm to do that, and if there are tweaks that could be done to improve the situation that would be a discussion worth having at some point.

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

I have not yet seen the Minister's written answer of the number of transactions ... or the other Minister's answer on the recent issue of recent transactions but in a time when there are a reduced number of transactions and this work of conveyancing is largely carried out by the private sector by conveyancers within legal firms - we do have a great system of title in Jersey - would now not be the time to harness the unused, unresourced issues within the conveyancing industry in order to modernise what I know is something that the conveyancers would welcome? Would you have discussions with the Law Society and maybe the conveyancers in order to advance something?

Deputy S.Y. Mézec:

I am sorry to disappoint the Deputy with this answer, but I mentioned in my first answer that I simply do not think that I could, in a meaningful sense, accommodate that kind of project among the rest of my priorities. Members of my team have spoken to some people in the industry to get a view of where things currently stand, and some have been forthcoming as to what ideas they may have. But in terms of a comprehensive project to achieve meaningful change, it is not on my list of priorities at the moment. But as I said, I think there would be no harm in doing that at some point in the future.

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

The Minister correctly identifies that the source of the problem is the fact that most transactions are not legally binding transactions until they go to the Royal Court.

[10:00]

In this connection, can I ask the Minister if he is aware, or does he recall, the review conducted by the Residential Property Transactions Review Panel in March 2018, where the first recommendation is: “With a view to creating a greater degree of certainty, the Chief Minister should investigate, via consultation with interested parties, whether a pre-sale agreement should form part of the standard transaction process”? The recommendation goes on that: “This should include a financial penalty for buyers/sellers who fail to comply with the agreement.” Could the Minister advise whether he agrees with that sentiment and whether he is inclined to discuss with the Chief Minister the final sentence of that recommendation being that the Chief Minister should report the findings of the consultation before the end of May 2019? Is the Minister prepared to take that forward and consider the other recommendations in that panel?

Deputy S.Y. Mézec:

I was aware that that review took place and I was delighted to hear that that particular recommendation was framed towards the Chief Minister rather than myself, and hope that he was listening to the question. But I am certainly happy to raise this again with the Chief Minister in my next discussion with him. I know it is something that he has commented on in the past about the unfairness that there can exist in the system. I know that is something he cares about, so I am happy to raise it with him. But that particular recommendation was framed towards him rather than my portfolio.

4.2.4 Deputy M. Tadier of St. Brelade:

I know this issue has been going on a long time. I have been contacted many years ago by people in the removals industry, and they say that when a transaction unexpectedly does not go through it does have knock-on effects. For example, often these services will be booked months in advance only to be cancelled with no notice. Would the Minister consider, if necessary, asking for extra resources to conduct a short targeted piece of work in this area to see if there are any quick wins that could be suggested about how this issue might be ameliorated?

Deputy S.Y. Mézec:

I would always be at the mercy of the entire Council of Ministers if I were asking for extra resources in order to conduct that kind of work. I am not going to give an undertaking to do that because, I have to be honest, at this moment in time, even with extra resources, the staffing implications I have within my own team mean we really would be stretched if we were to lead on that kind of project. But the Scrutiny recommendations previously were aimed at the Chief Minister. If that was something he wanted to allocate within his team my team could support it. But I certainly do not think we have the capacity even with extra resources at this moment.

4.2.5 Deputy M. Tadier:

Taking that point on board, this is clearly a piece of work that could involve looking at court processes and involve other perhaps more fundamental questions about property transactions. Would the Minister encourage those who are interested in the Assembly more widely to speak to his Ministerial colleagues to see if there is any appetite for Ministers to set up a working group, not for the sake of it but to produce results by the end of this term, to perhaps move this issue forward?

Deputy S.Y. Mézec:

Most definitely, I would always want to encourage grassroots efforts like that for interested parties in society to transmit their views in a constructive way about what positive changes could be achieved to relevant Government Ministers. As I said before, I am aware of at least one person in the industry who has, I think, made a very powerful case for change through his own channels, which my team have corresponded with him over. But if more want to take part in that kind of dialogue for us to consider what might go into a future work programme, then that can only be a good thing.

The Deputy Bailiff:

Deputy Ozouf, your light is on. You have asked your question.

Deputy P.F.C. Ozouf:

I can ask another question.

The Deputy Bailiff:

No, you cannot, sorry.

4.2.6 Deputy M.B. Andrews:

Is the Minister aware of any particular cases where a buyer has been let down and have any individuals brought this to his attention since he was elected to the office of Minister for Housing?

Deputy S.Y. Mézec:

Not specifically since I became Minister for Housing but I am aware of incidences before that. It has happened to people in my family who were left feeling very upset and let down because of things that have happened. So I know it is something that can cause great distress and heartache to people when they have their hopes set on it. I am led to believe that it happens in a very, very small proportion of attempted transactions that go to court but that does not obviously lessen the significance it has on those who are affected by it. But it has not specifically been raised to me by constituents since I became Minister for Housing, I do not think.

4.3 Deputy K.M. Wilson of St. Clement the Minister for Education and Lifelong Learning regarding teachers leaving Jersey (OQ.73/2025):

Further to recent reports that teachers are leaving Jersey, and in light of the pay award accepted by teachers in 2024, what explanation can the Minister provide for why teaching staff are resigning and leaving the Island?

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

I thank the Deputy for her question. There are 2 elements to the answer I will give. One is a statistical one, which is always interesting. The rates of leaving teaching, there were 935 employed teachers on 31st January this year; 44 teachers are recorded as leaving the Island, which is a 4.9 per cent rate lower than the Government rate of 7.1 per cent. That includes teachers retiring, that includes teachers leaving the state sectors to go to private schools, so remaining in teaching, and teachers leaving the Island. However, for me, a statistical answer is lovely but I would also say I have always had concerns about why it is teachers might be leaving the profession and what we can do in order to keep teachers in the profession. That is a relatively low rate but we want to make sure that that is as low as possible. There are lots of other demands made on teachers as to reasons why they may be leaving the profession itself.

4.3.1 Deputy K.M. Wilson:

Could he give us a bit more assessment or his own assessment of what those reasons might be and does he think that pay may well be a factor in that scenario?

Deputy R.J. Ward:

Yes, I was going to do that and I thought it might be going on too long. There are a number of reasons why teachers may leave. First of all, it is a really tough job. Second, the cost of living in Jersey affects all sectors of our economy. Finding housing for your family might be very difficult. There may also be a change of career because the job is just something you do not want to do anymore. Sorry, I did not get the second part of the question, which was? Pay. I was pleased to say that a 3-year pay deal had been made but there are other elements as well that we need to look at. When I came to office in this role I was extremely disappointed that a letter had been sent to all teaching staff effectively dividing them into individuals and asked them to accept a pay deal or a letter, which is Elon Musk style, saying if you do not reply then it is seen as an acceptance. I would not put my name to a letter like that and very quickly we settled the pay deal. In addition to that, for the first time ever, we are looking at how, not if, we will increase time for teachers in schools to prepare, plan and assess. I think the workload is also one of the largest elements of why teachers are leaving the profession. We are working as quickly as possible on that with the trade unions, where we have a much better relationship.

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

The Minister wisely and correctly cites one of the possible reasons for teachers leaving is likely housing and cost-of-living issues. Would he agree that it might be useful in order to gain statistics on and doing a questionnaire for departing teachers and the reasons why they are doing it so that those of us that are concerned with those issues can prove it. I will come back with a supplementary.

Deputy R.J. Ward:

Yes, I think what the Deputy is referring to is exit interviews, and exit interviews have been an issue that I have brought up so many times and my Assistant Minister certainly has brought them up. I do not think we have that entirely right yet. There are exit interviews but if somebody is leaving the Island it can be slightly challenging, so it might be done online. I think the numbers are relatively small. That does not mean complacency and we must never be complacent with any workforce. Because the numbers are relatively small, it should not be too difficult to find out why. Housing, cost of living, the job itself, changes in people's lives is another issue, and flexibility in workforce. We are doing some work on that, particularly for women returning to the workforce, which I think we can improve, and there are some good ideas that we have coming forward.

4.3.3 Deputy P.F.C. Ozouf:

Having been civilly partnered to a teacher that was coming to Jersey - unfortunately they did not come - I am very well aware of the issues of terms and conditions and cost of living that teachers have because I live in a teacher's world. My twin is one as well. I wonder if the Minister would also confirm in this important question whether the terms and conditions review, that I understood that was going on, is going to be resolved. I hear different stories about the terms and conditions review. It was promised, it was not going to be done, it has been done but not satisfactorily. He is a unionist, will he publicly say he is content with the terms and conditions review, when is it going to be done and when a teacher is going to get a fair day's pay for a fair day's work?

Deputy R.J. Ward:

I am a trade unionist, I am not sure if I am a unionist but there we go. I agree, yes, the terms and conditions work has been undertaken. Has the outcome of that terms and conditions work been exactly what everyone has wanted? The answer is no and we are in a position where what we need to do is find a way forward. What I want to do is to look at a way in which we can start that process of providing more P.P.A. (planning, preparation and assessment) - just remembered what it was - time, particularly in our primary schools. We are looking at some work, for example, that had happened in Guernsey that they have done very well. We went and shared some ideas. They are looking at things that we are doing, so that we can provide for that and in secondary schools. The

money for that is difficult to find but I want to do that certainly by January. It will not be perfect but I think we can find a ground where trust is restored in our relationship with trade unions and trust is restored that we do want to improve the lot of the teaching profession, and then we can move forward. I hope that that is the case. That will be supported in this Assembly in any Government Plan, and I look forward to that happening.

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

Two of the recommendations from the C.E.H.A. (Children, Education and Home Affairs) Panel's secondary education funding review, which had an impact on improving the teacher experience, one was to increase non-contact time, which the Minister has mentioned, the other was to reassess the budget for continuous professional development. Can the Minister explain what progress has been made in these areas?

Deputy R.J. Ward:

Absolutely, and that is one of the keys. One of the biggest obstacles to C.P.D. (continuing professional development) is finding the time to release teachers to do it. Some of the work we are doing with providing, if you like, a system whereby we have available teachers all year that can be booked by headteachers means that that can be planned more effectively. Therefore the money spent in C.P.D. can be guaranteed to be used in the correct way. Once we have done that we can look at where is the best spend and where the actual need is for continuing professional development because some of that is sharing good practice across our schools. We have very, very good teachers on this Island who want to share practice. Sometimes there are obstacles simply of time to get together and share that practice. There are a number of little things that we can do in order to enable that to begin with before we look further at the budget itself. But yes, these are all things that are on the agenda in the coming weeks and months.

4.3.5 Deputy C.D. Curtis:

Could the Minister give an idea of the time when these changes may be completed?

Deputy R.J. Ward:

Extra money would need to be in the Government Plan for January. However, we are looking at pace to see what we can get instigated by September, particularly with some of the work that we, as I have said, shared with other jurisdictions. It seems to be working really well. It is a very simple solution to some of the problems themselves. I would say my ambition, as ever, is to do this as quickly as possible and have something in place, even if it is pilot schemes for schools to show does this work, does this work effectively, is it improving the lot, if you like, of teachers in September, and then have something more general in place from January so we know we are spending the money well and it is effectively used. That is the only timescale I can give at this moment.

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

Just to ask the Minister, following up on these terms and conditions, it has been pointed out to me that it was in March 2024 that he said he was going to deliver on terms and conditions in September 2024. Just to remind him that the previous Government had said that they were actually going to deliver the terms and conditions in March 2024. I am slightly concerned. Here we are in - what are we - March 2025 and we still have no delivery on terms and conditions. Can the Minister explain why there has been such a delay?

Deputy R.J. Ward:

Well I did not inherit any action to be taken on terms and conditions so that was not going to happen in March 2024. The terms and condition change we are talking about require money and require a settlement of a pay dispute. What I inherited was a pay dispute that was ongoing. That was settled

first before we could get on to talk about terms and conditions. Terms and conditions are being looked at continuously.

[10:15]

Those negotiations are going on and we are coming to, I think, some agreements, certainly with headteachers and with other teaching professions, to look at a way in which we can - and I mention again - for the first time ever, look at increasing time for teachers to teach and prepare, looking at how we can continue to increase that time and use it effectively. Yes, I would like to see that happen as quickly as possible. The cost of that is significant, I recognise that. But I think the argument around that is accepted and the quicker we move forward that, yes, my answer to the Deputy would have been we would have loved to have done it at that time. I do not think that was in place. We had a pay dispute when I took over.

4.3.7 Deputy D.J. Warr:

I am concerned, the Minister makes a promise in March to the Assembly for delivery in September. I am still struggling to understand why make the promise in March and then fail to deliver in September and now making excuses so much further down the track as reasons for delay. Maybe you should not be making promises in the first place.

Deputy R.J. Ward:

It is clear from the approach that is taken there as to why it was so difficult for the unions to negotiate in the first place. What we are trying to do is get a reality, a sustainable approach to future time for teachers. We have a settled pay dispute for 3 years that did not exist. Instead, what I would call almost illegal letters were sent out, a letter which I would not put my signature to. What I wanted to happen was exactly that. If those things do not happen in that timescale, it does not mean we are not working at them. It does not mean I do not feel disappointed that it has not happened, but we are working incredibly hard to get these things in place. It is challenging. Of course it is challenging. It is not just about P.P.A. time, it is about other things such as looking at the whole arena - it is the best word I could think of - of education itself and seeing how we can work better across our schools. There have been other things as well that have been prioritised that we have taken on board I think that have helped in schools as well.

The Deputy Bailiff:

Yes we have some more questions but remind Members this is a question about why teachers are resigning and leaving the Island, and we should not stray too far from that.

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

Without wishing to sound like we are sticking to a line of questioning, the Minister did in his original answer refer to the impact of workload upon teachers and although he has his perspective, which he has laid out to the Assembly, other views and recollections are quite different to what was set out. Contrary to popular opinion, it is possible to carry on 2 different sets of work at the same time. Terms and conditions was the part of work, the workstream, that would actually deal with workload of teachers. It was on track for March 2024 to be delivered, so will the Minister please look forward and tell the Assembly when it will be delivered because the change of Government has done nothing but stalled the progress that is having the greatest level of impact upon teachers.

Deputy R.J. Ward:

I simply do not accept that interpretation of where we are and the interpretation that by March 2024 dealing with all of the terms and conditions outcomes was available. It simply was not. We were still in dispute. Teachers were being told: "You either accept the pay deal or you will be paid separately", which would have been the worst possible scenario to enter into terms and conditions talks. What we have done so far is enter into those effectively, look for ways in which we can move

forward and to have a much better relationship with the trade unions so there is a realism as to what we can do. As I mentioned earlier, what I would like to see is as soon as possible, even if it pilots in September, because we are looking with money that we have got now to look at ways in which the extended P.P.A. time can be used effectively in as many schools as possible so that we can introduce things in January. That will have a cost. I will have to take that to a Government Plan, and I am certain from what is said today a number of Members will support that if it comes in the Government Plan. I look forward to that support, but I will say that we have a healthy relationship with trade unions now. We have a healthy relationship with the teaching profession when they know they are respected particularly by myself, my Deputy and other members of the department. We have 2 members of schools which are now working with C.Y.P.E.S. (Children, Young People, Education and Skills) 2 days a week, so we have a much better link with what is happening in schools and understanding what is happening in schools. So there are a number of pieces of work that are underneath the surface. Terms and conditions are not one isolated thing. It could be things like unified timetables. It could be about 20 tasks which staff are asked to do and can be things about the way we use I.T. (information technology) more effectively. I would completely agree with the Deputy if she wants to ask a question about I.T. that has not worked; no, it has not. Absolutely agree and we have worked really hard on that, so there are a number of things, as I said, but we are working as quickly as we can.

4.3.9 Deputy K.L. Moore:

It appears that money and funding is the issue. Could the Deputy explain why this Council of Ministers will not support their Minister and deliver the funding that is required to deliver the change in terms and conditions?

Deputy R.J. Ward:

As a previous Chief Minister and Council Minister, I am sure the Deputy understands the funding process for the Government Plan takes place in advance, so as we develop more things and you want more money, you have to go on another bid. That is exactly what we will do. I hope that support will be there. If that support is there, we will act as quickly as we can. If not, we will act as quickly as we can in January and use our money as creatively as possible to get things in place for teachers, but that is a real key difference. What I am looking to do is do that for teachers. I am not looking for conflict with this profession. I am not looking to downgrade them. I am not looking to say to them: "You are creating problems for us." I am saying: "Let us work together", and that is trying to get the best possible workforce that we can.

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

As the Minister stated that one of the reasons that poses challenges on retaining teachers is the cost of living, what is he doing to work together with his Ministerial colleagues in adopting policies to alleviate that?

Deputy R.J. Ward:

It is quite a wide question. I would support a number of things. I would support the removal of G.S.T. (goods and services tax) from food. I would support rent regulation. I would support the sort of things that are coming through on housing. I would support the removal of the social security cap so there is more money available. Those are all things I would support which have not been supported in this Assembly by other Members; Deputy Kovacs aside. There are a number of things I would support as we move forward. In terms of education remit, all I can work with is ensuring that the pay rise is there and it is there with 1 per cent above inflation for the next 3 years, I believe - I might have got that wrong - that we are doing everything we can to try and improve terms and conditions as quickly as we possibly can. Not perfectly, but we are moving forward in that, and I think there is a growing trust there which is really important. I think as well, one other element I would say is I am

keen that we stop using education as a political football. That would help a great deal and keep people in the profession because they do not feel that they are being blamed for every ill of society.

4.3.11 Deputy I. Gardiner of St. Helier North:

I would like to ask the Minister if one of the other reasons for teachers leaving the profession and leaving the Island - if he considers it - is instability? The C.Y.P.E.S. Department will have the third interim chief officer within 3 years, 4 years, and now we do not have director of Education. Does the Minister consider that we do need the role of director of Education in Jersey?

Deputy R.J. Ward:

There is an interim person in that role who I think is working his socks off. I would suggest that there is a huge void between teachers standing in front of classes in a classroom wondering about the size of their mortgage or their rent or how they are paying things with their family and who is the person at the top of C.Y.P.E.S. One of the actions that has been taken to try and close that gap is to second 2 headteachers 2 days a week to make that link and do some work, which is happening rapidly, and we will be reporting back very, very soon - I have already seen some of the work they have started - so that there is a greater understanding between schools and C.Y.P.E.S.; schools understand what C.Y.P.E.S. as a department does and C.Y.P.E.S. understand what schools do. That interaction, I think, will really help to move those 2 areas forward and get the support where it is needed. I cannot say how I would make the link between changes to directors and staff leaving school. If the Deputy has that link, I would be very interested to know.

4.3.12 Deputy I. Gardiner:

If my understanding is correct, the interim is for the Children, Young People and Skills. We do have a head of Skills. We do have a chief social worker for Children's Services, and we currently do not have the head of Education which education for me - and I would like to check with the Minister for him - is much beyond school. We do have college. We have University Jersey. We do have apprentice trainings. We do have early years, and it is about a sustainable way or constant way going forward. This would probably be the director of Education that can go through the terms, deliver the political terms. Does the Minister think that the job of director for Education or any other form leading education in Jersey is required, or it can be substituted by 2 headteachers 2 days a week?

Deputy R.J. Ward:

First of all, the 2 headteachers are not a substitution for that. They are a completely different role to increase understanding. I have never been a believer in large layers of management, particularly in schools. I think we have a profession of very, very qualified people that we should allow to do their jobs. The interim role takes on both children and education. That is absolutely correct. There are other members of the department who are stepping up and taking on roles, and I think what we want is an effective and smooth way in which we understand what is happening in schools, give schools the responsibilities where they have the skills, and I think the restructure that we can undertake will exactly do that. I do not believe that simply more layers of management does anything other than create more layers of management.

4.3.13 Deputy K.M. Wilson:

Thank you to the Minister for his answers. Does he believe that people taking on other roles is really an act of desperation to keep the show on the road and does he accept that the quicker he develops terms and conditions and a resolution to the terms and conditions and cost of living will reverse the position that we currently find ourselves in and can he assure parents that he is doing all he can to bring that to a conclusion?

Deputy R.J. Ward:

First of all, I do not accept the language “desperation”. Everything is such an attack on education at the moment. It is such a shame that we get this in the Assembly so much. Second, as I mentioned at the beginning of this, the rates of teachers leaving is relatively low, but I am still interested in why they are leaving. I can reassure parents that we are recruiting teachers, that teachers are in place, and I can reassure parents that the teachers that are there in front of their children everyday are massively committed to ensuring that their children have the best experience they possibly can. In terms of terms and conditions, yes, absolutely want to do that but I remind this Assembly that when I took over, teachers were in dispute. They were striking. They were demonstrating outside of this Assembly. That has not happened for the last year, and I hope that does not happen again. I hope we can come to a good resolution of terms and conditions and start to build way into the future into a sustainable way so that future Assemblies do not have that situation again that was created by the last Government.

4.4 Deputy I. Gardiner of the Minister for Health and Social Services regarding PFAS testing (OQ.69/2025):

Will the Minister advise what considerations, if any, has been given to offering P.F.A.S. testing for residents outside of the 2 plumes in the St. Ouen’s Bay and Pont Marquet areas?

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

As the Deputy knows, we have an independent Scientific Advisory Panel that has been established to provide evidence-based advice on P.F.A.S. so that we can make informed decisions in the best interests of Islanders. The panel has already completed 2 reports and their third report, which is due for completion at the end of June, will make recommendations on how we might test more widely across the Island and what interventions we might use to reduce levels of P.F.A.S. in blood. I hope the Deputy agrees that issues of this sort are best dealt with on the basis of independent scientific advice.

4.4.1 Deputy I. Gardiner:

Thank you to the Minister. My question was prompted by attending a public event at St. Peter where it was confirmed that none of the areas of Jersey are excluded currently. We do not know what is included, but we currently cannot exclude any of the areas. I understand that we are waiting for the report, and I would welcome the report.

[10:30]

What consideration has the Minister given to offer testing for people that think in experience and the symptoms from poison P.F.A.S. or at least test around the Island to understand the position where we are at?

Deputy T.J.A. Binet:

I accept there is a little bit of dilemma in this regard. It is a difficult one. People are obviously concerned. I do not think we can just have a random approach to this. It is tricky. The tests are £220 each, not £20 as was cited in the media. They have to go to a specialist laboratory; I think somewhere in Germany. There are not many laboratories that can deal with this. If we take a random approach to it, you could have 100,000 people demanding that they get equal treatment and that everybody gets a test and simple arithmetic tells me that would cost about £22 million. It would be unmanageable. There would not be a laboratory that is capable of doing the tests so what we have decided to do is to wait for the panel to come up with a recommendation as to how we might go about this in an orderly way so that we can get some further test results from around the Island. I think it would be difficult for us to take that decision.

4.4.2 Deputy M. Tadier of St. Brelade:

I can see that this whole process is fraught with problems, for example blood test from around the Island, you do not know where people have lived. It is just a snapshot at any one time but leaving that aside, the question, I guess, is who pays for the independent scientific advice?

Deputy T.J.A. Binet:

That scientific advice is being paid for by central Government at this point in time.

4.4.3 Deputy M. Tadier:

I am tempted to invoke the adage: “He who pays the piper calls the tune”, but I am not sure if that would be understood necessarily if it is parliamentary, but can I ask the Minister perhaps the more important question: is really once the blood tests have come back and they show that individuals in Jersey have a certain amount of P.F.A.S. in their body, the question then, of course, is how it got there in the first place and could the Minister say whether he is thinking ahead to that point? Because, of course, that is the point at which scientific evidence could diverge with the Government on the one hand saying: “It is not our fault. That came there through other sources”, whereas those who have been affected, perhaps living in those areas, might wish to start making claims saying: “We believe that Government is responsible for this.” What is the action plan in that regard?

Deputy T.J.A. Binet:

I think that spells out why we are using scientists to advise us. I think we are pretty much at the forefront of investigating this. There are not many other countries that are on the front foot and spending as much money per capita as we are on this. Some of the advice that we are getting already suggests that P.F.A.S. (a) is everywhere, and (b) can be taken into the system by various means. My understanding is that fish and particularly meat have high concentrations of P.F.A.S., so I think until we can establish where the concentrations of P.F.A.S. emerge from, we are in quite difficult territory. That is why we are having to be extremely careful about how we proceed.

4.4.4 Deputy J. Renouf of St. Brelade:

Can I offer my support to the Minister for his backing of the scientific committee, which I think is doing an excellent job and indeed that is a very good way to proceed, but can he then say whether he is prepared to make any commitment to definitely implement the findings of the scientific committee and/or other when it comes to report?

Deputy T.J.A. Binet:

Once again, it is hard to provide an absolute commitment because we are not quite sure what those recommendations are going to be. I should imagine that in the main that we would. We then have to look at the costs and the political implications of those recommendations. All I would say is let us wait until those recommendations come through and we will make those decisions at that time.

4.4.5 Deputy I. Gardiner of St. Helier North:

As the Minister mentioned that the P.F.A.S. might be sourced in the various fish, meat and other, maybe in the meantime the Minister can encourage Public Health to put proper communication to the public about P.F.A.S., sources of P.F.A.S., what to look out for because I think there is lots of, maybe, misconception or right conception going around so we are all learning it as we progress. Whatever is known to the Public Health now can be put in some shape or form to the wider public of Jersey.

Deputy T.J.A. Binet:

I think to the best of my knowledge, any conclusive evidence that we have is probably in the public domain already. We are reliant on this team of scientists to provide that information and when that information comes out, that will all be in the public domain and, as I say, I do not think it is up to us as politicians to pre-empt that.

4.5 Deputy S.M. Ahier of St. Helier North of the Minister for External Relations regarding frozen Russian assets held in Jersey (OQ.65/2025):

Will the Minister commit to the transfer to Ukraine of all frozen Russian assets held in Jersey and, if not, will he assure the Assembly that, if a peace deal is reached, those frozen assets will not be returned to Russia until such time as any war reparations required have been met in full?

Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter (The Minister for External Relations):

The assets subject to an asset freeze under the Sanctions and Asset-Freezing (Jersey) Law 2019 still legally belong to the legal owner. There are no powers under that law which would allow Jersey to transfer or otherwise spend, donate or loan frozen assets. Jersey implements the U.K.'s financial sanctions regime and therefore we will follow the position taken in the U.K. when and if a peace deal is reached.

4.5.1 Deputy S.M. Ahier:

If other European finance ministries decide to set up a compensation trust using the frozen Russian assets, which is being discussed currently, would the Minister transfer the frozen Russian assets held in Jersey to such a fund or would he only be influenced by the decision of Westminster?

Deputy I.J. Gorst:

Firstly, of course, legally it would not be within the Minister's power to do such a thing. It would require a change in legislation which would involve this Assembly. Secondly, these matters are best dealt with on a more global consensus basis. We do consider what the European Union is doing, as I know the U.K. would consider what the European Union is doing, and I have had a number of conversations both in Westminster and in Brussels about these matters and there is no common consensus at this point. We have to be careful not to confuse privately-owned assets with States-owned assets, which are being treated in a different manner.

4.5.2 Deputy J. Renouf of St. Brelade:

I found a slight contradiction. I may have just not quite understood but the Minister said that Jersey law does not allow us to do anything with the assets that are frozen but that he would follow the U.K. lead. If the U.K. lead is to do something, in other words if U.K. legislation allows something which Jersey legislation does not, what will he do?

Deputy I.J. Gorst:

As I indicated, it depends what the action is. If the action is simply the lifting of sanctions, then that would automatically happen under the Jersey legislation. If it is to do something else with the assets, other than that straightforward lifting, then that would be a decision for this Assembly because it would require legislation.

4.5.3 Deputy J. Renouf:

To be really clear, if we wished to do something with those assets, then we would require an amendment to legislation or primary legislation; what would be the route?

Deputy I.J. Gorst:

Well, because I have not considered what the route would be, I imagine it would be a change to the Sanctions and Asset-Freezing (Jersey) Law. It would depend what the global consensus was and, of course, with all these matters, Ministers take advice from the relevant people who need to advise which would be the best route. It may be because it was such a bespoke issue relating to a single jurisdiction that a new piece of primary law would be introduced. It may be that speed of action was more important and therefore, it was simply an amendment to the existing regulation.

4.5.4 Deputy S.M. Ahier:

There are £230 billion of Russian assets frozen in total. This will not match the expected £400 billion of war damage reparations that will be required. Has the Minister had direct engagement with the United Kingdom or with other European countries to discuss the matter of war reparations and, if not, does he intend to instigate such conversations to ensure resolution of this matter?

Deputy I.J. Gorst:

As I indicated earlier, I have had conversations with U.K. Ministers and with senior officials in Brussels from member states about the use of frozen assets, not about war reparations. I do not think that that necessarily falls within the remit of Jersey's Minister for External Relations.

4.6 Deputy M. Tadier of St. Brelade of the Minister for Sustainable Economic Development regarding the Corn Riots Festival (OQ.75/2025):

Will the Minister advise what Government funding was allocated to the Corn Riots Festival in 2022, 2023, and 2024 and whether any money has been allocated for 2025, and if not, why not?

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

In 2022, the Government allocated £24,962 to the Corn Riots Festival. In 2023, £31,137; in 2024, £33,882; and for this year we have allocated £30,000, a similar level of funding for 2025. However, this year due to a change in internal resources, i.e. my department has a lot less money than it had last year, we are not in a position as a department to manage the event, although we are funding people to do that management.

4.6.1 Deputy M. Tadier:

I am slightly bemused to find out that the department has got less money given the fact that the 1 per cent for arts, culture and heritage is more than they would have got if they would have stuck with the original Government position. While his department might have less money, arts, culture and heritage has more money and I am glad to see that at least some has been earmarked for the Corn Riots Festival. Could the Minister give an assurance that he will be working proactively to make sure that one way or the other, as far as possible, the Corn Riots does go ahead, even if it is delivered externally to his department?

Deputy K.F. Morel:

If there is a desire to put the Corn Riots on, then I am happy to provide funding to those people who are willing to do that.

4.7 Deputy M.R. Scott of St. Brelade of the Chair of the Privileges and Procedures Committee regarding States Members who have attended cyber-security training (OQ.55/2025):

Further to the response to Written Question 428/2024, will the chair state the number of States Members who have attended cyber-security training, offered as part of the States Greffe programme of training for Members, during this political term?

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

Further to my answer to Written Question 428/2024, 7 States Members attended the whole of the cyber-security session held on 3rd December 2024 with a further 2 Members attending some of the session.

4.7.1 Deputy M.R. Scott:

That is a little alarming. I am interested in any leadership that the P.P.C. (Privileges and Procedures Committee) has shown in this area. Could the chair of the P.P.C. disclose what percentage of her committee has attended the training that was offered and what amount has been given by her

committee to discuss the importance of good cyber-security practice by Members of the States Assembly?

The Connétable of St. Martin:

I am not certain how many Members of my committee attended the training, but I would like to point out to Deputy Scott that I, like many Members in here, have very busy schedules. Looking at my diary for 3rd December, it was a really busy day, and I, like many Members in this Assembly, was committed to meetings, et cetera, elsewhere. However, I would welcome the opportunity to receive cyber-security training, and I am aware that the Deputy has not been able to attend all training sessions being by the Greffe for other things due to a busy schedule. I can find out how many of my Members went and, yes, P.P.C. has discussed cyber-security training.

4.8 Deputy J. Renouf of St. Brelade of the Minister for the Environment regarding changes to Supplementary Planning Guidance for developments with a floorspace greater than 3000 square feet (OQ.64/2025):

Further to the response to Written Question 86/2025 regarding changes to Supplementary Planning Guidance for developments with a floorspace greater than 3000 square feet, will the Minister advise what consideration he gave to any officer advice he received, and to any public support that was expressed when the guidance was adopted in 2023, before deciding not to hold a public consultation and to make changes to the guidance?

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

I will always have regard to the professional advice that is available to me when it comes to the development of new, or the revision of existing, planning guidance.

[10:45]

Similarly, I gave consideration to the consultation response which included the views of the public where the guidance that contained the original provision was first adopted. I have regard to all of that; however, it was my considered judgment that this was a minor change to existing guidance and did not, therefore, warrant wider consultation again.

4.8.1 Deputy J. Renouf:

In the officer report that accompanied the decision, it is stated that the only reason for the review of the Supplementary Planning Guidance was because 3 high-net-worth individuals had approached Government to ask for the change. How did the Minister balance their dislike of the planning guidance against the overwhelming public support for the guidance expressed in the original consultation?

Deputy S.G. Luce:

I did not have any contact from anybody about this other than one member of Government and I decided on that person's request to have a look at the guidance. I looked at it and I took, as I said, officer advice. That officer advice said a number of things but it was clear to me that this guidance had made no difference whatsoever and while, therefore, there was an argument to say: "If there was no difference, you could leave it there", my view was that because it had made no difference and because the perception was that Jersey was closed for business that it would make no difference therefore to remove it, which is what I did.

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

I wonder whether the Minister would say that while the report may have cited 3 2(1)(e)s, I have not read the Ministerial Decision, but I can imagine that he will have received representations from the building industry that they are tittering on the brink. Building contractors have fallen by the wayside, are going bust and would he not agree that anything that we can do to boost confidence in the building

industry which is done, so by lifting this provision, is a good thing to do? Would he share my view that it is important to look at things in the round and not to have Government interfering and regulating in things that really are maybe prejudiced to people who have got the loudest voices because it is 2(1)(e)s that have, but there is a silent majority that has not.

Deputy S.G. Luce:

As I said previously, no 2(1)(e)s have made contact with me. Indeed, the only contact I have had from anybody in this regard since I made my decision was one architect last week that thanked me for doing it, and he did not email me specifically to talk to me about that; it was about another matter. But the Deputy is absolutely right, I have stated recently quite publicly that I want more economic value to be put into decisions when it comes to planning applications and the development/construction industry has been going through some tough times recently, but I think encouraging the economy is hugely important, as is the reduction of red tape, which I believe this is.

4.8.3 Deputy P.F.C. Ozouf:

I wonder whether the Minister would be even bolder and go maybe not as far as looking across the Atlantic and say: “Drill, baby, drill”, **[Laughter]** but will he send out the very clear message that he wants a Planning Department that says: “Build, Islanders, build”, so that we do not have a contracting property market and a contracting construction industry? Does he want to send a positive message out that he is prepared to do things even though it is in some quarters unpopular?

Deputy S.G. Luce:

Obviously, I am going to do what I can, but the Deputy needs to be reminded we have an Island Plan agreed with this Assembly, which is full of policies, and those policies need to be adhered to and the: “Drill, baby, drill” analogy would not apply in Jersey. I am certainly not going to say to Members: “Build, build and build”. There are policies that need to be adhered to. We do want to encourage construction where it meets policy, and I will do what I can to get the Island building but it has to be done within the policies of the Bridging Island Plan.

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

In the review of the 3,000 square feet properties, did the Minister give into consideration the impact this would have on the built-up area as this is the site where most new homes are supposed to be built, and if we start building larger properties within the built-up area we will reduce sites for new homes?

Deputy S.G. Luce:

Obviously, I had consideration for both the built-up area and outside of the built-up area but I do not need to remind the Deputy, who is a member of the Planning Committee, that it was my view that the policies that I spoke about in the last answer are there and I think they perfectly cover any sort of development both in or outside the built-up area. I did not think this particular Supplementary Planning Guidance was helpful and, as the officer report stated, it was making no difference at all. It was just a question of perception, and I decided that removing this red tape was more preferential.

4.8.5 Deputy T.A. Coles:

As this Supplementary Planning Guidance covers residential space standards as a whole, is the Minister any closer to a response to my proposition?

Deputy S.G. Luce:

Very briefly, I know that is straying from the ...

The Deputy Bailiff:

That is outside the question, is it not?

Deputy S.G. Luce:

I can answer it very quickly; I am making progress and will report back very soon.

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

The Minister says that the former policy made no difference at all, but I would point him to an application in my Parish that I did not sit on where an application was refused under the guidance for providing grossly over-the-size homes. A new application came forward for the site with family homes of a greater quantity because of that policy. Does he not see a risk that in our built-up area, we will have prime sites for good, affordable open-market homes now delivering fewer units of larger, luxury homes as a result of this change?

Deputy S.G. Luce:

The Deputy makes a good point but the original justification for introducing the Supplementary Planning Guidance came in a very different time when, I think, the Island was facing more of a housing crisis than it is now. It appears to me that it was simply an attempt to limit the number of larger homes on sites that could potentially have smaller homes put on them and, while I accept the Deputy's analysis of that, I think very much that sites for a large number of very small homes and sites for a very small number of large homes are slightly different and cost has got to come into it.

Deputy K.M. Wilson of St. Clement:

My question was asked earlier.

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

Officer advice was for the Minister to consider engaging with a high-net-worth community to explain that 3,000 square feet planning guidance does not make it impossible to develop very large houses and the report also noted to a large extent opposition to the guidance seemed to be rooted in the perception rather than the reality of the possibility. Why did the Minister not take officer advice and correct those misconceptions?

Deputy S.G. Luce:

As I said, I did take quite a bit of officer advice, and we discussed this, and the advice came quite clearly to me that this particular piece of Supplementary Planning Guidance was not making a great deal of difference. We do have policies in the Island Plan for disproportionately increasing the size of homes and for homes which are increasing the gross floor space or the building footprint or the visual impact, I believe there are a number of policies in the Island Plan that would stop large homes being built if they were out of context and out of setting.

4.8.8 Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter:

The word "perception" has come up a number of times. Did the Minister consider perceptions that may come into play with changing government policy at the request of 3 high-net-worth individuals?

Deputy S.G. Luce:

I cannot stress enough this is not changing government policies. The Supplementary Planning Guidance cannot go against government policy.

4.8.9 Deputy J. Renouf:

As Deputy Curtis has pointed out, the policy did make a difference. It was designed to deliver more family homes rather than homes for large residences. The Minister seems to have slightly forgotten what was in his own report. It says: "The basis for the review of the 3,000 square foot floorspace planning parameter for new homes has emerged at the request of the Head of High Value Residency Engagement" and: "The key issues raised ... and to the 3,000 square foot floorspace threshold are as follows: 3 clients who have projects that are directly concerned by the changes." Does the Minister

accept that if you fly in on a private jet and give quarter of a million of pounds a year to the Exchequer, then you get to write your own planning guidance? Can the Minister explain how this will encourage public confidence in the fairness of the planning system?

Deputy S.G. Luce:

I do not know if the Deputy is saying that I have received correspondence from 3 individuals and I am saying here today I did not receive that. I had a conversation with an officer in Government who may well represent these people. He did not tell me he had anybody speaking to him about this other than ... and I did what he asked, which was to review the guidance. I have to say that I was not happy about it when it came in in the first place, but it is guidance and, as I have said, it cannot change ... the policy H9 is a particularly strong policy. I believe it works well, and I made my decision accordingly.

4.9 Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter of the Minister for Infrastructure regarding the permanent closure of the crèche at Les Quennevais Sports Centre (OQ.61/2025):

Will the Minister explain the reasons for the permanent closure of the crèche at Les Quennevais Sports Centre and what consideration, if any, has been given to its reopening to encourage and facilitate exercise for parents and carers in line with Government commitments to increase physical activity levels and support mental well-being?

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

Can I start by welcoming the Deputy back to the Chamber? **[Approbation]** It is great to see her face to face but, judging from my inbox, I know she has kept herself busy. Les Quennevais Sports Centre operated a crèche from 1996 until March 2020 offering limited sessions. The crèche saw reduction in uptake from 2018 and its closure was finalised during the COVID pandemic. At the time of its closure, the crèche was making significant losses and there were also persistent challenges with staffing shortages. There are no current plans for us to reopen the crèche due to the lack of budget and space. However, we understand and hope that the nursery at Les Quennevais will reopen soon, and I am told there is potential for crèche facilities to be part of that service. I have asked officers to explore this opportunity with the operator.

4.9.1 Deputy L.K.F. Stephenson:

I thank the Minister for his comments at the beginning. I think they were kind ones; they were. I appreciate the answer as well. The Minister is probably aware that a petition has been launched calling for the reopening of the crèche at Les Quennevais. Will he agree to meet with the petitioner to discuss the matter further and keep an open mind about potential ideas that she and others have for what could be possible?

The Connétable of St. John:

I am more than happy to meet with the petitioner and others to discuss the crèche, and can I take this opportunity to thank the team at Les Quennevais? They are just about to head into their busiest weekend of the year with the Swim Marathon and I think they do a great job, and I take this opportunity to thank them. **[Approbation]**

4.10 Deputy P.M. Bailhache of St. Clement of the Minister for Education and Lifelong Learning regarding a cancelled booking at Highlands College by the founder of the Transgender Trend (OQ.58/2025):

Can the Minister confirm whether his department cancelled a booking at Highlands College and subsequently recommended that teachers and safeguarding leads should not attend a presentation on 5th March 2025 by the founder of Transgender Trend and, if so, will he explain why?

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

Highlands College and indeed all schools are responsible for bookings and cancelled the booking. I support them in this and the control over their bookings and deciding on the bookings they make. Staff were informed that this was not training organised by C.Y.P.E.S. and therefore not a mandatory event.

4.10.1 Deputy P.M. Bailhache:

The founder of Transgender Trend is a highly respected expert on child dysphoria who was recently awarded a British Empire Medal for services to children. Did the Minister's officials take that expertise into account before firmly discouraging teachers from hearing what she had to say?

Deputy R.J. Ward:

I reiterate what was said was it was not training organised by C.Y.P.E.S. It was very clear what it was about because it was well-advertised. Second, questions around transgender in the college are real and require a real sensitivity for young people. If a college or a school are unsure of the content of the talk or have any concerns where it may be welcomed by young people, I can understand why they might err on the side of caution, and I think that is fair and sensible. I would say for somebody who is a specialist and would understand safeguarding, I am quite surprised by the reaction to this because I would have thought that anyone talking about it would say: "Okay, the last thing we want to do is upset a group of people." They were offered alternative accommodation at St. Paul's. They have been offered accommodation in a Parish Hall and almost weekly double page spreads in our local newspaper so the message, whether you agree with it or not and whether parts of our community agree with it or not, is not being lost. This was just about trying to do the right thing at the right time. I am quite surprised that it has had this reaction, and I think it is not really necessary.

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

Would the Minister agree that it is inappropriate that gender ideology discussions between students and teachers are kept from parents?

Deputy R.J. Ward:

Is this to do with the question of a booking?

The Deputy Bailiff:

Yes, is this related to the question?

The Connétable of St. Brelade:

Yes, Sir.

The Deputy Bailiff:

In what way? **[Laughter]** I was expecting a slightly longer answer than that.

[11:00]

The Connétable of St. Brelade:

The booking for the presentation was in connection with gender ideology and I would have thought there was a linkage between the cancellation of the booking and this particular point, but I can put a different question if you think ...

The Deputy Bailiff:

Yes, put a different question.

The Connétable of St. Brelade:

In terms of the presentation rejected by the Minister's team, would he agree that attempts to derail a presentation by the nationally recognised academic by a minority group endorsed by the Minister's department ... this presentation that took place at St. Brelade's Parish Hall was once again entirely inappropriate and the bullying campaign by this group, including its C.E.O. (chief executive officer), does little to foster good relations between those with differing opinions?

Deputy R.J. Ward:

I have no idea what this has got to do with the booking at Highlands and I do not recognise any of the things that were just said there. Gender ideology is not something that even exists in schools. That is a transference of a belief. Discussions happen in schools and all types of things about relationships. The rest of it in terms of a group and bullying, I have absolutely no idea what that is about. What this does show is why this topic needs to be kept away, and these battles need to be kept away from children because children in our schools just need to be helped to navigate through growing up full stop; all of our children. That is what teachers do and what I do not want is young people to be unwilling conscripts as foot soldiers in a wider cultural war that is going on in the U.K. and across the world but is not happening in Jersey and our schools. I really would ask people to think very carefully about what they are saying about our schools at this time, and I would make a plea: please let us stop this narrative.

4.10.3 The Connétable of St. Brelade:

Would the Minister agree that the present guidelines issued by his department are in need of review?

The Deputy Bailiff:

Which guidelines do you have in mind?

The Connétable of St. Brelade:

The Minister has issued guidelines to his teaching staff as to how they might deal with this sort of thing and indeed were probably the reason for the rejection of the booking to the department.

Deputy R.J. Ward:

First of all, I am not making a connection between any guidelines and a rejection of a booking. New guidelines were published yesterday. Policy is based upon our equalities law because gender identity is a protected characteristic. That makes sense unless people want to deny our Discrimination Law and the guidelines are exactly that. They are trying to help staff navigate through an extremely sensitive issue for all of our children, a very small proportion of our population and parents. This started off as a question about a booking and seems to be extrapolated into a battle over ideology and I am going to say again, I do not think there is any place for that ideological battle in our schools. We are talking about children, not adults.

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

I do not wish to enter the discussion about gender dysmorphia or whatever but on the one side we have a campaign in the United Kingdom for freedom of speech in our learning institutes and this is a higher institute. You use the word "children", but they are effectively adults and mainly we call it the university campus. Is he in any way saying that he is the Minister overseeing anything which is less than the right to freedom of speech and debate issues which are real issues because we are seeing them in the media? Our young adults must be surely given the opportunity of debating these issues, as difficult as they are, at the earliest stage that they possibly can because otherwise we will insulate them from this other outside very unkind world, which is right to say about.

Deputy R.J. Ward:

That is a very complex question from the Deputy. Yes, I have no wish to stop the free speech and need to discuss and I have no wish to stop any young person having the confidence to talk about

things that concern them. That is the crux of this issue: what would we want for our own children? I would want my children to feel that they can talk about anything with me, and they would feel supported. It is as simple as that. We are here to support children. All the stuff about ideologies needs to go out of the window. I just make a couple of points; I did not want to get drawn into this, but I will because we have moved away from bookings. In fact, I will not. I will keep on bookings so, no, there is no question of stopping discussion, but we have to be really sensitive in the way that we do it so that young people are supported as they navigate through life. It is not easy growing up nowadays. It is quite tough.

4.10.5 Deputy P.F.C. Ozouf:

I will leave the follow-up and bring it with a question but there is clearly an issue about freedom of speech which is not going to do justice in the questions today, but maybe he needs to go back and just really confirm that this is not basically a curtailment of the right to speak irrespective of a different issue but I will leave it to the supplementary. Very brief, does he agree with freedom of speech at Highlands?

Deputy R.J. Ward:

Absolutely, and there was no stopping this event happening. It just happened at a different venue and these venues have been elsewhere and, as I have said, local newspaper gives a huge amount of paper space to the organisation itself. I really cannot stand here saying ... this was just a way of dealing with sensitivities that might be in the college to look after people, and I want our schools and institutions just to look after everybody. It is really pretty simple and, again, I was very surprised by the reaction to this.

4.10.6 Deputy P.M. Bailhache:

I agree with the Minister that this is a sensitive issue and that is the purpose of these questions. Will the Minister accept that there is a distinction between a watchful, waiting policy with children showing transgender tendencies to see whether they grow out of their anxieties and the Minister's gender affirmation policy encouraging children to choose whether they want to be a boy or a girl and that there is an open discussion to be had on which approach is in the best interests of children?

Deputy M. Tadier of St. Brelade:

Can I raise a point of order?

The Deputy Bailiff:

Yes.

Deputy M. Tadier:

I think you might be thinking along these lines already but to what extent does the supplementary not fit in with the original question, which is simply about an email that was sent and a booking that was made. It is not a question about trans policy per se.

Deputy P.M. Bailhache:

My question is about freedom of speech and open discussion. It seems to me perfectly in order.

The Deputy Bailiff:

Do you want to ask your question again in the context of it being about freedom of speech and not wider issues in relation to matters you mentioned?

Deputy P.M. Bailhache:

Will the Minister accept that there is a distinction between a watchful, waiting policy with children showing transgender tendencies to see whether they grow out of their anxieties and the Minister's

gender affirmation policy encouraging children to choose whether they want to be a boy or a girl and that there is a mature discussion to be had on which approach is in the interests of children?

The Deputy Bailiff:

That is no different from your first question, Deputy, and I think it departs significantly from the content of the question that was approved, and I disallow it. Do you want to in the context of freedom of speech?

Deputy R.J. Ward:

I think I should ... first of all ...

Deputy M. Tadier:

I do have to raise a point of order here, Sir, because I think we cannot just submit ourselves to best intentions. We do have Standing Orders and Standing Order 10, and part (1) says that a question shall relate to only one issue. A question has been submitted here which related to a very technical administration point and if Members wish to ask questions about any issue, including transgender issues, that is entirely valid, but they should do it by submitting a question about that issue, not about administrative questions that the Minister has fully answered. I think, with respect, your initial ruling should stand and for Ministers to say: "I will answer the question anyway even though it is out of order" leads us into very dangerous territory.

The Deputy Bailiff:

Deputy Tadier is correct, and if the question is contrary to Standing Orders, then the answer should not be given.

Deputy R.J. Ward:

The reason I was going to answer is I think there are some key points to correct something because this has been going on for a long time and I am happy to answer.

The Deputy Bailiff:

That will be the subject of another question on another day.

Deputy R.J. Ward:

I was trying to avoid that, Sir.

The Deputy Bailiff:

There it is.

Deputy R.J. Ward:

I was trying to cover this now because I think it will be positive. I know you were, but I have a really good answer.

The Deputy Bailiff:

You can communicate that in another form.

4.11 Deputy D.J. Warr of of St. Helier South H.M. Attorney General regarding legal liability where a student is exposed to harmful content on another student's phone whilst on a school site (OQ.67/2025):

Will H.M. Attorney General advise where any legal liability lies where a student is exposed to harmful content or addictive algorithms on another student's phone while on a school site?

Mr. M.H. Temple K.C., H.M. Attorney General:

Whether there is any legal liability and where it lies will depend on the facts of a particular case, so the answer I give is subject to that important caveat. Article 35 of the Education (Jersey) Law imposes statutory duties on headteachers in relation to the management of behaviour and discipline which could arguably apply to the use of mobile phones in schools. Secondly, there is also likely to be a customary or common law duty of care on the part of the Minister for Children and Families at schools which may give rise to a claim in negligence for an alleged breach. C.Y.P.E.S. has prepared an online safety policy dated August 2021, which I understand is subject to review, and the policy has specific provision concerning phones, and I quote: “Mobile devices accessing the internet via the 3G or 4G networks are not subject to the same filtering and monitoring that school systems are. This means that these devices could potentially give access to unsuitable content while on school grounds and under school supervision not only to the owner of the device but also to their peers. You will need to educate your learners of the potential impact to well-being of this. If your school allows children to bring mobile devices to school, you must have an in-school policy in place governing their safe and responsible use. There should also be a signed agreement with students and parents as to how the device should and should not be used.” If schools actively observe this policy, in my view it should be difficult to bring a successful claim for breach of statutory duty or negligence on the part of the school.

4.11.1 Deputy D.J. Warr:

I thank the Attorney General for the answer. Can the Attorney General confirm that a school’s duty of care extends beyond the classroom, for example school toilets, changing rooms, playing fields, school trips, including trips and overnight stays?

The Attorney General:

In general terms, yes, although I repeat that it will always be subject to the particular facts of the case.

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

Would the Attorney General agree that given schools act *in loco parentis*, there is at least the moral, if not a legal duty of care, to protect students from exposure to materials on school grounds and the current policies that he has explained may not be sufficient in the light of those risks? He is the Attorney General to the Governor and the States Assembly so I wonder if he could give some guidance for the underlying reason why the Deputy has brought this question, which is an important one.

The Attorney General:

I am not aware of any underlying reasons for why the Deputy has brought this question, but the question is about legal liability, and my answer was given in terms of legal liabilities.

[11:15]

I have already confirmed that in general terms there is a duty towards school children, and it is both a statutory duty and a customary or common law duty of care.

4.11.3 Deputy P.F.C. Ozouf:

Is he entirely satisfied because he says it is up to the schools to do it and he says he is not aware of the underlying reason. Therefore, perhaps his Chambers have not been asked of the widespread concern that many parents have about the use of harmful content on ... I have asked the question about whether a trial ban for smartphones in the classroom would be helpful to teachers because it is a massive issue. He is saying that the question is pretty wide. It says whether any legal liability lies where a student is exposed. The question is quite clear that there is an underlying issue here. He has set out the guidance; is he completely satisfied that the guidance, while being lawful, perhaps, but is it being properly updated and kept in force because there is a lot of concern? Is he not aware?

The Deputy Bailiff:

Are you asking the Attorney to express an opinion on the current policy?

Deputy P.F.C. Ozouf:

Has he expressed an opinion, Sir?

The Deputy Bailiff:

You are asking him to and that is contrary to Standing Orders.

Deputy P.F.C. Ozouf:

Has he not given an opinion on the policy that he set out?

The Deputy Bailiff:

He is not supposed to under Standing Orders.

Deputy P.F.C. Ozouf:

I will have to ask the Minister then.

The Deputy Bailiff:

You are asking him to express an opinion on a policy, I think, are you not?

4.11.4 Deputy I. Gardiner of St. Helier North:

Thank you for the Attorney General to confirm that there is a statutory duty of care for exposure. If I understood correctly, there is a duty of care to exposure children to harmful content on the school premises. Has the Attorney General advised the Government on the current situation and if the guidance meeting can protect the Government from the claims on exposure to the harmful content?

The Attorney General:

As the Deputy will know, any advice that I give to the Government is confidential. I am giving the advice to the Assembly. It would be exactly the same advice that I give to the Government, so I cannot really go beyond that.

Deputy I. Gardiner:

I did not ask what the advice was. Has the Attorney General had any communication with the Government regarding the current guidelines and if they align with the law and statutory obligations?

The Deputy Bailiff:

He cannot answer that. There is a longstanding convention that the Attorney cannot be asked about advice he has given to Government. It applies to all Members. Any advice the Attorney gives to anyone in the Chamber is confidential.

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

Could the Attorney General just explain whether there is any variability in terms of responsibility for duty of care across each of the different schools and whether or not he can advise as to whether there are different degrees of harm that would be integral to that duty of care as well?

The Attorney General:

As I did preface my first answer to the question, questions of legal liability do always depend on specific facts. There may well be specific facts in particular cases as to why, say, primary liability may be on one party, such as the Minister, or possibly a secondary liability on a headteacher for a statutory duty. These are very fact-sensitive questions and it is rather difficult to answer them in a vacuum beyond a general statement that well, yes, there may be varying degrees of liability, but in

terms of the policy I have set it out and I am not sure that I can go much beyond that. Sorry, if I have not satisfied the Deputy.

4.11.6 Deputy K.M. Wilson:

It is very interesting that it is such a controversial subject, is it not? I just wonder if the Attorney General could give any steer as to how we might understand this in legal terms so that we can form really good policy on this.

The Attorney General:

I think the best approach for the Minister and schools is to conduct risk assessments, as fact-based as possible, in relation to practical instances that schools come across day to day and, having done those risk assessments, then to put in place policies and procedures which best mitigate those particular risks, to actively monitor those policies and procedures to ensure that they are observed. I think that is the best advice I can give in the circumstances.

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

The question originally stated about being on the school grounds and school sites. Is that also determined by a time factor of their duty of care as in a pre-determined factor of a school day?

The Attorney General:

For my part, I would be reluctant to phrase it in terms of a particular time factor; I think again it depends on the particular facts. An older child perhaps may have less time in school, so it would be wrong to put a blanket time period which covers all age ranges as regards any particular duty of care. I think the assessment will depend on particular facts and a policy has to take account of that degree of flexibility and not try to impose a one-size-fits-all approach to what may be a multitude of different factual situations.

4.11.8 Deputy D.J. Warr:

I thank the Attorney General for the answers he has given because it is an extremely complicated area. Does the duty of care really depend on what we call “reasonable use”? If we talk about reasonable use, is reasonable use about the use of smartphones being required in schools? Are they required when a brick phone is sufficient? We have all of these different ways in which we can avoid these areas. Should schools not be looking at that and thinking about that ... sorry, my screen has just gone dead on me here. I have lost my connection on this one. To go back to this point of liability, and we talk about uneven liability here, I think as described in your answer to one of the questions by an earlier Deputy, who ultimately is responsible? Is it the governors, is it the Minister, is it the teachers? Where does this corporate responsibility lie?

The Attorney General:

Well, the Minister has responsibility as corporate sole, ultimate responsibility, and can be sued or sue in that capacity. There may also be a statutory duty on headteachers under the Education Law in the way that I previously outlined. Those are the primary source of responsibilities and it is up to school governors to try and assist with managing that legal risk as best they can. In terms of reasonable use, it will be up to schools to assess whether there are reasonable uses for mobile phones by pupils in the particular circumstances that the schools face and come to a decision themselves as to whether there are reasonable uses or whether to take a different approach. It is not for me to frame policy for schools and the Minister in this area, but I hope the answers that I have given are of assistance to the Assembly in considering what I accept is a difficult and important issue.

4.12 Deputy T.A. Coles of St. Helier South of the Minister for Infrastructure regarding the redevelopment of Fort Regent (OQ.60/2025):

I am aware that the first part of this question has been answered in the media but it is the second part. Will the Minister state when the public engagement regarding the redevelopment of Fort Regent will begin and when it is anticipated that any concept designs will be made available?

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

I thank the Deputy for his question. The Government will be launching a new and, we believe, exciting vision for the redevelopment of Fort Regent, together with a public consultation on 2nd April. This will include detail on potential concepts and future uses for Fort Regent. Prior to the consultation going live, we will be briefing Scrutiny, I hope, on 28th March and all States Members on 31st March and we will include public meetings in April.

4.12.1 Deputy T.A. Coles:

Unfortunately, I am going to be away for the briefing on the Scrutiny Panel, though that is unfortunate. The public engagement, obviously there are concepts and ideas already being floated around, but how much influence will this engagement have if sport is not due to return to the Fort? Could the public persuade the Minister to get some scope for sport?

The Connétable of St. John:

There will be an element of sports at the Fort, I believe. The engagement is to find out what the public want. Clearly we have got ideas and we have worked up some of those ideas. I would expect to see new sports at the Fort that we have not seen on the Island before, and also some exciting concepts.

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

In the Minister's press release on a vision for Fort Regent, he mentions a relocation of soft-play facilities which the panel and Assembly will have noted. Will he confirm what public engagement has or will take place with regards to the provision of soft play at the Waterfront?

The Connétable of St. John:

The soft play, we want to make sure that it is a continuation of service and we need to make sure we have got a new venue for soft play while we operate the current soft play. If soft play is to stay at the Waterfront or move back to Fort Regent, that will be part of the consultation.

4.12.3 Deputy A.F. Curtis:

Members of the public may have seen soft-play equipment moving into the Waterfront over the previous days. Will the Minister confirm why no public consultation on the form and function of that has taken place to date then?

The Connétable of St. John:

We believe that we need to provide soft play indoors, and in St. Helier, and we found a location. As I said in my earlier answer, we will consult as to whether soft play stays at the Waterfront or returns to Fort Regent.

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

I think everybody welcomes the Minister's publication of what he is going to be doing. We received the email yesterday - and it is a good job it is the 2nd April rather than the 1st - I understood an announcement was going to be made on the 1st. I wonder whether the Minister would confirm or otherwise - I know that there is some exciting discussion which we do not know a lot about Project Breakwater and the important infrastructure that is going to be required for Jersey - can he give us any insight into whether or not the funding for this exciting Project Breakwater is going to include Fort Regent because it is high time that something is done with Fort Regent, which I am sure he wants to enthusiastically support?

The Connétable of St. John:

The discussions about funding are ongoing and we will be providing more detail at the private briefings for Members and when the public consultation starts.

4.12.5 Deputy J. Renouf of St. Brelade:

The statement that the Minister put out with regard to Fort Regent mentioned that the plans that the J.D.C. (Jersey Development Company) had developed will be put out for consultation. Can he clarify whether this means that there is a plan that the J.D.C. have already come up with and that we will be consulting on that, or are they consulting on asking for ideas from the public?

The Connétable of St. John:

There has been lots of work, as Members will know, over many, many years. We have been working with our partners, the S.o.J.D.C. (States of Jersey Development Company), for many months around different concepts. We want to test those concepts with the public, and that is what the consultation will be for. I believe that the plans are exciting but we want to hear from the public, their views on what we are planning, and also alternative use.

4.12.6 Deputy J. Renouf:

Can I ask the Minister why it was not considered a good idea to start with public consultation to encourage the public to come forward with ideas and help the Government shape those proposals rather than develop proposals in a small group of people and then ask the public whether they fancy them or not?

The Connétable of St. John:

Tens, if not hundreds of thousands of pounds have been spent on Fort Regent over many years and so we are not starting from a blank sheet of paper. We are looking at finding ways to do this as quickly as we possibly can. There is a general feeling, I believe, among the public that people want the work to be carried out and for Fort Regent to be open and for us to get back to the Fort Regent that we all love. I think we have to do that as quickly as we can. We do want to include the public's observations of the concepts that we have come up with - and we do have an open mind - what we need to do is provide something that is affordable and sustainable.

[11:30]

4.12.7 Deputy M. Tadier of St. Brelade:

The Minister told the media in May of 2024 that the plans would include a skatepark, a children's play area, youth and other leisure facilities, and would require in excess of £80 million worth of investment. Is this statement still valid today?

The Connétable of St. John:

Members will be aware of the struggles we have had to find a suitable location for a skatepark in St. Helier, and I believe that the long-term solution is at Fort Regent. We have a site there which has got a lot of space, it does not have many neighbours, so I believe a skatepark will be featuring there. We have got the largest skatepark in Britain at Les Quennevais superbly used. Hopefully we are going to have some exciting events there this year but we do need a facility in town.

4.12.8 Deputy M. Tadier:

In 2009 I was on a Scrutiny Panel that looked at the issue of Fort Regent and we found that 2 key factors on the declining footfall were, first of all, the removal of the swimming pool, but also difficulties in accessibility. Would the Minister confirm whether or not accessibility, i.e., perhaps a lift access from Snow Hill area to the Fort with an adjoining bridge, which was suggested in 2022, might be back on the table and, if not, why not?

The Connétable of St. John:

Clearly, the Fort was designed to keep people out originally and we need to find ways of getting people in, so access considerations will certainly form part of the consultation.

4.12.9 Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter:

Can the Minister confirm if providing a permanent home for the Special Gymnastics Club is part of the redevelopment plans and what the plan is for that club when the Fort closes at the end of the year?

The Connétable of St. John:

We have been in regular dialogue - and I suspect that my predecessor was also in regular dialogue - not only with the Special Gymnastics Club, but the other gymnastics clubs located at Fort Regent. We are in the process of investing £8.4 million at Oakfield, and that includes a dedicated gymnastics facility. We have been talking to the national governing body for advice on the layout of that facility and we look forward to welcoming the 3 gymnastics clubs to Oakfield when we open in October.

4.12.10 Deputy L.K.F. Stephenson:

Have all 3 clubs agreed to that move?

The Connétable of St. John:

The move has been planned for a long time and we continue to have fortnightly meetings with those 3 clubs on how we are going to operate. As I said earlier, we are taking advice and guidance from the national governing body for gymnastics.

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

Could the Minister confirm or provide some guarantee that whatever future plans emerge for Fort Regent that they will remain free to the public?

The Connétable of St. John:

Sorry, can the Deputy just confirm the end of that question?

Deputy K.M. Wilson:

It will remain free to the public.

The Connétable of St. John:

Access to Fort Regent will remain free but facilities there, you will have to pay if you want to use certain facilities, just as has been the case throughout the history of the Fort Regent being open as a leisure centre, but access to the gardens, et cetera, will remain free.

4.12.12 Deputy K.M. Wilson:

Would the Minister give some consideration to concessions, considering that we are still in a cost-of-living crisis?

The Connétable of St. John:

We want as many people to use the facility as possible, both locals and visitors alike. The commercial aspects are still up for consideration, and I am sure any operator of any facility that operates at Fort Regent will give consideration of concessions.

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

Obviously there is a bit of history around closing public sites down, La Folie is the prime one, and obviously the Minister attempted to shut down the Lido as well. What risks does the Minister believe he is potentially going to incur by closing the Fort down for 3 years and has he thought of any

alternatives? Has he engaged with the Fort Regent groups to see if there is an alternative way which is not about shutting the Fort down?

The Connétable of St. John:

I thank the Deputy for his question; I would just like to correct him. At no time have I said we should close down the Lido. What I have said is we should have a lease in place with any operator that operates at the Lido, and that is something we now have, and we are currently out for a tender process. Officers are in regular dialogue with those people who operate at Fort Regent. Five years ago there were 39 groups, currently there are 17 groups, and we are happy to consult with anybody. La Folie that is mentioned has been under the control of Ports of Jersey for many, many years. One of the first things I did when I became Minister for Infrastructure was ask whether we could take back the La Folie so we could get something done there. Lots of effort is going into Fort Regent. We need to close Fort Regent so we can do the works quickly, cheaply and safely.

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

I was surprised recently to see some outline plans in principle from the Jersey Development Company with regard to replacing the existing cinemas with 2 smaller cinemas further to the west on the same site. Does the Minister not believe that this would be better suited to re-site the cinemas inside Fort Regent? Having spent many decades in the cinema industry, I can inform the Assembly that cinemas do not require a sea view. Does the Minister not agree?

The Connétable of St. John:

I agree about the sea view. We want Fort Regent to be a leisure complex and that may include cinemas; it may not include cinemas. But clearly if you have got a leisure complex you want to have as many offerings there as possible to attract footfall which may use more than one of those facilities.

4.12.15 Deputy T.A. Coles:

The Minister mentions obviously S.o.J.D.C. is the delivery partner for this project. Can the Minister confirm who has final say on the consultation and arrangements to go into Fort Regent, please?

The Connétable of St. John:

The Regeneration Steering Group was overseeing Fort Regent. It has taken longer than we would have hoped to get to this stage but we want to make sure that we are as prepared as we possibly can for that consultation. We want it to be as meaningful as possible but it will be the Regeneration Steering Group that will oversee any redevelopment at Fort Regent.

4.13 Deputy P.F.C. Ozouf of St. Saviour of the Minister for Housing regarding the combined impact of rising interest rates and the 3% stamp duty surcharge on the buy-to-let market (OQ.71/2025):

Will the Minister advise whether the Government has assessed the combined impact of rising interest rates, the 3 per cent stamp duty surcharge on the buy-to-let market; and if so, what evidence there is of effects on transaction volumes, landlord participation, and rental costs, and what action, if any, is being taken in response?

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

There has not been a formal assessment of the combined impact of the rise of interest rates and the introduction of the 3 per cent stamp duty surcharge. As the Fiscal Policy Panel commented in their review last year of the housing market, it would be difficult to disentangle the impact of both of these things and definitively attribute particular outcomes to particular changes. But we can observe the things that have occurred since those changes, like the fall in transactions, the drop in the proportion of investment purchases versus the rise in the proportion of first-time-buyer purchases, the fall in prices overall, which last year was the biggest since records began, and the fall in advertised rents.

Some of those outcomes are of course more desirable than others but I believe that the policy platform that I am working to takes into account the bigger picture, and I am content that my priorities are the right ones for the moment that we find ourselves in.

4.13.1 Deputy P.F.C. Ozouf:

Is he saying that he, as Minister, has not got any idea of the impact of the, as he now accepts, smaller number of buy-to-lets being purchased? He claims that rents have gone down but that is the opposite of what - if I have misunderstood him, please forgive me - my understanding is that rents are rising because of the tightness of supply of buy-to-let properties because nobody is buying any new ones and everybody is selling the ones that they own.

Deputy S.Y. Mézec:

I believe that is mistaken. Statistics Jersey collects data on advertised rents, that is the rents that are offered at the commencement of a tenancy where issues of supply and demand will have the greatest influence in determining what that rent is. They are showing that they are - not by much - falling a little bit. That is advertised rents. Actual rents, I have no doubt are increasing but that is because actual rents in a multiyear tenancy are not determined by supply and demand factors, they are determined by what tenancy contracts say. If a contract says your rent goes up once a year by R.P.I. (retail price index), it goes up irrespective of what is happening with supply and demand in the rest of the market. That is the evidence we have before us on advertised rents. I, in the Residential Tenancy Law reforms that I am proposing, will be calling for collection of data on actual rents charged where landlords will - as they perhaps do in the past but have no longer been required to - be required to register what rents they are charging, which will get us a better picture of the actual situation there. That can help inform policies in the future.

4.13.2 Deputy M. Tadier:

Does the Minister accept that, on the one hand he has got some Members of the Assembly, presumably like the questioner who would like to see the 3 per cent abolished completely, and he has got other Members perhaps on the left of the Assembly who would like to see the amount increased to 5 per cent, and we know we have got a proposition about that. Could the Minister outline why his policy is to keep it at 3 per cent and why he thinks that the middle road of centrist politics is perhaps appropriate at the moment in this regard?

Deputy S.Y. Mézec:

I certainly would not characterise it as the Deputy did at the end of his question. I supported the introduction of the 3 per cent surcharge in stamp duty for investment properties. I thought that was necessary to cool down the obvious overheating that there had been in that particular part of the market. The evidence that we can see that is collated by Statistics Jersey shows - whether we can directly attribute it to that surcharge or to other factors in the economy - the fact is that that part of the market has cooled down. I think to take a measure now aimed at cooling it down further when it does not need to be cooled down further - but in the future if conditions drastically changed and we might need to again in the future but would not have that option because we had done it - strikes me as bad timing. That is why I am in favour of maintaining it at 3 per cent at this point.

4.13.3 Deputy J. Renouf:

Perhaps the Minister could confirm whether he has noticed that, contrary to what is suggested in this question, interest rates are currently falling and the volumes of transactions are gently rising, according to the latest housing survey. Does he therefore think that perhaps the best option might be to wait and see how these various factors play out in terms of interaction between falling interest rates, rising transactions, the 3 per cent surcharge, which was designed to correct the structural imbalance in the housing market which favoured buy-to-let investors? Would he comment on that, please?

Deputy S.Y. Mézec:

I agree with the assessment that Deputy Renouf has just given. I regard the period that we are in as a period of market correction because the situation that we were in just a few years ago was clearly unsustainable because prices were rising, incredible rates that were simply unsustainable and, frankly, terrifying for young people who were looking at the Island and trying to plot what their future would be, seeing prices become more and more unaffordable. The correction that we are in now, which I am interested to see how long it will go on for and what position we will be in in a few years' time, is one, that though it poses difficulties to some people in the market, does also pose opportunities to others. If house prices are coming down and real terms earnings are going up at the same time, that at least means that housing is becoming more affordable for some people. Obviously the picture is more complicated than can be summed-up in one sentence like that but housing becoming more affordable for people is a trend I would like to celebrate.

4.13.4 Deputy P.F.C. Ozouf:

I do not want to take up any more time now because we are going to have a debate on it. Previously - and I know I have not invited him - we have been talking in this Assembly about effectively empirical information about statistics. Before we have the debate about the 5 per cent, would he join me in having a number of discussions with interested parties that are giving real life experience of the qualitative reasons why the arguments are worth listening to in terms of there being a paucity of buy-to-let properties, nobody wanting to buy them and a real issue of rising rents? Would he agree that it is important to have some up-to-date qualitative information and not just to rely upon the horse has bolted, the market is not just cooled, it has frozen out?

[11:45]

Deputy S.Y. Mézec:

Well again the Deputy referred to rising rents, and the empirical data that we have on advertised rents is that they are falling. He is right that rents within tenancies are going up but that is to do with contractual terms. If he is seriously concerned about that, then I will very much welcome his support for the reforms I am proposing in the Residential Tenancy Law which aim to address that very specific thing. But on the point he made at the start of his question, I am absolutely all ears to listen to those in various parts of the market from all sides; I am certainly up for that. I look forward to his invitation on that and have no doubt that we will enjoy it but, while I will listen, I will also push back and put other perspectives to them to debate these issues so we do not just take what isolated parts of the market think. Where economic players have a microeconomic perspective, my job is to have a macroeconomic perspective. It will not just be to accept everything I am told, there will be pushback but that discussion is always healthy.

The Deputy Bailiff:

Now we have been going for 2 hours and we have got through 13 questions, so if Members wish to reflect on whether or not they need to ask supplementary questions so that we get through more questions in the time we have got left.

4.14 Deputy A.F. Curtis of St. Clement of the Minister for Treasury and Resources regarding the Maison Les Arches development (OQ.74/2025):

Will the Minister provide the reasoning behind the decision that it was in the public interest to approve the Andium Homes purchase of the remainder of the Maison Les Arches development under Ministerial Decision MD-TR-2025-135 and the evidence to support that decision?

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

One of the 12 priorities contained in the 2024 Common Strategic Policy approved by this Assembly in May of last year was to provide more affordable homes for Islanders. In providing approval for Andium to acquire 26 affordable homes that would otherwise have been sold on the open market, this Government continues to deliver on that strategic priority. I consider this acquisition to be clearly in the public interest. Of the 26 homes, 4 are 3-bedroom townhouses which provide a rare opportunity for family homes in the heart of St. Helier. The homes come with the remaining 46 car-parking spaces on the site. Finally, I would add that the acquisition also received the support of the Minister for Housing from a housing policy perspective.

4.14.1 Deputy A.F. Curtis:

No doubt the Minister was provided with evidence, as is explained in the written response to Deputy Renouf's question, but given the site developer and owner initiated the discussions for the purchase of this site by Andium, which is a scheduled public authority under the F.O.I. (Freedom of Information) Law, will the Minister confirm why any document or evidence the Minister had to evaluate the decision were exempt from publication under clause 33(a), commercial sensitivity, when the Ministerial Decision was published?

Deputy M.E. Millar:

I would imagine if anything was exempt it was on the basis of commercial sensitivity and how much Andium would have paid for the houses, and I do not think that is anything particularly unusual.

4.14.2 Deputy J. Renouf of St. Brelade:

I think the issue that some Members are trying to get at here is to understand where the risk lies and how this has come about. The developer asked for this to be taken over which suggests that they feel there may not be a commercial viability in this scheme. Can she reassure the Assembly that Andium are not simply borrowing money to take over a property development that means effectively risk is being transferred to their balance sheet from a private company's balance sheet?

Deputy M.E. Millar:

No, I do not believe that is the case; Andium have a demand for homes. It makes a huge amount of sense for them to take the entire development so they can either provide those homes through social rental or through affordable home purchase schemes. It gives them a consistent and cohesive view if a developer may have considered they did not want to sell the homes. I do not believe Andium is digging any of it out of a hole. They would not have entered the transaction at anything other than a viable price that they felt worked for them and their business models as the States provides an extra opportunity for more homes. Whether Andium wants to sell them or rent them, there will be a demand for those homes, either on an affordable basis or on a social rental basis, and I entirely support the decision.

4.14.3 Deputy J. Renouf:

I am not sure the question is entirely answered. I think Members would welcome reassurance that their data supports the idea that these are homes that can be sold profitably by Andium and that the development is not a purchase from a developer in distress who feels that there is no possibility of selling them at a profit.

Deputy M.E. Millar:

It has never been indicated to me that the developer is in any kind of distress and I think that kind of language is really unhelpful for everybody. I also would just remind everybody that Andium is a professional organisation, they exist to develop and let and sell homes. They are professionals, they know what they are doing. They would have taken advice before they entered into the development agreement in the first place, and they would have considered it very carefully before buying the latest

26 homes. Government also have third party assurance about the transaction. I really do not believe there is any risk issue with this transaction.

4.14.4 Deputy A.F. Curtis:

I think the question that Deputy Renouf highlighted is there is here a question of real risk, these are the accounts that are linked to the States of Jersey group accounts. It is really just to once more ask the Minister, given that these homes clearly were not of interest for a developer to build for the open market at 100 per cent open market sales, what evidence did the Minister use to guarantee that sale or rent under Andium's model is truly viable?

Deputy M.E. Millar:

I can only say again, we had third party independent experts advising us on the transaction to confirm that it was a sensible transaction. Again, Andium are a professional organisation, there is clearly a demand, and I am afraid if you want to know more about that demand you will have to address those questions to the Minister for Housing because that is not a question I can answer. I have no doubt that those houses will not be sitting empty or unloved or unwanted and that they will not be able to be sold not at a loss in due course.

4.15 Connétable A.S. Crowcroft of St. Helier of the Minister for Justice and Home Affairs regarding technology to provide 24/7 enforcement of speed limits (OQ.57/2025):

Will the Minister advise what progress has been made on introducing the necessary technology to provide 24/7 enforcement of speed limits and what legislative changes, if any, would be required in order for it to be deployed?

The Deputy Bailiff:

Is there an Assistant Minister?

Connétable R.P. Vibert of St. Peter (Assistant Minister for Justice and Home Affairs - rapporteur):

I thank the Constable of St. Helier for that question. The procurement process for the safety cameras has been complex but production is now underway with parts being manufactured in Australia and America and then assembled in Southampton. The equipment is expected to be delivered in Jersey and to be ready for deployment later this year. It is important to note that the purpose of the safety cameras and the current States of Jersey Police speed detection equipment is not for 24/7 enforcement but rather to enhance road safety and respond to specific needs. I understand that the Road Traffic (Jersey) Law as currently drafted would allow for the operation of this new speed detection device. It is a new innovation which has proved successful in other areas. If the operational requirements require 24/7 enhancement of speed limits at some point in the future, then we will work with our colleague, the Minister for Infrastructure, to ensure that the law is sufficient to permit that activity. Thank you.

4.15.1 The Connétable of St. Helier:

I am interested that the Assistant Minister does not believe that 24/7 enforcement is necessary. This is surely something that a lot of Islanders would not agree with given that the Island's roads are used as a speedway by a minority of drivers and would it not make sense to send out the message that: "We will catch you whatever time of day you choose to go at", whatever it is, 50, 60 miles an hour, around our Island roads?

The Connétable of St. Peter:

Thank you for that additional question. I think we should look at the success of the equipment that has been introduced before we consider 24/7 enforcement. It is targeted specifically at those drivers. I am not going into too many details about exactly how it operates because obviously that would give

a clue to some of these drivers and they might try to avoid the detection devices. The equipment certainly will operate late at night and it will target those areas where we know this activity is undertaken.

4.15.2 Deputy I. Gardiner:

Would the Minister advise how much of the police time the safety cameras will save?

The Connétable of St. Peter:

I am sorry, I do not have that information; this is not an area where I have delegated responsibility. I have some interest in this area but I am sure we can obtain that information.

4.15.3 Deputy I. Gardiner of St. Helier North:

Would the Assistant Minister ask the Minister to supply this information to the Assembly, including how much time currently is spent by the police for policing roads?

The Connétable of St. Peter:

I am not sure that is relevant to the original question. It seems to be a deviation from what was asked.

The Deputy Bailiff:

Yes, that is true.

The Connétable of St. Peter:

Therefore, I do not think it is necessary to answer that.

4.15.4 Deputy M. Tadier of St. Brelade:

I am fascinated that there is going to be an amnesty on speeding if you commit it during certain times and I look forward to finding out more about that. On the Five Mile Road this weekend I noticed that the police were out in force, both at Le Braye and at St. Ouen, and you could see them a mile off - probably, I am not saying 5 miles off - and it was also helped that the local bus driver was flashing people to let them know that there was a speed trap coming up ahead, at which point I had to increase my speed from 30 to 40 so I was not seen to be driving too slowly and maybe get pulled over. Given the fact that often people can see police checks a mile ahead, does the Minister think that it would be better to have probably mobile cameras which can be moved around so people do not always know where they are going to be and that ultimately this will be a saving, both in terms of efficiency, and hopefully a sufficient deterrent as well for speeding in future?

The Connétable of St. Peter:

That was a lengthy question; I thought it was a speech but maybe I was mistaken. There is no amnesty suggested at all in anything that I said and this particular equipment can be deployed at any time in a 24-hour period. As I have said, I do not think that we should provide details because it is an innovation. I believe it will be successful and I think we should wait to see the results.

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

As Members will be aware, I was caught speeding - and I am very sorry, I will be making an apology to the Assembly about that - but I realise now that speeding is an issue, a greater issue than perhaps I realised previously. I share the questioner's reason for asking this and the Constable's attempts to deal with something about it. Would he agree that drivers themselves can do something about their own speed limits, for example, having a bell in the ... it is available on G.P.S. (Global Positioning System) where you can - with the different speed limits across our Island, it is geofenced to the different roads - have a clear indication in your car that you are speeding and you can be alerted to those issues. Would he agree that that is the kind of also complimentary thing - notwithstanding the undesirability of people speeding at night at speed - people can do for themselves helpfully?

The Connétable of St. Peter:

Yes, I think anything that can influence motorists to reduce their speed should be taken up. I think many cars do provide ... you can have an audible or a message that tells you that you are speeding. Most cars I think would provide that anyway but of course it is up to the driver whether they use it or not. I think driver education, particularly for those people who have been caught speeding, should be useful. I know this is done in other jurisdictions where people have to go on a course after being prosecuted for speeding and I think that is something that we should consider.

[12:00]

4.15.6 The Connétable of St. Helier:

The Assistant Minister said “later this year”; it is quite a long way. Could he give us a bit more detail about when it will be deployed?

The Connétable of St. Peter:

I am sorry, but I do not have an exact date. As I say, parts for the manufacture of this have come from Australia and America and require assembly in Southampton. At this point, although I tried to obtain a date this morning, I do not have a definite date other than we can expect it to be deployed later this year.

4.17 Deputy D.J. Warr of St. Helier South of the Minister for Infrastructure regarding the cost of maintaining Fort Regent (OQ.68/2025):

Will the Minister state whether the figure of £137,000 represents a maximum or minimum amount cost of maintaining Fort Regent and, if it is the latter, will he state the maximum cost as well as the average weekly footfall through the Fort in 2024 compared to 2025 to date and the number of organisations currently using the Fort for the same period?

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

I thank the Deputy for his question. In response to Written Question 77, it was stated that the forecast pre-planned maintenance cost for Fort Regent was £66,000 with an estimated reactive maintenance spend of between £70,000 and £80,000. These are forecast and estimated costs, and it is therefore impossible to state in absolute terms whether they are a minimum or a maximum spend or what a maximum spend might be. As Fort Regent is an open public space which is freely accessible from several locations, there is not a record of footfall. There are currently 17 organisations using Fort Regent and, as I said earlier this morning, that is down from 39 user groups 5 years ago. The majority have been found alternative locations or have chosen to locate elsewhere.

4.17.1 Deputy D.J. Warr:

I am interested to note that the footfall data is not available; I am extraordinarily surprised at that fact. What consideration has the Minister given to the health and well-being to those current users of the Fort when they no longer have access to the Fort?

The Connétable of St. John:

I am not sure how many times I have to say this, but we are investing £8.4 million in brand new purpose-built sport facilities at Oakfield. That will cater for many sports there. We also have other sites around the Island and I am working very closely with my colleague, the Minister for Education and Lifelong Learning, to try and open up even more sites at the local schools where we can get more and more sport played and different activities taking place.

4.18 Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter of the Minister for Infrastructure regarding the current status of Compton Organ (OQ.62/2025):

Will the Minister explain the current status of the Compton Organ gifted to the people of Jersey in 1991 and installed in the Queen's Hall at Fort Regent and advise what plans, if any, are in place to ensure its preservation and protection following the announcement that the Fort will close at the end of the year?

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

I thank the Deputy for her question. I can confirm that the Compton Organ is currently still located in the Queen's Hall at Fort Regent. I am aware of the years of restoration that were undertaken before the organ was moved from the old Forum Cinema and installed in the Queen's Hall in 1991. My understanding is that regrettably the organ has sat dormant and not been maintained for the best part of 20 years. We do recognise, however, that the organ is a special, complex and sizeable instrument and as part of the regeneration of Fort Regent we will need to identify a suitable location or relocation for the Compton Organ.

4.18.1 Deputy L.K.F. Stephenson:

I appreciate the Minister's response there because the Compton Organ has been a part of Jersey's musical history since 1934. Would the Minister join me in thanking Islander Malcolm L'Amy and his family and those others who did gift the organ to the Island and reassure them that the way the organ has been perhaps ignored and left for many years does not mean their gift is not appreciated and valued?

The Connétable of St. John:

Absolutely. I would be very happy to join the Deputy in thanking that family for their significant contribution and I recognise the importance of this instrument to the Island's history. Recently I attended the Steam Museum at Trinity and saw a number of fantastic examples of organs there which the public are able to go and see but I would like to see these instruments being played and people enjoying them. We are fully committed to preserving and protecting the organ and this requirement is known by both Jersey Property Holdings and our partners, S.o.J.D.C.

4.18.2 Deputy M. Tadier of St. Brelade:

Would the Minister consider arranging for the organ to perhaps come up through the ground and start playing a tune in the event that anybody is caught speeding through the tunnel under Fort Regent?
[Laughter]

The Connétable of St. John:

What a great Radio 2 link between 2 questions. [Laughter] I think we will have to leave that. Perhaps with time ...

The Deputy Bailiff:

Very happily, it is the last question we have time for.

The Connétable of St. John:

With time the Deputy may think of other suggestions.

The Deputy Bailiff:

That concludes the 2 hours and 20 minutes allotted for oral questions on notice and accordingly written responses must be provided to the outstanding questions to the Greffier for distribution as soon as possible. We now move to questions without notice and the first period of questions is for the Minister for the Environment and the first question is from Deputy Ozouf.

THE STATES noted that, in accordance with Standing Order 63(9), a written response would be provided to the following oral questions that had not been asked during the time allowed at the meeting –

4.19 Deputy K.L. Moore of St. Mary, St. Ouen and St. Peter of the Chair of the States Employment Board regarding the current status of the role of the Human Resources (HR) Director for the Health Department (OQ.56/2025):

Question

Will the Chair explain the current status of the role of Human Resources (HR) Director for the Health Department?

Answer

An employment offer has been made and accepted for the Director of Workforce in Health & Care Jersey, which is subject to satisfactory pre-employment checks.

4.20 Connétable A.S. Crowcroft of St. Helier of H.M. Attorney General regarding sentencing guidelines for causing death by dangerous driving (OQ.63/2025):

Question

Will H.M. Attorney General advise whether there are any plans to review sentencing guidelines for causing death by dangerous driving and to introduce permanent driving bans in cases of reckless or dangerous driving; and if not, why not?

Answer

Sentencing guidelines for calculating the length of driving bans for the offence of causing death by dangerous driving are issued by the Magistrate's Court and are referred to by the Royal Court when sentencing cases of causing death by dangerous driving. The Attorney General can move for permanent driving bans in appropriate cases, but it is for our courts to decide on sentences and whether their own guidelines need to be reviewed. I am not aware of any such plans.

There is no offence of reckless driving. The offence is careless driving which is a less serious offence than dangerous driving.

The Road Traffic (Jersey) Law 1956 already allows for the imposition of a lifetime driving ban for causing death by dangerous driving, as well as other serious motoring offences resulting in death or serious injury, and also for dangerous driving and drink driving. Under the same Law, the Courts can impose lengthy periods of disqualification, and in a recent case ordered a ban of 12 years with a compulsory re-test.

A lifetime ban is an exceptional penalty. I am aware of only one case in Jersey from 2009 where the court imposed a lifetime driving ban on an offender. The approach of English courts is similar: a lifetime ban should only be passed in exceptional circumstances and requires psychiatric evidence and/or previous convictions which indicate that the offender will indefinitely be a danger to the public if allowed to drive.

Jersey courts, like English courts, recognise the importance of the rehabilitation of offenders, including the ability of an offender to be rehabilitated as a driver, which a lifetime ban would prevent.

4.21 Deputy J. Renouf of St. Brelade of the Minister for Health and Social Services regarding staffing costs for the new Acute Hospital (OQ.66/2025):

Question

Further to the Hospital Review Panel report entitled ‘Review of the New Healthcare Facilities’, and in light of the difference in bed-provision between the new Acute Hospital at Overdale and the current facility in Gloucester Street, will the Minister provide details of any expected increase in staffing costs for the new Acute Hospital, and, if there is no expected increase, will he explain why not?

Answer

Staff costs should be similar at the time of the transfer of operations from Gloucester Street to Overdale, if perhaps a little higher, given the change to single occupancy rooms and the additional expense associated with some staff members having to travel the 850 meters between the two sites.

However, we must accept that, as bed occupancy increases to take account of our ageing (and potentially growing) population, staff costs will certainly increase, proportionately. This would be no different if we had built the ‘Our Hospital’ Project or decided to stay at Gloucester Street – but for the fact that we already have a bed shortage.

Significant work has been done to demonstrate that the proposals are affordable and the information relating to this can be found in the Outline Business Case at Point 5.7, on pages 67 to 70.

Health and Care Jersey (‘HCJ’) is currently developing its workforce plan and healthcare strategy which will further inform the work on the required staffing levels for the Acute Hospital and other healthcare provision.

The Workforce strategy will establish what we require to open the hospital, create a recruitment process, and a timeline – all of which will help to refine the calculation of staff cost increases, as bed occupancy increases. This is a complex piece of work, but it is anticipated that a draft should be available by the end of 2025. It is also important to note that the Outline Business Case already shows that the revenue costs are affordable.

4.22 Deputy I. Gardiner of St. Helier North of the Minister for Housing regarding projects initiated since the adoption of the Common Strategic Policy 2024-2026 (OQ.70/2025):

Question

Further to the response to [Written Question 94/2025](#), will the Minister provide details of the specific projects his Department has initiated since the adoption of the [Common Strategic Policy 2024 to 2026](#) and what specific projects, if any, are scheduled for 2025?

Answer

Deputy Gardiner’s question refers to the CSP priority of “enabling the design of homes for our ageing population to allow them to remain living independently”.

Although the ‘design’ of homes is a matter for the Minister for the Environment, I can confirm that my [right-sizing policy](#), introduced in May last year, aims to support Islanders who wish to move to a home that better meets their housing needs.

Additionally, there are applications in progress for the Bridging Island Plan rezoned housing sites in country parishes, where homes will be built for people who wish to downsize. I have been in discussion with developers about how we can provide an appropriate mix of right-sizing homes on these sites.

It is also important that we support the elderly population who are living in social rented housing, which is why I am working with providers to implement fair and sustainable right-sizing policies.

4.23 Deputy P.F.C. Ozouf of St. Saviour of the Chief Minister regarding Jersey's rate of inflation (OQ.72/2025):

Question

Given that Jersey's rate of inflation has exceeded that of the UK since 2022, will the Chief Minister advise what steps, if any, the Government will take to commission a review into the causes of this inflation differential, including wage-cost pressures, retail pricing structures, and market inefficiencies, and what measures are being considered to alleviate the resulting cost-of-living burden for Islanders?

Answer

From June 2022 to December 2024, inflation, on as near as comparable basis as possible (Jersey RPIX and UK CPI), was 12% in Jersey and 11% in the UK. In the 12 months to December 2024 the headline measures of inflation were more closely aligned, with the UK CPI at 2.5% and Jersey's RPI at 2.5%.

The cause of inflation in Jersey, the differential with the UK and the potential levers were addressed in the report of the Inflation Strategy Group in 2020 States Assembly | R-16-2020 and are already well understood.

Jersey has relatively few levers with which to affect inflation. This is the result of the Island's currency union with the UK, which means monetary policy is set by the Bank of England and may not always be appropriate to manage demand and control inflation in Jersey. Other factors are also outside Jersey's control, not least geopolitical factors and the global price of fuel.

R.16 notes that the Government of Jersey has other policy levers that can directly affect and influence prices across the economy, and hence the rate of inflation, for example:

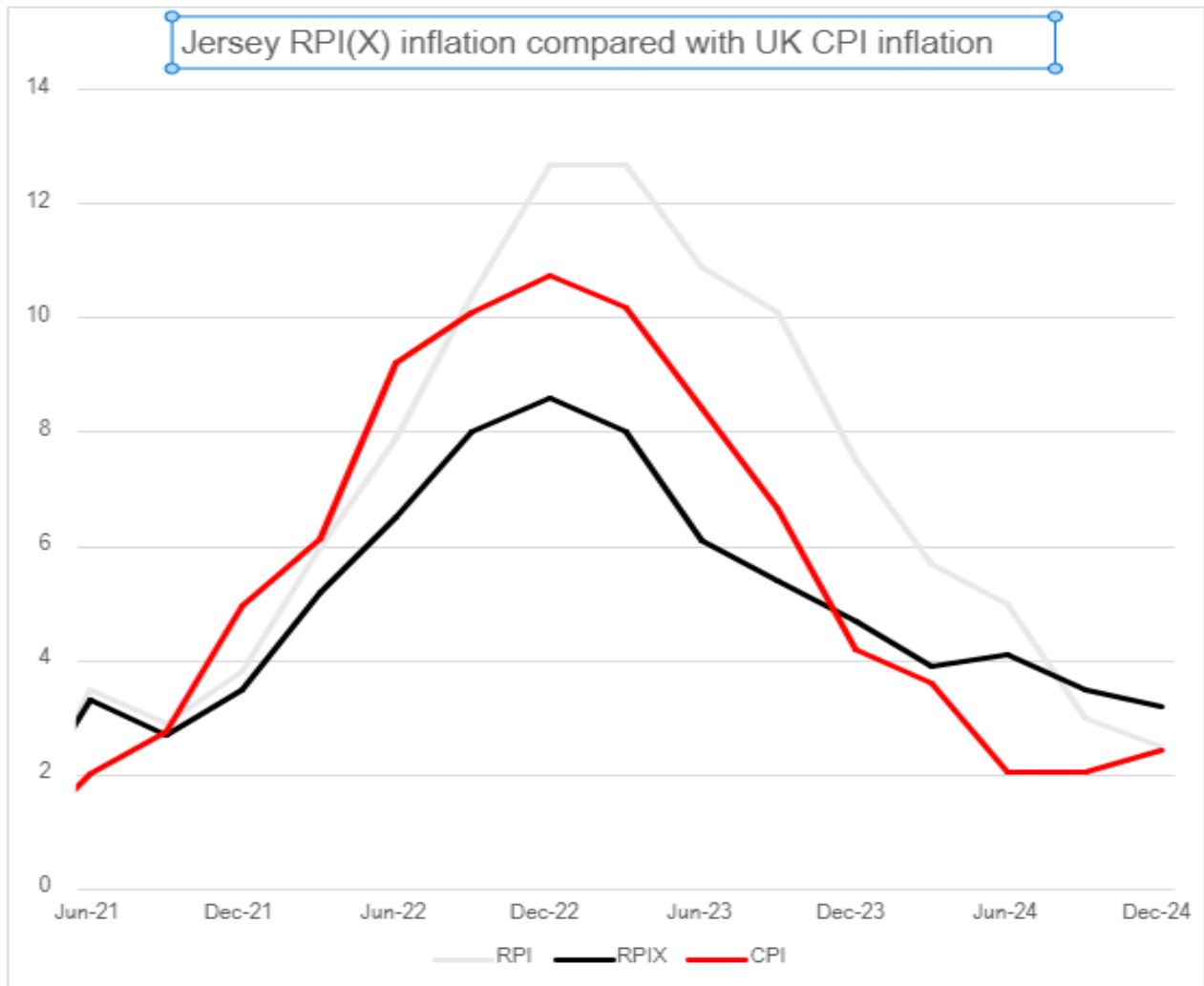
- Indirect taxes, e.g. impôts and GST
- Prices/fees charged by government or by States-owned entities
- Competition and productivity

Government's overall priority is to improve income equality and the standard of living - aiming for low and stable inflation is only one part of how we will meet the overall priority.

The Government is committed to addressing cost of living pressures and low inflation is only one element. The issue is being addressed through the Cost of Living Ministerial Group and our Common Strategic Priorities in the following measures:

- Introduction of a living wage
- Reduction in GP costs
- Government fees, duties and charges are being kept as low as possible
- More affordable homes are being provided through the *First Step* shared equity scheme, making home ownership a reality for more Islanders.
- Businesses are being supported by reducing unnecessary bureaucracy, improving planning processes and through the Better Business Support Scheme, helping Jersey businesses invest for the future.
- The JCRA monitors competition through its merger and market study work.

The UK and Jersey measure inflation differently and there is no directly comparable measure of inflation. The Government economics team advise that the most comparable measures are Jersey's RPI(X) and UK CPI. On this basis Jersey's inflation (RPIX) has been below that of the UK (CPI) for the period June 2021 to late 2023 and since then has been above CPI. See below.



4.24 Deputy K.M. Wilson of St. Clement of the Minister for Sustainable Economic Development regarding online safety legislation (OQ.77/2025):

Question

Will the Minister advise what consideration, if any, is being given to introducing online safety legislation to protect children and young adults from the harm of social media; and if none, what provision, if any, is being put in place to protect children from this harm?

Answer

As Minister for Sustainable Development, I have responsibility for the protection of islanders' data. For example, if an identifiable image of you appears online, it is considered your data, and you are already protected under the current data protection law.

My officers are working on legislative changes, in consultation with the Information Commissioner, to facilitate the removal of internet content that infringes Islanders data rights, including those of

children. The aim is to empower citizens to effectively request removal from relevant online platforms. It seeks to shorten the response times of the platforms and in case to non-compliance effective remedy through the data regulator – JOIC – based on the island.

5. Questions to Ministers without notice - The Minister for the Environment

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

I have previously asked questions about the Minister's changes to the planning policies and I was being light-hearted when I said "build, baby" whatever. I know the Minister is very seized upon the issues of, while respecting the Bridging Island Plan, making it easier for planning applications to be processed and I wonder whether he could very briefly update Members on what he is doing because there is a clear issue with the construction industry and the associated housing market.

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

The Deputy and Members will know that it is a priority of this Government to reform the planning service and included in that is speeding up applications. The Deputy will be pleased to know that we have made a significant improvement in the last 12 months and the number of applications in the department at any one time now are rolling around the 250, 260 mark, which is quite normal for the number of applications we receive during the year. I would like to feel that the Industry Partnership Board and other initiatives that we have started up in the last 12 months have been well received. I know they have because I have had comments to that effect. The whole idea is to make the planning process less painful and, most importantly, take less time. It is now possible to agree a planning agreement if your application is a seriously major one so that we can have a timetable of moving forward through that process when it is known that it is going to take more than the 13 weeks that is usual for a major application to take. I can say to the Deputy, yes, we have made significant progress. Only this week I have decided to invite back for a third time Jim MacKinnon who has done already 2 reports on the Planning Department and improvements that can be made. My hope is very much that all this great improvement that the staff have put into will be recognised and we can see independently that great progress has been made.

5.1.1 Deputy P.F.C. Ozouf:

I welcome what the Minister is saying; everybody at this public forum will hear what the Minister is saying. The issue about the complexity of the Island Plan, which you can find a reason to say "yes" and "no", it said, and then the calls for additional supplementary guidance is also a challenge. In relation to Five Oaks in the area of St. Saviour he said he cannot do a supplementary guidance. I would be looking into that issue of what that might mean. Would he agree that the absence of a Five Oaks masterplan does not necessarily mean that we cannot have a holistic view with the Minister? I have invited him to the Parish Hall with the Constable and the other Deputies. We do need to have a plan for Five Oaks but we do not need necessarily a lengthy process of another piece of regulatory work to do it. Five Oaks is a good place to get developed, as the Minister knows with the passing of the recent application last week. Does he agree that we do not need more rules, we need enabling?

Deputy S.G. Luce:

Well I can say to the Deputy, as I have already told him, we do not need supplementary planning guidance for the Five Oaks Masterplan in order for schemes to come forward in that area. Certainly it would have been my view, had all the proposed schemes in the last Bridging Island Plan debate been accepted, it would have been a top priority to do a masterplan for the area, given the amount of additional building that was going to occur. But when it comes to S.P.G.s (Supplementary Planning Guidance), as we have already discussed this morning, I have made some decisions about 3,000 square foot. I have also changed some wording in a S.P.G. on historic windows and doors. St. Saviour's Hospital S.P.G. is still in the pipeline, as is Five Oaks masterplan. This Assembly recently

agreed to do an S.P.G. for the West of Island which has now leapfrogged further up. Deputy Coles has asked me to look at residential standards and alongside that is also St. Brelade's Bay. There are a number of S.P.G.s which I wish I had more time or officers to work on. I think we have to be realistic and say that if we can get even one or 2 of those through between now and the election next year, I will be very grateful.

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

I will ask my oral question. Will the Minister advise what consideration, if any, is being given to reducing any of the standards in the Building Bye-Laws (Jersey) technical guidance document Part 8: access to and use of buildings, with a focus on making new residential dwellings less accessible to occupants?

Deputy S.G. Luce:

The building bye-laws review is at an early stage. The team have made the decision to continue to use the approved documents for England as the basis for guidance, and officers have carried out a high-level comparison between that and our local guidance to highlight the differences. However, further detail of any potential changes cannot be given at this specific time but what I can say is that the drivers for our current standards remain the same as they did when we first introduced accessibility standards to dwellings in 2008. Those were, at the time, the ageing population and the high cost and short supply of residential care homes.

5.2.1 Deputy A.F. Curtis:

It has come to my attention that the approved planning plans for the South Hill flats contain a number of flats whose bathrooms are significantly below the minimum standards required for bye-laws which has yet to be granted. Those are the requirements for accessible use of facilities for bathrooms, showers and toilets. Will the Minister assure the Assembly that his officers will not reduce standards for our States-owned entities and that any change needed to meet building bye-laws should be done through a revised planning application?

Deputy S.G. Luce:

The Deputy raises issues that I am absolutely not aware of at all but I cannot at this point in time think that we would want to reduce standards for accessibility. I personally have a good personal reason to know the challenges of accessibility into properties for a various number of reasons. I cannot see why, or understand why at this initial stage - and I say I do not know anything about the detail here - but I have to say that I would be surprised to find that somebody has submitted a planning application which has been approved where in fact the bathrooms are not accessible to people in wheelchairs.

5.3 Deputy J. Renouf of St. Brelade:

Can the Minister provide an update on progress with regard to the various aspects of wind farm legislation that it is intended to bring? When will he be bringing that?

Deputy S.G. Luce:

As I have said to the Assembly before, it had been my intention in the first half of this year to come to the Assembly with the legislative process which would be needed for the granting of a lease for a wind farm, identifying what standards or environmental impact assessments, for example, would be required, and those will be quite strong. The pressure on law drafting officers has meant that that will fall away a little bit further to later on in the year. I can assure Members that it is still my firm intention to come back to this Assembly, not only with the legislative process but also with a recommendation and decision from the experts who are currently advising us as to the type of wind farm we would wish or not to move forward with. I hope both those debates will happen before the end of this year.

5.3.1 Deputy J. Renouf:

If the Minister recognises that there will be considerable public debate expected on the issues around, for example, how much electricity comes ashore, where the transformers will be built, therefore, the earlier that he is able to give indications about these major issues would enable that public debate to happen, and happen in advance of those debates, and not slow up the progress when the legislation is produced. Can I ask whether he will work very assiduously to put into the public domain as early as possible the kind of information that will enable a public debate to happen on those kind of key issues?

[12:15]

Deputy S.G. Luce:

I can only agree with the Deputy. When he was stood in my position and I was in his, I encouraged him greatly, and I do the same. I take his encouragement on board; I will want to put as much information into the public domain as early as I possibly can. I have been absolutely firm with officers that I do not want these debates rolling over into 2026. That would be far too close to the election and I want the main debate on how we move forward ... or if we move forward, I should say, because the decision has not been taken: does the electricity, if we build this wind farm, land in Jersey and France, Jersey and the U.K., U.K. and France or any combination of those? I am really keen to get as much of that debate going as possible. It will be a large debate, a lot of people will have a lot of different opinions as to how we move forward. I know the public are generally encouraged by moving this project forward, but I think it is really incumbent upon us to listen to everybody and to consider every alternative.

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

What action has the Minister taken to address the impending problem of disposing of E.V. (electric vehicle) car batteries and does he intend to have them recycled?

Deputy S.G. Luce:

Like all new type of technology, I accept that electric cars have been around for a while now but the number - and thanks to our incentive scheme - of electric vehicles on the road has increased greatly in the last 18 months and what happens to the batteries in those vehicles is a subject which we have discussed recently. We are talking to car recycling companies down at La Collette. We are working very hard to try to make sure we can get these batteries off-Island. We have asked dealers in Jersey how many vehicles are sitting on their premises that need to be disposed of, where they have got electric batteries, and we are also speaking to manufacturers in the U.K. where I believe there is a scheme that recycles them. When you buy the vehicle there is a part of that agreement which sends the vehicle back to the manufacturers when they get to the end of their useful life, so all these things are being taken into account. Obviously, electric vehicles travel on ferries when you go on holiday or you go away and take your vehicle away, but the transportation of a lot of electric vehicle batteries in one place at one time, even if they are at the end of their useful life, does pose some challenges for transporting. I have recently started a number of discussions in regard to what the Deputy has asked me about.

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

Can the Minister advise us on the timetable for the work to start on the West of Island Masterplan?

Deputy S.G. Luce:

I have to advise the Deputy that I cannot give her a timetable for the West of Island Masterplan at this time. I will speak to my policy officers and see if I cannot get some rough indication and I will email her or speak to her with the answer.

5.6 Deputy M. Tadier of St. Brelade:

Can the Minister give the Assembly an idea of when the appeal for the Nude Dunes development in St. Brelade is likely to be concluded?

Deputy S.G. Luce:

All I can say on the appeal decision for Nude Dunes at St. Brelade is that the moment I have the final documentation in front of me from the inspector I will make the decision as soon as I can. More than that, I cannot give any information at this point in time.

5.6.1 Deputy M. Tadier:

Can the Minister say more generally how long these types of appeal on average take, in his experience?

Deputy S.G. Luce:

I cannot and the reason for that is that when an application is put to appeal it goes independently of the Planning Department, Regulation Department. It goes to the Judicial Greffier and it is the Judicial Greffe that oversee the appeal. As Minister, I would deliberately stand away from any application during initial stages purely because it is always the possibility that any application could arrive on my desk as an appeal recommendation after it has been considered by an independent planning inspector. I have no concept of when decisions that come to me for an appeal decision have been first put into the appeal system and the previous time it has taken. But I am aware obviously at some point when I get to take some of these decisions that it has taken, in many cases, many months, and in some cases years to get to a final determination. The last thing I would say to the Deputy is everybody in the Planning Department, be they officers, be they the Planning Committee or be that myself and my Assistant Minister, anybody who is responsible for taking Planning decisions has been charged with making those decisions properly and accurately but as quickly as they possibly can to try to speed up the process of planning applications.

5.7 Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter:

In June last year following high readings of E. coli in the seawater at Grève de Lecq, the Minister said he would consider introducing year-round seawater testing, given the increase in year-round swimming. Could the Minister update the Assembly on that work, please?

Deputy S.G. Luce:

I did say that I would consider year-round testing and I have done that and I have taken advice from officers. I can say to the Deputy that we will not be starting 12 months of the year testing. There are a number of reasons for that. But the main reason is that the advice is still consistent and the advice is that after periods of heavy rainfall the advice would be not to be swimming in the sea. Because what happens during periods of very heavy rainfall, obviously contamination like happened at Grève de Lecq back at that time, seawater can become contaminated to a certain level. I felt that it was not right that we spent money testing seawater all year round when it was every possibility. It may well fall that the test happened immediately after heavy rain, and we get quite a lot of heavy rain during the winter. The advice is, yes, please carry on swimming in the sea but please be very conscious, especially in winter when ground is waterlogged and run-off ends up in the sea very, very easily, that you might just want to be a bit more careful where you swim after a large storm where we have had an inch or 2 inches of rain.

The Deputy Bailiff:

Thank you. That concludes that bit of questions for the Minister.

6. Questions to Ministers without notice - The Minister for External Relations

The Deputy Bailiff:

We now move on to questions for the Minister for External Relations and the first question comes from Deputy Ozouf.

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

The Minister said in the wake of the MONEYVAL assessment that he would be undertaking a review and updating the Assembly and sending us the terms of reference of the review from that. Could he update us as to what work is going on following the MONEYVAL review, which is international standard, which hopefully we will be talking about later?

Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter (The Minister for External Relations):

As I advised when Scrutiny asked me, and I am mindful that maybe I need to advise the Assembly and do a briefing for States Members, the direct review is being subsumed within a 4-strands piece of work around competitiveness. The first is looking at an international tax strategy, which of course Members will appreciate is particularly relevant in light of what is happening with the O.E.C.D. (Organisation for Economic Co-operation and Development) work. Secondly, is a piece of work which is looking at some of those issues. One of them, as I have announced, is a review of an appeals process for enforcement; another is a customer service review with the regulator; another is looking at new products. That is subsuming a whole piece of work there. Thirdly, is the use of an international consultant to look at future value pools, so medium and longer-term competitiveness which will feed into the work that J.F.L. (Jersey Finance Limited) is doing and then, fourthly, is a piece of work which will bring together experts in the area of financial services, which will look at all of those pieces of work together and give us a new regulatory posture as well and look at where Jersey should be positioning itself into the future. I am mindful that the Deputy is absolutely right and I commit to briefing States Members in more detail. It will not be this week or next but it will be the beginning of April.

6.1.1 Deputy P.F.C. Ozouf:

I welcome the Minister's response and particularly, given the recent indications about the economic confidence of Jersey, the financial services industry was distinct in showing the only bit of the economy which is showing growth prospects. Is he satisfied that he is doing enough in order to maximise the growth that is absolutely going to be required when the rest of the economy seems to be completely on its knees?

Deputy I.J. Gorst:

Are we doing enough is a good question and I am not sure it is an easy one to answer, and I will say why. But I also just point to he will have seen the PwC (PricewaterhouseCoopers) piece of work which showed there was far greater confidence among C.E.O.s (chief executive officers) than perhaps the I.o.D. (Institute of Directors) work, which looked right across the economy. Even in the I.o.D. work, the financial services people who were involved in that questionnaire were more confident than the rest of the economy. I am extremely confident. He and I, I think, absolutely agree in times of geopolitical uncertainty, investors are looking for certainty, they are looking for stability. This is the reason we have divided up the competitiveness work in the way that we have. Our basic fundamental tax neutrality and tax certainty has never been more important today than it has ever been in all of our history. One or 2 Ministers have been a little political off the Ministerial handbook this morning, so I might be the same. I am absolutely committed to tax neutrality. We should not and we cannot change Zero/Ten. We should not be changing our social security contributions. We should not be changing G.S.T. This is just one of the bases that is critically important. But if we maintain those bases I believe we can be absolutely confident about financial services in Jersey.

6.2 Connétable K. Shenton-Stone of St. Martin:

This year, as we all know, marks the 80th anniversary of the liberation of Jersey. Islanders were starving and the arrival of the food parcels gifted by the Canadian Red Cross literally saved lives. Canada's sovereignty is under genuine threat from the U.S.A. (United States of America). If there was ever a good time to show friendship and solidarity with our fellow members of the Commonwealth, now is the time. **[Approbation]** Therefore, has the Minister, on behalf of Jersey, congratulated Mark Carney on becoming Canada's new Prime Minister and in this historic anniversary year reiterated the Island's thanks to Canada?

Deputy I.J. Gorst:

The Constable touches on a number of extremely important points. Jersey is proud of its membership of the Commonwealth Parliamentary Association and has long argued for a sub-sovereign section of the Commonwealth wider families more broadly; that has not yet happened. We are also part of the Commonwealth Investment Board; that is something that the former questioner was instrumental in getting us involved with and that has proved very successful as well. Of course it is not my direct job to write to the new Prime Minister of Canada. It is the gentleman sitting just in front of me and he has already written with his warmest congratulations. The other point I would just make, which is a bit more political, all sorts of things are being said in Washington. It is important for us to be cautious, to listen but to see what the actual action is.

6.2.1 The Connétable of St. Martin:

I am glad that the Chief Minister has written to Canada and I hope that he offers our thanks to Canada. With all due respect to the Minister, lots of things are being said in Washington but they are real threats and fascism seems to be on the rise, even in the Oval Office. I have relatives and friends in Canada and so I follow the Canadian news and I get told what is happening and it is something that we should take as a really severe threat.

The Deputy Bailiff:

Do you have a question there?

The Connétable of St. Martin:

Does he agree?

[12:30]

Deputy I.J. Gorst:

I do not think Jersey Ministers will be responding to every comment or media release that is issued from Washington. Firstly, I do not know if we have got the time when one considers the length of them. Those directly involved will have a better handle on the seriousness of the threat but it seems to me that Canada has a strong and proud history as a sovereign state and that will continue.

6.3 Deputy J. Renouf of St. Brelade:

Continuing on the theme of economic period of instability in global relations, there have been increasing worries in some jurisdictions, such as Sweden and elsewhere, that over-reliance on digital payments is a key vulnerability, given the potential for disrupting digital payments and that cash is crucially providing a resilience. Can he say whether he has given thought to maintaining the importance of cash in Jersey in terms of our security and resilience?

Deputy I.J. Gorst:

The Deputy will know that the Scrutiny Panel that scrutinises myself and the Minister for Sustainable Economic Development and also for International Development has just completed a report into the use of cash in Jersey society. Myself and Deputy Morel are due to respond, I think it is by the end

of today. I have not yet completed the review of that response. But for my part, cash remains an important choice for Islanders.

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

Statistics Jersey have recently published the gender pay gap and it was noted that within the finance and legal activity sector they are the highest-paid sector and have one of the largest gender pay gaps in Jersey, indeed rising to 65 per cent for those people aged 55 to 59. In his capacity with responsibility for financial services, has the Minister had any discussions with the sector about mechanisms to close that gap?

Deputy I.J. Gorst:

The Deputy is right that the gender pay gap review was recently published by Statistics Jersey and that the financial and legal services was not at the top; was in, I think, the top 3 for the widest gap. That gap, as I understand it, has been reducing since January 2022. I am not one of those Ministers that believes in legislating to close the gender pay gap but I do very much support the work of the current chair and of I.o.D. and the group, the name of which has just escaped me, Mind the Gap, which are doing excellent work and they have my full support to continue doing that work. I hope that all members of our business community, particularly those where the gap is the greatest, are mindful of that work and proactively and positively engage with it.

6.4.1 Deputy H.M. Miles:

Is the Minister concerned that this may affect our international reputation as a fair and well-run jurisdiction?

Deputy I.J. Gorst:

I think while we have programmes such as Mind the Gap and the work undertaken by the I.o.D. and progress is being made, then I am not.

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

Last month in the House of Lords it was alleged that Jersey was the point at which all banana imports were channelled into the U.K. for obviously taxation reasons. What would be the Minister's response to this and does he consider it affects our international image in any way?

Deputy I.J. Gorst:

Just as I said that we should not pay too much notice but we should sit and listen to some of the conversations coming out of Washington, perhaps I could say the same about some of the conversations that the Members of the House of Lords have over in the United Kingdom. Some of them are historic, some of them are misinformed and we at all times seek to correct that misinformation. Sometimes minds are not as open to the facts as we would wish them to be.

The Connétable of St. Brelade:

I thank the Minister.

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

Could the Minister tell us in the wider geopolitical context, are there any jurisdictions where he sees relationships changing or will change for the worst and the reason for this?

Deputy I.J. Gorst:

That is a good question which is rather difficult to answer because we do not know what the future holds. We know that a trade war is detrimental to all Islanders' interests in that cost of goods and cost of living will increase. But it is not necessarily that such a trade war is detrimental to our financial services because they are outside of those sorts of tariffs. But we know also, if we look in

the U.S., some of the executive orders are pointing directly at the European style V.A.T. (value added tax). We of course, again, do not have that. All of this is creating a differentiation. What is important for us in times of geo-instability is to ensure that that differentiation is understood. We want to continue doing business investing in global investors' money into Europe in an appropriate, responsible and efficient way. We want to continue to support our American companies who have a potential to grow and then use Jersey even more, as well as in the private wealth sector. We want to provide stability for those investors in the Middle East who are looking for long-term planning and want stable environment. Providing we can navigate all of these things and not necessarily get drawn into arguments which are not in Jersey's citizens best interests, I think that we can navigate it well. But will we see some of our trading partners' relationships deteriorate over the next number of months and years? We probably will. It is important that we though continue to put what we think is in Jersey's best interest first and foremost and to continue to play to our strengths.

6.6.1 Deputy K.M. Wilson:

Thank you to the Minister for his response on that. Can he give us some indication as to whether there are one or 2 jurisdictions where the risks around those trading relationships are more prominent than perhaps others?

The Deputy Bailiff:

Minister, you have got a few seconds left before your time expires.

Deputy I.J. Gorst:

I certainly cannot do it in a few seconds. But it is important that we stick together as a jurisdiction; that we recognise where the risks are. Sometimes it is about stop bickering with each other, focus on our own citizens and our own economy, focus on delivering economic growth for the benefits of all citizens. Because that is the thing that will help in Jersey with the cost of living and with some of those greater pressures that we see elsewhere in the world.

The Deputy Bailiff:

That completes the questions for the Minister for External Relations.

7. Questions to Ministers without notice - The Chief Minister

The Deputy Bailiff:

We now have questions for the Chief Minister and the first question is from Deputy Renouf.

7.1 Deputy J. Renouf of St. Brelade:

The Chief Minister has said he is championing deregulation in planning and championing economic growth. We have heard how his Minister for the Environment has followed this agenda and allowed high-net-worth individuals via the high value residency engagement officer to, effectively, change planning guidance without any public input. How much confidence does the Chief Minister think people will have in his deregulation and growth agenda if this is what it looks like in practice?

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

I hope people will welcome sensible changes in planning regulation. It is inaccurate to say that this was changed on the back of 3 high-net-worth individuals, and I am requesting that this is simply not correct. The Minister for the Environment explained clearly his rationale on changing the policy, which if I remember correctly, when it was introduced there was no clear rationale for introducing it at that stage. We are trying to get people building again, and removing restrictions I think is important to help the Minister for Planning and the Environment to continue with the improvements he is making in the department.

7.1.1 Deputy J. Renouf:

As the Minister who introduced the guidance, I can say there was a rationale and it is clearly explained in the Minister's own report, and it was to encourage the building of a larger number of houses, as opposed to a small number of very large houses. I would submit that that is still a relevant objective today. The issue I wanted to focus on here is about consultation. There has been no consultation before that change, which was made by the Minister without even telling people that a change was underway. We have major health reforms, the biggest health reforms in a generation that have also not gone out to public consultation. Can the Chief Minister explain why his Government seems to be so allergic to consulting on these kind of issues?

Deputy L.J. Farnham:

I support public consultation wholeheartedly where it is necessary in relation to health. The Deputy and Members will remember the huge amount of public consultation we have been through over the various stages of the hospital project. I think when we are building and delivering a facility so that the public will use, that is wholly appropriate that we engage in public consultation. When it comes to restructuring medical, a starting structure that requires certain expertise, it is appropriate that the Minister for Health and Social Services, as he did, consult with the stakeholders. We are going to go to public consultation on Fort Regent. It is not necessary to go to public consultation on moving a soft-play area down the road. We are trying to create a balance. We are trying to get things done and we are trying to make sure our consultation is targeted and appropriate.

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

Given that the Attorney General recognised that schools need to assess reasonable use for smart phones or to take a different approach, what is the case for smart phones to be required on school sites? Smart phone harm to children is receiving increasing publicity support and so why is more preventative action not being taken with immediate effect?

Deputy L.J. Farnham:

Is the Deputy relating to action in schools? I believe he is not. In which case I think this has been explained previously by the Minister for Education and Lifelong Learning. The majority of schools do not allow use of smart phones during school hours and that is a position I support. The Minister for Education and Lifelong Learning has been pragmatic and allows the individual schools to manage those particular policies. There is a separate piece of work being led by the Assistant Minister of Sustainable Economic Development, which is looking at further regulation aimed at safeguarding especially young people with access to that and legislation is being planned.

The Deputy Bailiff:

I see it is 12.45 p.m. and under Standing Orders I shall ask you if you wish to carry on or adjourn until 2.15 p.m.

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

How many more minutes have we got, Sir, for ...

The Deputy Bailiff:

You want to carry on, do you?

Deputy P.F.C. Ozouf:

How many more minutes have we got for Chief Minister?

The Deputy Bailiff:

About 10.

Male Speaker:

I propose the adjournment, Sir.

The Deputy Bailiff:

Adjournment proposed. Do Members wish to adjourn now? All right, then we will have a very quick ... call for the appel, pour to adjourn, contre to carry on. I will ask the Greffier to open the voting. Pour to adjourn, contre to carry on. If all Members have had the opportunity of voting, I ask the Greffier to close the voting and we carry on: pour 8 votes, contre 26. [INSERT VOTE TABLE]
Deputy Warr, your supplementary.

Deputy D.J. Warr:

I am fine, thank you, Sir.

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

Now that we have reached the month of March it is pleasing to see that the business plans for this year have finally been published for all departments. I congratulate the Minister on achieving that. Could he please explain why the Cabinet Office service performance measures do not include the delivery of the legislation and policy objectives of the Ministers that the office serves?

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

As I understand, the legislative programme, which is being prioritised, is set out in appendix of the business plan and that most legislation law drafting is aligned, firstly, with the C.S.P.; it was approved by this Assembly. Also, it is a continuous process, as other requests for legislative law drafting comes forward we consider that at the time, as we are doing with various pieces of prioritised Ministerial legislation at the moment.

[12:45]

7.4 Deputy I. Gardiner of St. Helier North:

Would the Chief Minister update the Assembly where we are at with the opening of the Opera House? Do you have a date when the Islanders can start and enjoy performances at the Opera House?

Deputy L.J. Farnham:

I sincerely hope that is as soon as possible but I am going to have to defer to the Minister for Sustainable Economic Development to see if he is any closer to getting dates on that. I know he has had productive talks with stakeholders, not least the board of the Jersey Opera House. I am optimistic we are going to see some action there really soon.

7.4.1 Deputy I. Gardiner:

Would the Chief Minister consider that the opening of the Opera House becomes an Island-wide topic and it does not just rely with the Minister for Sustainable Economic Development, would require leadership of the Chief Minister? If the Chief Minister can assure that the Minister for Sustainable Economic Development has full support and the Islanders will see the Opera House opening as soon as possible.

Deputy L.J. Farnham:

Yes, I do agree with that. Yes, the Minister for Sustainable Economic Development will know I have been fairly forthright with my requests for the Opera House to open. It should be open. It is not right that it is not open. It is not appropriate that the management of the Opera House have not opened it and it is a situation that must be resolved as soon as possible. I have asked the Minister for Sustainable Economic Development and his team to give that their utmost attention, and he has my full support.

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

Would the Minister outline to Members what the arrangements are in terms of Island resilience, particularly in the light of machinations in the United States at the moment?

Deputy L.J. Farnham:

As the Connétable will know and from his former experience, resilience of the Island is an ongoing programme that our agencies and emergency services are constantly reviewing and are updating. We have been doing a lot more of that specifically since COVID. The Emergencies Council receives regular updates on that. Without going into too much detail, I am happy to provide briefings for Members; that might be an idea later in the year as we have not done one yet in this term. But I would assure Members we are well prepared for, I would say, most, if not all, eventualities and it is work that is continuously monitored. I would like to reassure Members we are in relatively good shape. Of course we are focusing quite heavily at the moment on the transfer of the ferry service because of course the importation of freight is right at the top of our list; that is where our focus currently lies. Having said that, we are mindful of geopolitical challenges and we will keep Members updated.

The Connétable of St. Brelade:

I thank the Minister and look forward to receiving a briefing in due course.

7.6 Connétable K. Shenton-Stone of St. Martin:

Tragically Molly Russell was only 14 years old when she took her own life after viewing content encouraging self-harm and suicide on social media. Last week her father, Ian, wrote to the Prime Minister criticising the Government for going backwards with its Online Safety Bill. Currently Jersey does not even have an online safety law. Will the Chief Minister confirm how his Government intends to protect children from big tech and the harm it brings and confirm when Jersey will have its own online safety bill or law?

Deputy L.J. Farnham:

I thank the Connétable for raising that most important issue. The Minister for Sustainable Economic Development in a piece of work led by the Assistant Minister, Deputy Scott, is advancing legislative changes to Jersey's Data Protection Law to protect children from online harms and work is underway. We have agreed to give that legislative prioritisation when it comes forward.

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

The Chief Minister just said he did not see a point in consulting on soft-play facilities. Is he aware that budget for soft play at the Waterfront is £1.5 million for the relocation, and does he not think that consulting on plans to install soft play in a building that our own companies own, for £1.5 million, deserves at least a little consultation?

Deputy L.J. Farnham:

We have to get on with things. We have finally got Fort Regent on the starting blocks and I am looking forward with the Minister for Infrastructure and other members of the Government in sharing those plans with Members and the public on the run up to 2nd April. The new Fort Regent plans contain exciting opportunities, not only for the new soft play but an enhancement of that for children and young adults, and maybe adults, and I am not entirely sure yet but it is very exciting. We do not, I think, need to consult with the public on moving one soft play area from Fort Regent down to the Waterfront. What are we going to ask them? This diameter of the soft-play balls is adequate? I am sorry, I am not making light of this, sometimes we just need to get on with things.

7.7.1 Deputy A.F. Curtis:

I agree we do have to deliver. But does the Minister, therefore, have the knowledge whether this soft-play facility will have any facility of providing parties for those who typically have used the Fort

and the wider facilities around soft play in the new facility and, if not, is that not a slight cause for concern?

Deputy L.J. Farnham:

I do have confidence in the work that is being done. I am not aware of that level of detail but I have been reassured by S.o.J.D.C. that the facility that the soft play area is going into is an improvement on the facilities at Fort Regent and will offer a more than adequate play facility for young people. I am pretty sure they will be able to hold parties but I am quite happy to find that piece of information out. But, like I say, we are going to get off the blocks with some exciting plans for Fort Regent. It is important in the meantime that that well-used facility is kept open to the public, and that is entirely the aim of the temporary move to the Waterfront.

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

Could the Chief Minister give us an update on the gas safety issues on the Island, please?

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

I can and there was a helpful question from Deputy Ozouf, a written question, which has been published, which sets out the specific steps we have taken and the further steps we are taking. Could I refer the Deputy to that? If she has any further questions, please come back.

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

Since 2018 we have had 5 people in the C.E.O. role, it costs £95,000 to recruit the current interim. When will the Chief Minister begin the process of recruitment for a permanent C.E.O.?

Deputy L.J. Farnham:

As to the Deputy, the current chief executive has agreed to a contract extension to the end of 2026. I very much hope that the current chief executive will, in the fullness of time, become the permanent chief executive, and that is what we are going to work towards.

The Deputy Bailiff:

Deputy Stephenson, there is time for a short question from you; I think you are the next on my list.

7.10 Deputy L.K.F. Stephenson of St. Mary, St. Ouen and St. Peter:

At least 3 year 5 classes have debated mobile phone use among children in this Assembly in recent weeks. What is the Chief Minister's Government doing to show leadership in this area and to protect children against the challenges of mobile phone use?

Deputy L.J. Farnham:

I will refer the Deputy to my 2 previous answers in relation to the policy of control of mobile phones in schools and the work that Deputy Scott is leading on in providing legislation to safeguard children from harmful use.

The Deputy Bailiff:

That completes the period allotted for questions without notice to the Chief Minister. Is the adjournment proposed?

LUNCHEON ADJOURNMENT PROPOSED

The Deputy Bailiff:

Are Members content to adjourn? We will adjourn until 2.15 p.m.

[12:54]

LUNCHEON ADJOURNMENT

[14:16]

8. Urgent Oral Question

The Deputy Bailiff:

Now we move on to an urgent oral question allowed under Standing Order 15 and in accordance with the time usually allotted to questions during the usual period of question time, will allow 10 minutes for this, including supplementary questions.

8.1 Deputy M. Tadier of St. Brelade of the Minister for Sustainable Economic Development regarding the cancellation of the 2025 Battle of Flowers (UOQ.2/2025):

When did the Minister first become aware of the likelihood that the 2025 Battle of Flowers would not be going ahead and what steps, if any, did he or his officers take to seek to safeguard the event (taking place) in/for 2025?

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

In short, I found out with the rest of the Island, I believe on Friday morning, via the media; questions were sent to me from the media. I am pleased to say that I have been working and my officers have been working closely with organisers to help them through this difficult period. I note that the States Assembly, like myself, value the Battle of Flowers usually, and I know the Chief Minister put out a statement at the weekend, also talking about the importance of the Battle of Flowers. But there is a reality that the Battle of Flowers Association does have significant financial issues at the moment and does need to solve those issues. I have spoken separately to another group of people and they are the group that said that they would not be able to put the Battle on this year; that was the Battle Strategy Group, which is part of the Battle of Flowers Association, a kind of subgroup of it. It was their decision; entirely their decision. At no point have I put any pressure either way on the Battle of Flowers Association to choose whether to put on a Battle or not. I have maintained throughout that it is their decision to make and they informed the Island and myself of that decision, I believe it was Friday morning.

8.1.1 Deputy M. Tadier:

The question specifically asked about when the Minister became aware of the likelihood that the Battle of Flowers would not be going ahead. Were there any early warnings that we would be in a situation where we found 2025's Battle, this year's Battle being cancelled? I will leave the question at that.

Deputy K.F. Morel:

I think since the Battle of Flowers Association had the accounts prepared properly a month or so ago I think is when it became clear that there were significant financial matters that had to be dealt with, as well as then that they, as an association, would have to then decide themselves whether they could go ahead with the Battle of Flowers this year or not. I believe it has been a question in their minds for a month or so. Like I say, particularly from when those accounts were prepared. I made it very clear to the Battle of Flowers Association, as I have just stated, that it was the decision for them to make, that I stand ready with the grant. It is approximately £220,000. It is in my budget, it is still there. I am hoping that a display of sorts may go ahead in the summer during Battle week and that grant is available for them then.

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

Could the Minister explain what governance process was there in place to provide good stewardship of the grant once it was directed towards the association and why the financial issues were not brought to light sooner?

Deputy K.F. Morel:

On the latter part of that question, the financial issues could only be brought to light once the accounts had been prepared. It is an independent association; they had to get their accounts done themselves. It was only once those were prepared that we then saw the financial issues. From the Government's perspective, my team of officers undertake governance around all the grants that they disburse and there would have been governance around this. I could not state exactly what those elements were but I am happy to provide that information.

8.1.3 Deputy K.M. Wilson:

Thank you to the Minister for his response on that. Would he agree that following this particular scenario that there has been a significant impact on the Island's economy, particularly in terms of the hospitality and the retail industries, could he tell us what he will do to correct that in any way?

Deputy K.F. Morel:

I am afraid it is too early to tell or to know whether there is an impact on the Island's economy or not. The reality is that throughout August the Island tends to be full with tourists; pretty much all beds in the Island tend to be full. Obviously the past does not proclaim our future necessarily. We will have to see. It will only be once August has passed and we can see visitor numbers that we would then know whether there has been an impact or not. My view is the chances are that we will still be fully booked throughout August. I think there is high likelihood of that being the case, particularly as we have other things, such as Bergerac going on, which is advertising the Island throughout the United Kingdom and elsewhere. As I have just mentioned, there is hope that there will be a display of some sort this summer. I will work with members of the Battle of Flowers Association who believe that they may be able to put on such an event to try to make sure that they are able to do that. If they were, I think it could be a very interesting event which will, again in itself, raise very positive questions.

8.1.4 Deputy J. Renouf of St. Brelade:

The problems with the 2025 Battle are, in a sense, not new and that there have been financial struggles for a few years. The Minister has in his gift a grant, which has previously kept the Battle afloat. Has he given any thought to suggestions that instead of the Battle of Flowers that a new kind of festival could be put together as an alternative and perhaps a better use of public money in the future?

Deputy K.F. Morel:

I think that is a very difficult question to answer. New things are always possible. My belief is that the best value part of the Battle of Flowers is very much in the building and the creation of the floats. I think they are a fantastic for the coming together of the community of all ages. I said in this Assembly before that when you go to visit a float in the week before Battle, when it is being made up, you will have people from 8 years old to 80 years old all working together on one float and that is magnificent. That is something that I think is where the true value of battle is. That is not something that I would like to see lost in the event that a new festival did come forward. But it is not for me necessarily to propose new festivals. At the moment I am working with people within the Battle of Flowers Association and I will continue to support them by helping them deal, first of all, with their financial issues, and that does not mean a bail out by any means. Secondly, helping them if they do wish to put on a display of some sort this summer, helping them achieve that as well.

8.1.5 Deputy D.J. Warr:

A question on 2024 numbers; the Minister must have done some economic analysis, his department, in terms of the multiplier effect that benefit our economy of the Battle of Flowers as an event, as part of the overall strategic view of our visitor economy. What kind of numbers would you have come

up with? Are we talking £1 million, £2 million, £3 million? What is the multiplier benefit of running the Battle of Flowers?

Deputy K.F. Morel:

The truth is I do not know. That work has not been done since I was Minister. I am unaware of it having been done by any previous Minister either. As I said, I believe - because we can see this with the other months in August - that Jersey is full regardless of whether the Battle takes place or not from a tourism perspective. I think initially in the early days the Battle was very much focused on driving tourism into Jersey, and that is absolutely right. I think now the premise of Battle has shifted to the community, away from that driver of tourism. I think though from many regular tourists to Jersey who will have now heard about the cancellation of the Battle of Flowers, that those people will have been disappointed. Because we do know there are people who come back year after year for Battle. We are hugely grateful for their repeat visiting of the Island and they will be disappointed. But I think my guess - and it is a guess - is that economically I do not think this will have an enormous impact. I think it is the community element, that the community is the part of the Island who suffers the most with the Battle being cancelled.

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

The Minister has said: "Let us find out after August what the figures look like and see if we saw a decline, a measurable decline in visitor spend." I am not exactly sure how you would measure it all. But is that not shutting the gate after the horse has bolted in terms of trying to think of other alternatives, a plan B? Is there a plan B? I am not talking about Battle of Flowers but an alternative plan B, big event which his department is thinking about or might even be contemplating.

Deputy K.F. Morel:

I think there is a reality in life; nobody can see the future, everybody can see the past. Can I talk about what will happen in August here today in March? No, I cannot because I do not know. I do not know what the impact is and nobody in Jersey knows what the impact is in that respect. The future will reveal itself to us. I think my department, through the Visitor Economy Strategy, make it really clear the importance of event-led tourism in Jersey but that is very much in the shoulder and the winter months. Because we know that the summer itself, that Jersey does tend to sell itself. I am talking in generalisations. I can understand that there may be some people in the hospitality industry who do not necessarily see that in the same way that the department does. But, in general, summer tends to be sold. What Jersey needs to do, particularly to increase the productivity of the hospitality sector, is to have more tourists visiting the Island outside of the summer months. If I were to seek large events I would be seeking them outside of the summer months, rather than in the main summer months. That said, we have a huge range of events, such as the Jersey Festival of Words, we have the Jersey Marathon, we have various other events as well throughout the year, Liberation 80 coming up this year, which are all throughout those shoulder months and are really important to the Island's tourism industry.

8.1.7 Connétable M. O'D. Troy of St. Clement:

Minister, I hope you understand that the Battle of Flowers underpins the main season in August, as does the Battle of Britain in September. At the end of that visitor numbers fall off a cliff. Unfortunately, with the departure of Condor/Brittany Ferries, whichever way you would have wished it to have gone, or myself, we have started the season badly. Because French visitor numbers through a company called Mowalfis(?), which is attached to Condor, their bookings are not there. There is a huge deficit in the start of the season. There is nobody to blame for that, it is what it is. But we are looking down the barrel of a gun whereby we might end up losing some well-known establishments towards the end of this year. As far as the crystal ball is concerned, advance reservations are the key.

I think it might be prudent to have conversations with the industry before August to see how we are faring and to decide whether there needs to be more input in Visit Jersey ...

Deputy K.F. Morel:

Sir, if I may, I am still waiting for a question.

The Deputy Bailiff:

I have got to say, are you going to come to a question, Connétable?

The Connétable of St. Clement:

Yes. Therefore, try and underpin the season, would it be prudent for the future for the Battle of Flowers if we insist that either a Member of the States or one of the senior officers in finance were to be part of the Battle of Flowers Board going forward, given the amount of money that is invested in the Battle of Flowers from the States of Jersey?

[14:30]

The Deputy Bailiff:

Minister, a brief answer if you can.

Deputy K.F. Morel:

Yes. The truth is I do not know. I do not want or wish Jersey to become a Government-controlled Island. I think there is huge value in independent companies and independent associations undertaking events, businesses, et cetera by themselves. For Government to become controlling of the Island would be the very last place I want to Jersey to go. In that sense, I would be sceptical of that as an approach, although I do understand it would be something I would be happy to explore.

The Deputy Bailiff:

Thank you. That brings the period for that question to an end.

Deputy M. Tadier:

Sir, could I get a final supplemental?

The Deputy Bailiff:

I am afraid you do not, sorry, because ...

Deputy M. Tadier:

That is highly unusual, Sir.

The Deputy Bailiff:

It is unfortunate, is it not, but that is the way it works? I gave a set time for it.

Deputy M. Tadier:

Can I contest it? I think that is a precedent because I have never seen that in my 16 years.

The Deputy Bailiff:

The Greffier is in a very generous mood, final supplementary. [Laughter]

8.1.8 Deputy M. Tadier:

I would have been very happy, the last speaker is very good. I believe also that the Battle of Flowers is quintessential to Jersey's tourist offering and much more than that. While the Minister said that he could not see the future, surely he could have seen or asked for what the plans were for the Battle of Flowers when handing over a grant of such a significant amount. Why was not a detailed business

plan and a budget forecast put in place so that the department would envisage that this kind of scenario, given the track record of the Battle of Flowers in recent years financially, that we would not find ourselves in this situation where we are having to tell visitors to the Island that the Battle of Flowers is not going ahead in 2025?

Deputy K.F. Morel:

We did have a business plan; that was what the grant was paid against. No grant has been paid this year because no business plan has been provided this year.

STATEMENTS ON A MATTER OF OFFICIAL RESPONSIBILITY

The Deputy Bailiff:

Thank you. We now move on to Statements on a Matter of Official Responsibility. The first statement is from Deputy Renouf, the chair of the New Hospital Review Facilities Panel regarding the recent review of the new Healthcare Facilities Programme.

9. The Chair of the New Hospital Facilities Review Panel will make a statement regarding the recent Review of the new Healthcare Facilities Programme

9.1 Deputy J. Renouf of St. Brelade (Chair, New Hospital Review Facilities Panel):

I am pleased to have this opportunity to make a statement regarding the New Hospital Facilities Scrutiny Panel Report, which was published on 28th February. Last year in various debates relating to the new hospital, 2 messages came through loud and clear; Members wanted to get on and build a new hospital and they also wanted the Scrutiny Panel to continue to scrutinise the project. We have respected both of these imperatives. We too want the hospital at Overdale to be built. However, the N.H.F.P. (New Hospital Facilities Project) remains the single largest Government-funded capital project in the Island's history, with significant implications for ongoing government expenditure and future affordability of health delivery, therefore, it needs scrutiny. It cannot be the case that hospital fatigue means that anything goes. The implications of getting it wrong are just too serious. Members will be aware that the Government has moved from the single site Our Hospital Project to a phased approach, aiming to deliver multiple facilities over a longer time period. We do not question the principle of that approach. However, the panel has uncovered a number of major issues with the implementation. A key area of focus for the panel has been on the O.B.C. (Outline Business Case) for the first phase of the N.H.F.P., including the delivery of an acute facility at Overdale and meaningful progress on the non-acute elements of the N.H.F.P. The O.B.C. was shared with the panel in confidence. The Government has stated that the O.B.C. was developed in broad alignment with U.K. Treasury guidance and best practice, the so-called Green Book. However, following the panel's own scrutiny and its engagement with an expert adviser, we believe that the O.B.C. is far below the required standard. On multiple key issues it is not compliant with the Green Book and, therefore, with best practice. It is important to note that this was the conclusion of the panel's expert advisers. The advisers' own reports, which we published as an appendix to the panel's report, lays bare the extent of these failings. The Government argues that where it has not been compliant with the Green Book it is because some elements are not relevant to Jersey. Given the multiple failings identified in our report, this simply does not wash. Therefore, at the most fundamental level the panel is not confident that the capital costs required to construct the proposed facilities will be met within the existing agreed funding envelope for the N.H.F.P. There is also a lack of detail about key aspects of the N.H.F.P., particularly in relation to the proposed Kensington Place ambulatory facility. Running costs for the N.H.F.P. appear to have been understated, particularly regarding staffing costs which will have a significant impact on future affordability of the N.H.F.P. The panel has not seen evidence of a workforce strategy or health and care strategy and is, therefore, unclear about the decision-making that is informed to keep parts of the O.B.C., including whether the New Hospital Facilities Programme will match the future healthcare needs of Islanders. The panel has also not

seen evidence of a mental health strategy to inform the proposed St. Saviour's Health Village and does not believe that a compelling case has been made for this facility. The panel is concerned about the extent to which the N.H.F.P. proposals have received sufficient internal challenge, including oversight by the Treasury and Exchequer in relation to the weaknesses of the O.B.C. that have been highlighted by the panel's review. It should not be left to a Scrutiny Panel to identify such fundamental failings with the O.B.C. The panel's report contains 34 key findings and 20 recommendations. I would particularly draw Members' attention to recommendation 3, which asks the Minister to confirm the intended uses of the Kensington Place ambulatory facility. Also, recommendation 15 requests that the Minister provides information making clear how the ongoing revenue costs of the new hospital facilities will be afforded. Recommendation 18 points the way forward by asking the Government to address the deficiencies regarding the O.B.C. when they produce the full business case, the final document prior to work beginning on construction at Overdale. In terms of what we hope happens next, our report has outlined serious risks around whether future care healthcare facilities will meet the healthcare needs of the Island and whether they will be affordable. We, therefore, hope that the Government looks closely at our findings and recommendations and, in particular, take steps to ensure the full business does not suffer from the deficiencies of the Outline Business Case. Finally, I would like to take this opportunity to thank the Minister and his team for their engagement with the panel. I would also like to thank panel officers for their dedication and hard work in putting the report together. I would like to thank my fellow panel members for their work and their support for me in my role as chair. I will now take questions on the report from Members, should they have any.

The Deputy Bailiff:

Questions are for up to 15 minutes. The first question is from the Minister, Deputy Binet.

9.1.1 Deputy T.J.A. Binet:

Given that the Deputy is well aware that I and the new hospital facilities team have major reservations about the accuracy of his report, would he be kind enough to explain to Members why he has chosen to issue yet another needlessly alarming - and I am tempted to say irresponsible but perhaps I should not - statement in advance of our formal response which is not due until 11th April?

Deputy J. Renouf:

It is important, I believe, for the work of Scrutiny to be brought to the attention of the Assembly. The Minister has had several weeks now to respond. All he has done is put out a short statement accusing the panel of alarmism. I think it is perfectly relevant for us to raise the issues that have been raised in the report. He may disagree with them, he is welcome to say so. All I am doing is bringing to the attention of the Assembly the work that the panel has done, which included work by a very respected outside adviser and all the points of which I have been making in this Assembly derive from work that they produced. It is perfectly valid for a Scrutiny Panel chair to bring those concerns to the Assembly.

9.1.2 Deputy T.J.A. Binet:

It is perfectly valid for this to come to the Assembly but he has not addressed the timing issue. We had been given until the 11th to come back with a full response to this and the question I asked was what the urgency was for this to be brought to the Assembly before the other side of equation has been presented.

Deputy J. Renouf:

I have answered that question. As I said, we have a fully valid reason for bringing the conclusions of the report to the Assembly's attention. When the Minister publishes his response Members will be able to make their own judgment about which view they prefer to take. I am sure if he wishes to make comments in the Assembly about his own conclusions he will be free to do so.

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

Is the chair of the panel confident that the panel's advisers fully understood the Jersey context for financial business cases and management, including structures such as the budget or a Government Plan and the differences between Jersey's Government and an N.H.S. (National Health Service) Trust and, consequently, that any business case is only required to follow the principles of the Green Book, rather than the detail?

Deputy J. Renouf:

I am aware of that view because the Minister for Treasury and Resources wrote a letter to us to that effect. I would say that the point about the O.B.C. is that it is supposed to encapsulate all the relevant information. The advisers discovered that it did not encapsulate all the relevant information and, therefore, they have drawn attention to that. Some information that could have been in the O.B.C. is apparently to be found somewhere in the budget documents. But it is not clear which bits of information that applies to. In particular, because it is not in the O.B.C. it means it is not considered in the light of the hospital plans; the 2 things are not joined up. That is the point of an outline business case; it is to join up all the relevant information. That has not happened, that is what the advisers have concluded.

9.1.4 Deputy M.E. Millar:

I think my question was really about whether the advisers understood the Jersey context. The Green Book covers a whole realm of development. I was told recently about a hospital being built near Cambridge where the budget is £3 billion. That is a different order of magnitude from ours and do they understand that Jersey is different from the U.K. and we are not an N.H.S. Trust?

Deputy J. Renouf:

Yes, I think they fundamentally do for several good reasons. One is that they were the advisers that also wrote a report on the previous Our Hospital plans. It is also the case that different branches of the company work in Jersey, including for the Minister for Health and Social Services, on different parts of the hospital project or different hospital facilities. I think that we can say that they understand that. Nevertheless, they are good advisers who understand that fundamental principles matter and that they have applied those fundamental principles in studying the Government's Plans and come up with the report they have.

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

I am sure that the chair would agree with me when I say that Islanders want the hospital to move forward. It is within that context that I was wondering if the chair of the Scrutiny Panel believes it will be possible to conduct appropriate scrutiny and searching scrutiny where needed in that context of everyone wanting the hospital to get built. I was just wondering if he could outline his approach.

Deputy J. Renouf:

It is a very good question. Exhibit A, I would present is this report. We are attempting to scrutinise the facilities within the timeframe that the Assembly I know wishes to pursue. We have worked very hard to produce the report within that timeframe and to keep the debate alive. What I think is really important is that we should not accept that the need for speed removes the need for scrutiny. Is it possible? We are doing our best. I would never give up. I would say it is challenging but the Minister himself has considerable experience of Scrutiny and he will know that all Scrutiny can do is its best within the timeframes allocated by Government.

9.1.6 Deputy K.F. Morel:

With that in mind I agree, and my question comes from a firm belief in the need for scrutiny in the Assembly, so on all subjects. With that in mind, would the chair agree that this is a particular time where Scrutiny needs to be a critical friend, rather than opposition, which it is sometimes seen as?

Deputy J. Renouf:

Yes, I absolutely agree that we should be a critical friend. I think that the thing that we cannot do is pretend that conclusions that we have come to do not exist. We asked advisers to go and write a report. We gave them no direction, no direction and officers and panel members will know that on several occasions when we were talking to the panel advisers I made it absolutely clear that I wanted them to come to entirely independent conclusions. They came to independent conclusions. We have a choice there, do we say that we ... I know we asked them but we would rather they had not really because they would come up with conclusions that are quite difficult. No, we put the conclusions there. We tried to interpret them in a way to make recommendations that we thought were practical and which would improve the situation; that is what we did.

[14:45]

We may have got it wrong, who knows? But we did try our best.

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

I have, like others, been on a Future Hospital Scrutiny Panel. But would the chair agree that his approach is simply contributing to the thickness of the treacle through which the Minister has to wade in order to develop a new hospital?

Deputy J. Renouf:

I refer to the previous question; there is a choice to be made here. Either we believe in Scrutiny or we do not. Scrutiny's job is to do scrutiny. As I said, I think, at the beginning of the statement, we cannot take the view that because everybody is tired and jaded of talking about the hospital that we, in this Assembly, will give up looking at the question of value for money, the questions of whether these facilities are appropriate to meet the healthcare needs of the Island, the questions of whether the running costs can be afforded in the future. It is our job, as States Members, to act on behalf of the public. We do our best in Scrutiny to do that. As I have said in response to the previous question, we could not bury conclusions just because there is a desire to get going. We have tried to translate them into recommendations that will improve things.

9.1.8 The Connétable of St. Brelade:

Given that much of the work has been done before, does the chair see any benefit in repeating what has been gone before by previous Scrutiny Panels?

Deputy J. Renouf:

I think it will not have escaped the questioner's notice that we are talking about a completely different set of plans for hospital facilities. There may have been Scrutiny work done on the previous plans but they were the plans. We have a new set of plans and therefore we have scrutinised them appropriately.

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

Asking this question as the Deputy's predecessor in this role, and not feeling very envious of him in that position right now. I appreciate that this will have been elaborated on in his Scrutiny report, but in his statement he refers to multiple key issues not being compliant with the Green Book and referring to the Government saying that some elements are not relevant to Jersey. Could he outline exactly what those key issues were and why they do not regard the Jersey element or Jersey angle as being relevant to them?

Deputy J. Renouf:

Well, I think we were restricted in our timings here, so I will have to be relatively brief in that. He is correct in saying that the answers will be found in the report. There is a series of failings which are related to the fact that there are not strategies in place to explain how funding will be met in the future. For example, the lack of a workforce strategy means that it is very difficult to tell how the hospital will be staffed, particularly since there are also assumptions on budget increases which do not seem to match the increase in bed capacity. There is a 30 per cent increase in bed capacity, almost 60 beds, but there is not an equivalent rise in funding. The Minister for Treasury and Resources has already referred to some questions about the Jersey way in which budgets are presented outside of the O.B.C., rather than included within the budget of the O.B.C., and so on, but I think I have addressed that question already. Fundamentally, what I would say is that the advisers look for assurance. They look for the proof that the statements that are being made have evidence and justification behind them, and they found on many different areas that that assurance was not there.

9.1.10 Deputy I. Gardiner of St. Helier North:

Would the chair clarify when the panel use health facilities, does it relate solely to the Overdale site or does it relate to Overdale, plus Kensington Place, plus St. Saviour, plus Les Quennevais?

Deputy J. Renouf:

The first 3, because Les Quennevais is finished. The Outline Business Case that the Government produced relates to the 3 facilities: Overdale, Kensington Place and St. Saviour. However, they are treated differently in the O.B.C., which is another point of contention in that Overdale is clearly a much further advanced project. The commitment in the Government Plan is to meaningful progress with relation to the other 2. One of our issues is that we would very much like to see clarification on what that “meaningful progress” would mean and what is intended for those sites in a great deal more detail, which is what you would expect to see in an outline business case.

9.1.11 Deputy I. Gardiner:

Would the chair share his views if the more concerns that were raised when we talk about health facilities was around Kensington Place and the St. Saviour site, and how they would work with Overdale that is actually approved and much advanced?

Deputy J. Renouf:

I think, in terms of the adviser report, they were of the view that it was very difficult to make any conclusions because so little had been said about those interactions and what, indeed, was going to happen on these sites. The question of whether it is complementary, whether it works or so on, that is one of the big problems. An outline business case is supposed to be almost at the point of building, and yet we do not have information to be able to say that. It is a lack of information. It is not a proof that something is not going to work; it is a lack of information that it will.

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

How does Deputy Renouf reconcile his position now with his previous voting record on the matter? I refer specifically to his vote on a proposition I brought, P.109/2022, which asked for this exact information and a comparison of costs. He voted against it.

Deputy J. Renouf:

I am not sure to what that proposition refers and I am sure the Chief Minister will elaborate. What I would say is, I would draw attention to the fact that when I was in Government, I removed myself from all discussions around the plans for the hospital, as I was Minister for the Environment and may yet have ended up having to determine those applications. I was therefore not party to either

discussions or votes within the Council of Ministers about the change in plans for the sites. But that is what I have.

9.1.13 Deputy L.J. Farnham:

Would the Deputy agree to refer back to P.109/2022?

The Deputy Bailiff:

Deputy Scott. Oh, do you want to answer that question?

Deputy J. Renouf:

I will look at it.

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

Does the chair recognise the distinction that has been made in the project between the acute and ambulatory, in terms of the Outline Business Case? Did he reference the P.A.C.'s report on decision-making that pointed out the Green Book had not been followed in the case of Broad Street, and has he examined the reasoning why that might not have been the case?

The Deputy Bailiff:

Short answer; 15 minutes has come to an end. Do you want to give a very brief answer?

Deputy J. Renouf:

Well, I can ignore the bit about Broad Street because I do not think it is relevant to the statement. The question: "Do I accept the difference between the ambulatory and the acute?" Of course I do. But one of the problems the advisers point out is that an O.B.C., if it is going to include something, it has to include it fully. It cannot say: "We are going to do this bit" and write that up, and: "We are not going to do this bit, but we still want to include it in the O.B.C." It should not be in the O.B.C. if it is not in a ready state.

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

Sir, may I propose an extension to this question time?

The Deputy Bailiff:

Yes, you may.

Deputy P.F.C. Ozouf:

I cannot remember the Standing Order.

The Deputy Bailiff:

Is that seconded? **[Seconded]** Anyone against the proposition to extend? In that case, the period is extended by 15 minutes. The next person I have to speak is the Connétable of St. Clement. But you, I think, are on this panel. Is that not right?

The Connétable of St. Clement:

I am on the panel, Sir.

The Deputy Bailiff:

There is a recent ruling by the Bailiff to the effect that is not appropriate for panel members to ask questions of the Chair.

Connétable M.O'D Troy of St. Clement:

I was not aware of that, Sir. I resile.

The Deputy Bailiff:

Thank you very much. Deputy Scott, do you have a supplementary question?

9.1.15 Deputy M.R. Scott:

Yes. Does the chair accept that the general principle of the funding is a staged development and, on that basis, that some detail may be more available for certain stages than others? Is that not what is to be expected when you make a decision of this kind?

Deputy J. Renouf:

Yes, I absolutely do, but I draw the questioner's attention to the fact that the Minister decided to put St. Saviour and the Kensington ambulatory facilities into one outline business case. In other words, it was the Minister's choice to put the 3 projects together, even though they are at different stages of development; that was not me.

9.1.16 Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter:

Notwithstanding that point, I really want to follow on from Deputy Morel. The chair's statement indicated doubt about affordability and yet I think his own foreword says that his panel is not saying that the acute hospital scheme is unaffordable. If it is not unaffordable, the money has been voted in the Budget, I wonder if he could just confirm that that element - the acute hospital scheme at Overdale - is affordable and now has planning approved. Just because in the minds of the public they are getting all these things being brought together. That one element, I think the panel is saying - by saying it is not unaffordable - it is affordable.

Deputy J. Renouf:

Not quite, no. No, there is a distinction and an important distinction. The point of an O.B.C. is to provide assurance that something can be afforded; that is what the point of it is. What we say is, it is not there. Therefore, there is no proof that it is affordable, even though it is the job of the O.B.C. to prove affordability. We cannot say, because we did not set out to say that it is unaffordable. We simply do not have evidence on that. But what we can say is the O.B.C. failed in its job to prove affordability. What does the panel think about whether the facilities are affordable? I think that is a slightly more complex question because it is tied up in what are you buying. In the absence of a health and care strategy, it is not entirely clear what is going into the hospital. Therefore, it is possible that the facilities could be brought in under budget, but with less in it than was originally planned. But because it is not clear what is planned at that level of detail, I think it is difficult to say. I am afraid I cannot provide the certainty of judgment that the Deputy has asked for, but I would like to clarify very much that we did not say that it was affordable.

9.1.17 Deputy I.J. Gorst:

Well, I am not sure. They are not saying it is affordable, but they are not saying it is not affordable. I think that is an important message for the public to hear. The acute hospital facility at Overdale that now we have got planning permission for, with a fair wind, we will get spades in the ground; it is not unaffordable. Is that correct?

Deputy J. Renouf:

We cannot say it is affordable because the evidence is not there that it is. I am not prepared to go beyond that. What I would say is that we also make very clear in the report that we are not convinced that the running costs of that hospital have been adequately scrutinised, in particular relating to staffing, but there are other matters as well. I think that should concern everyone - not least people with a background in Treasury and so on - that the running costs of these new healthcare facilities have not, in our view, been properly examined and they have not been accounted for in a way that an independent adviser considered would be normal practice in any large project of this kind.

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

Part of this was mentioned just now in the answer by the chair; can I ask the chair, recommendation 5, for example, in the report states that: "The development of a healthcare strategy with clarification of alignment with new healthcare facilities is required by a specific time." Can I ask the chair whether he and the panel may feel that there is a point where any of these delays will delay the start of the hospital, and whether there are critical points where the hospital should not be started according to the panel?

Deputy J. Renouf:

I thank the Deputy for looking at the report and actually looking at the recommendation and asking a question about that. It is a very good question. What I would say is that when this project started, it would have been possible to produce a health and care strategy, in my view, that could have aligned with the building of the hospital. Decisions were made not to do that. I think that probably the panel regret that. Where are we now? We are in a situation where there is an overriding need to build a hospital. I think the desire to have a health and care strategy is acknowledged even by the Minister. I would have thought that it was possible to do some work. I would be staggered if it has not been done, frankly. I have been quite shocked to find that there has been no work done to try and align a health and care strategy with what is going to actually be put into the hospital and, indeed, to align it with whether we are going to be sending people off-Island and whether there are going to be people treated in the community.

[15:00]

Surely, it should be possible to produce some information on those parts of a health and care strategy to inform the full business case. That is what I would hope to happen.

9.1.19 Deputy R.J. Ward:

Is the position of the Scrutiny Panel - and I do read the recommendations of Scrutiny and it is very important that we do - the point that they can see that the build can start and go ahead without delay, which is what I think a lot of people want, but without these responses to these recommendations, or will a further recommendation be: "Do not start the build"? I think it is just clarity for people to hear, so that we know where we are in terms of across the Assembly.

Deputy J. Renouf:

I think I can say that the panel has not discussed the question of whether there should be delays to the start of the hospital facilities. Our aim, and what we have tried to channel our recommendations towards, is - in the knowledge that a full business case is the next step - that the next step should incorporate as many of the improvements that we have suggested through the recommendations as possible. Hopefully that would give some reconciliation between the deficiencies of the Outline Business Case and the need to start a hospital within time.

The Deputy Bailiff:

I am going to call upon the 2 Members who have not asked questions who want to ask questions, before coming to those who have put down to ask a second question.

9.1.20 Deputy B. Ward of St. Clement:

Can I ask the Deputy, please, how the expert adviser was sought and appointed, and can the Deputy also clarify if that adviser was a previous contender for the new hospital project?

Deputy J. Renouf:

I think we started with a shortlist of advisers, including the advisers who had advised the previous panel, but we asked our officers to look for other organisations and individuals. In fact, we have

shortlisted an individual who had done work in this area. There is an attempt here, I think, to start to cast some sort of credibility gap on the advisers and I would find that slightly offensive, were it to be the case. The advisers are scrupulously independent of us. They are scrupulously independent, as the company is split up into different sections. There is a section that works on healthcare facilities and a section that works on business cases. The 2 are not related, so whatever happened in terms of work they may have bid for would not have affected them, in any case. But it is also slightly ironic because we were slightly concerned that because the advisers in other capacities have worked for the Government that they might be biased in favour of the Government, and we sought reassurance on that before we took them on. So, I really reject any attempt to cast doubt on their credibility.

9.1.21 Deputy B. Ward:

I thank the Deputy for his response. But by appointing someone who actually had been an applicant, could it have been seen as a conflict of interest?

Deputy J. Renouf:

No, because as I have explained, the organisation does not work like that. It has separate divisions. It is a very large organisation. It has separate divisions, some of which work on applications for working on construction of projects, some of which work on the compliance aspect. I understand, because we did ask the advisers about this, that they notified the Jersey office that they were going to be involved in the compliance work, but that there was no further contact or any involvement between different parts of the organisation while the report was being worked on. I completely reject, as I say, any idea that there was any level of conflict of interest or bias.

9.1.22 Deputy P.F.C. Ozouf:

The last question is about transparency and public confidence and which advice to trust. We are dealing, on one part, with professional disagreement on the part of 2 sets of experts, it seems. May I ask the Scrutiny chair, because he has made some valid - potentially - concerns about affordability both in terms of the capital cost and the running costs: does he have a range from his advisers of the potential cost that the Island is being asked to commit to - which is different from what the Minister and the Minister for Treasury and Resources say - in terms of the capital outlay and the future operational expenditure? We are presumably paying these people lots of money on both sides. What are they saying the actual cost is likely to be? Because just “more” or “unaffordable” might not hit the mark.

Deputy J. Renouf:

I would like to be able to answer that question, but I cannot. The advisers were contracted to examine the Outline Business Case, not to come up with their own estimates of future expenditure. What they pointed out was very clear and very high risks, in their view, that the future running costs of the health estate were not properly being accounted for, that the evidence base for the supposed affordability was simply not there, and essentially that we should be worried about it. That is the message that we have tried to convey in the report and, as I say, I think for the future of the Island, the cost of future healthcare facilities married to the rising cost of delivering healthcare is something that we should all be very concerned about.

9.1.23 Deputy P.F.C. Ozouf:

I was once an internal auditor and I used to have to write reports of critical on capital projects. A long time ago; Members might be quite surprised about that. But I learned early on that what you needed to get from the person who was telling you on the one side this and the other side that ... if the if chair is saying that it is unaffordable ... it is easy to write stuff about risks, but unless you have got some numbers, would the chair agree, if they are saying it is all about risk, that is different from what it is going to end up as being? Surely, they must have done a quantum of what, in fact, this risk problem is. Are we talking about an extra £100 million, £200 million, £300 million? I do not know,

in terms of its capital costs. What are we talking about in terms of the running costs? Is this something that we should all be now very worried about, or not? Could you put some numbers to it?

Deputy J. Renouf:

In terms of the capital costs, the problem is that in terms of the non-Overdale bits, we do not have those capital costs. They are not in the public domain, and so it is very hard to criticise a set of figures that are not in the public domain. We did try and get those figures put into the public domain and we were rebuffed. It is not possible for me to stand here and say how much more that it might cost; there are simply too many gaps in the information provided for us to be able to do that. Again, in terms of the revenue costs for things like the increase in staff costs and so on, we are constrained by the confidentiality of the O.B.C. I am not allowed to say what estimates there are in the O.B.C. for that, and so there are limits to what we can say. If the final part of that question was: "Should we be worried?", I would say yes, we should be worried. I hope very much that the Minister is able to provide some reassurance in response to the report when he comes to deliver his responses, and very much hope that he takes on board our recommendations.

The Deputy Bailiff:

That brings the period for questions to an end. The next statement is from Deputy Gardiner, the Chair of the Public Accounts Committee regarding the handling and learning from Customer Feedback and Complaints Report.

10. The Chair of the Public Accounts Committee will make a statement regarding the Handling and Learning from Customer Feedback and Complaints (P.A.C.1/2025) Report

10.1 Deputy I. Gardiner of St. Helier North (Chair, Public Accounts Committee):

The P.A.C. (Public Accounts Committee) published a report last Friday into how Government handles customer feedback and complaints. It has come at the same time as Government launched a very important survey on how complaints will be handled and questions around public ombudsman. It is really important to bring to Members' attention what we discovered and also what further work needs to be done. Three years ago, almost exactly in March 2022, the P.A.C. published the Performance Management Report, which partly focused on how our Government processes feedback and complaints. I remember it well, because that previous term I also was chair of the P.A.C., and it gives me great pleasure to be able to follow up on that work that I did in the previous term. We found significant improvements have been made in terms of monitoring, analysing and evaluating feedback from Islanders who come into contact with government departments, and also acknowledge the steps which have been taken to update systems and processes for dealing with complaints. The committee made in total 28 findings and 10 recommendations. For example, in 2022, we noted that 2 major departments - the Health Department and C.Y.P.E.S. - implemented their own mechanisms to capture customer experience and deal with complaints. This follow-up review found that, finally, all departments are now saving back information centrally and this initial set of data will be examined and reported hopefully by the end of this month - first time joined together - so the public can see all the information together in one place. Also, the P.A.C. found there have been considerable steps taken by 3 Governments of Jersey - because it started in the previous term, followed by the previous Government and the current Government - to implement the customer feedback policy and there is an annual increase in public engagement with compliments, comments and praise. We examined all methods members of the public use to submit feedback and complaints, including face-to-face - because at some point after COVID, face-to-face did not come back and it is back - telephone, email and other avenues. The P.A.C. does, however, have its own feedback to give and there are matters that require by our Government to further enhance steps already taken. There has been a change in the terminology used for complaints found to be unable to be resolved, with the new terminology being "outcome not achievable." The P.A.C. was unable to find evidence that this change of category descriptor had a clear definition in the policy, and the definition for "not upheld" complaints was also

missing. We looked and we could not find a clear definition and categories; what do “not upheld” and “not achievable” mean? Recorded data shows a 42 per cent increase in complaints that were classified as “not upheld” between 2023 and 2024. The P.A.C. would welcome an update to the policy to include a comprehensive and accurate definition of these categories as described, so it will be available for the public and it will be clear for the public how this decision would be made. Our review also found an overall increase in complaints received by the Infrastructure and Environment Department in relation to planning - a 74 per cent increase - and regulation - a 100 per cent increase. As an example, in 2024, 70 per cent of the total feedback received for planning related to complaints, which is a significant increase compared to 39 per cent in 2023. We have recommended a review is undertaken to establish why there has been such a large increase in complaints in planning and regulations and for the Government to act accordingly. Examination of the Government’s post-complaint survey found that approximately 50 per cent of customers who completed the survey are not satisfied with how their complaints were handled. The review also found that not all lessons learned were reported on our government website. It is important to emphasise, I do believe we do have a system and exercise lessons learned are taking place; it is about how we are presenting this - what we have done - to the public. We have some really good examples. It would be important that all departments will follow the good practices of the departments who are presenting this already. The team within Employment, Social Security and Housing, formerly C.L.S. (Customer and Local Services), are co-ordinating and leading the work in this area and are to be commended. The P.A.C. truly believe there is a will and a passion and the team of this department is trying to do its most to communicate and to handle and co-ordinate the complaints. I believe they would continue to do this; we received really positive engagement. It is really important that we celebrate our successes and Government’s success and government officers’ successes and just build on that. A couple more things. In its 2022 Performance Management Report, the P.A.C. was concerned that Ministers were able to disregard the findings of the States of Jersey Complaints Board or refused to implement findings. What we found in the current review is that there is no central record where the Complaints Board findings and recommendations are kept.

[15:15]

We both made recommendations, but what happened with these recommendations? How it was handled. There is no central record and obviously one of P.A.C.’s recommendations is to create this central record. It is clear that more work is required to build up public trust in the complaints processes. While this report has mainly examined internal Government-led processes for complaints resolution, it would be worth considering the merits of independent and external complaints resolution. The proper handling of complaints is crucial in establishing public trust in Government, and Islanders must feel that they are listened to and their concerns addressed adequately. As part of the review, we did meet with the Public Services Ombudsperson from Northern Ireland and noted that all public services fall under this remit, rather than the individual bodies for individual services that we have in Jersey. I have had a communication with Deputy Scott, Assistant Minister, who is leading this work on behalf of the Government and we did discuss examining, would it be value for money to consolidate all bodies that are already doing work on complaints in Jersey into one? But again, it is open and it is something that will be examined not by me, but by the Government. I would like to, as a public statement, encourage the public to, first of all, get in touch, submit your feedback, submit your compliments, submit your comments and submit your complaints. The department who is co-ordinating are working and learning, and there were things that changed in government procedures based on your complaints. We are still seeing low levels of submissions; the more submissions that come from the public to us, the easier it will be to resolve. Second ...

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

Sir, point of order?

The Deputy Bailiff:

Yes, point of order.

Deputy S.G. Luce:

Sir, I am concerned the Deputy is not reading her statement. Is everything she is saying actually written down?

Deputy I. Gardiner:

Sorry, no. Apologies. I will stick with my statement. I welcome a survey launched by the Government ...

The Deputy Bailiff:

Deputy, there is no difficulty in departing from the text slightly, but you have departed quite significantly from the text. It is probably best to ...

Deputy I. Gardiner:

Okay. Can I just finish the last sentence, please?

The Deputy Bailiff:

Yes, of course you may finish it, yes.

Deputy I. Gardiner:

Apologies. I welcome a survey launched by the Government on 10th March seeking views on a public ombudsman and I would encourage the public to engage with the survey and make their views known. I would like to thank members of the public for their engagement with the review process, and also officers and committee members for their work in producing this report. Thank you for listening. Apologies. I would welcome your questions.

The Deputy Bailiff:

We now move to a period of questions.

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

In the statement, the chair referred to more work being required to build up public trust in the complaints processes and she spoke about the States of Jersey Complaints Board and the potential prospect of an ombudsman instead. Could I ask her, whether it is in the report or not, whether the work that the committee did led them to any conclusion as to whether the framework of the States of Jersey Complaints Board is fit for the future, or whether it is actually necessary to move to an ombudsman model?

Deputy I. Gardiner:

Thank you very much for the question. In our terms of reference, we did not include the States Complaints Board because it was a follow-up report on 2 C. and A.G. (Comptroller and Auditor-General) reports and P.A.C. reports to examine internal government handling of complaints. Why have I included this comment and recommendation in the report? In the engagement with the public, it has been raised and we found that there is no central record; this was important to put in the report. Also, the public have mentioned, when we asked why only we have a survey that is showing that 50 per cent of the public is not engaging with submitting complaints because they do not believe that anything will change, and it was public comments we did not capture the numbers that the independent handling of complaints would raise their confidence.

10.1.2 Deputy S.Y. Mézec:

I thank the chair for that answer. Given the advancements that she has said have been made since the initial review on it, does she believe that continuing to advance those improvements within the

current framework is adequate, or has she arrived at a conclusion that perhaps a different framework for dealing overall with complaints, like an ombudsman system, would be necessary?

Deputy I. Gardiner:

Thank you. I will divide my answer into 2 parts. There are parts that need to be done internally and the recommendations are clear on the internal parts. There is definitely work that needs to be done externally; it has been suggested a type of public ombudsman, independent body - whatever we call it - that the public can go to if we do not manage to resolve. We have 3 stages to resolve internally, and if it is not resolved internally, it needs to be independent. But it was public feedback, which I hope the survey that Government has now launched can capture in more detail.

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

I think this is the first time I have spoken in the Assembly since 2018 when I lodged a proposition in February 2018, a clear, structured, forward-thinking proposal to bring an ombudsman. The States agreed to it, including the commissioning of research, consultation, primary legislation and the establishment of a shadow ombudsman board. It was all set out. I am thinking, and does chair agree, that her report is just déjà vu? A new dressed-up report, more talk and less action. Does she actually not agree? I come from this and I lodged this as a former Minister for Treasury and Resources. Before the Government tells me that they do not like quangos and all the rest of it, because I know they do not and I am going to bring forward some proposals to get rid of some. But does she not think that this is just déjà vu and the time has come to bring what the civilised world and the democratic world has, which is a public sector ombudsman, which needs to start small? I proposed a shadow; does the panel chair not agree that fewer words, more action, get on with the shadow ombudsman and let us get on with dealing with the public's concerns, because they do not like talk. I will sit down.

Deputy I. Gardiner:

There is an answer as the chair of the Public Accounts Committee. The chair of the Public Accounts Committee, we examine how the Government is handling complaints internally. They did work, because before it goes to the public ombudsman, it needs to be handled inside the Government, and the situation changed. If I would answer as Deputy Inna Gardiner, I voted for an ombudsman, and I wanted an ombudsman, but it was not in the terms of reference because internal handling and independent handling are 2 different things.

10.1.4 Deputy P.F.C. Ozouf:

Would it surprise the chair that I have not been asked once, either before I retired or since I have got back, of why I brought this proposition? By the Government or Scrutiny Panels. No Scrutiny Panels want me to sit on them, so I am in a no-man's land. I am neither a Minister nor on Scrutiny. I have offered myself for Scrutiny; I have brought a proposition; I bring lots of propositions of well-researched issues. Would the chair understand my frustration on both sides? Less talk and I believe in more action. Would she not just say maybe she should cut her Scrutiny budget and give it to the Government to pay for an ombudsman?

Deputy I. Gardiner:

This report cost £600. I think it is important to also recognise the work of the Government, because if government officials and the 3 Governments did work to improve the handling of complaints, they need to be recognised. It does not mean that we do not need to continue and work on the ombudsman; it is a different political debate, not on this particular review.

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

I would like to thank the P.A.C. for doing this really important piece of work, given that complaints and feedback are really important to driving improvement within any organisation. The question I

have, bearing in mind, of course, that as Deputy Gardiner has mentioned, I am overseeing a piece of work that will be building on this. I note Deputy Ozouf's passion regarding getting on with the ombudsman and I can assure him that I will be proceeding in this way, consulting all States Members. But the particular question I would like to ask Deputy Gardiner relates to the work that they have done in identifying that the Government itself, the Government of Jersey, has done a lot of work in terms of improving its complaints process, which has been acknowledged by the P.A.C. But it has acknowledged that maybe only 50 per cent of respondents would even bother engaging, which makes me ask the question: what do they assess as the chance, with Government having put this work in, of attracting people back towards this complaints process and pursuing it internally? Because heaven knows how many of our States Members often find we are picking up complaints.

The Deputy Bailiff:

Are you coming to a question, Deputy Scott?

Deputy M.R. Scott:

Yes, it is a question, Sir. Though, I am afraid you took me off track to finish it.

The Deputy Bailiff:

Oh, dear. Better start again, then.

Deputy M.R. Scott:

I will start again then, shall I? **[Laughter]** To what extent is the work that has been done by Government likely to attract the public back into the process of pursuing complaints through its own mechanism? To what extent does she perceive that there may be a need almost for a structural rebranding in order to attract people towards its processes?

Deputy I. Gardiner:

Absolutely. There are several things within the report that Government can do internally. First of all, Government has rejected 3 recommendations from the Comptroller and Auditor-General. One of the recommendations is to develop an overarching, coherent, prioritised and resourced action plan to deliver on the stated duty to ensure that all customers can easily provide feedback on public-funded services. When we asked people: "Do you know how to provide feedback and complaints?" Again, it is in the report that approximately 50 per cent did not know how to provide. One other finding was that numerous cluster groups have ... it is about demographics, diversity, disability. There are other groups that do not know how to engage with the Government. It was interesting that Government rejected this recommendation, saying: "Everything is fine, everything is going well", but actually it is not. This is why we have recommendation 4, that it would be easier for under-represented groups to provide the feedback. Another thing that I would like to mention is if people already submitted complaints, approximately 50 per cent are not satisfied with the complaints handling. It is around communication, it is around explanation, it is around feedback. So the systems are in place - the system, finally, we do have, because we did not have systems before within the Government - but now we need to concentrate on how complaints are handled once they have been submitted, including all the necessary steps and feedback. The third part, as I mentioned, is about the option of an independent review of complaints if the Government rejects them. So, where do people go when, after all 3 steps were taken by the Government, they feel there is no independent body that they can turn to.

10.1.6 Deputy M.R. Scott:

Just to perhaps clarify, I am talking about the way in which Government catches complaints and the extent to which there is a conclusion, that you have a section of the public that might be saying: "We are not going to touch them with a barge pole, whatever they do" and a section who might well be

saying: “Okay, we recognise that they are improving.” So, the extent to which she has got to feel for the proportions that she is finding there.

Deputy I. Gardiner:

Again, we did not examine; we have seen that approximately 50 per cent are not satisfied with how their complaints were handled. So, it is giving to the Deputy response. Something that we did not include in this particular report, but we looked through the numbers because we felt that statistically, numbers are not 100 per cent and maybe something the Deputy can take. It was a feeling within the committee that the older generation are less trusting and the younger generation feels that they ... maybe because it is online, it is easy to submit.

[15:30]

It is something that probably the Government would need to look into; the ages of the submission. Something else I would like to say; how awareness can be raised. Government did run a campaign - You Said, We Did - and it was a couple of examples which were good. I would like to say, online as the P.A.C. we could find only one department that clearly stated what they have done. It was Revenue Jersey. We put in our report, page 50, you can see some examples from Revenue Jersey what we could find online. What people said and what they have done and how it has changed the way they worked. I would encourage other areas of the Government to do similar publications on the government website at the same area you said we did to raise the trust that their feedback was heard and changes were made.

10.1.7 Deputy S.G. Luce:

The committee identified a significant increase in the number of complaints to the Planning Department. Can I ask the chair whether the committee also identified the reason for that increase?

Deputy I. Gardiner:

No, we did not and this is what we said; that it is numbers that arrived to us. We had an increase in complaints for the Environment and Infrastructure Department in 2022-2023 and the reason we found was Fort Regent. But when we asked for a breakdown around planning and regulations - different areas - this is where it has jumped for 2024 and this is why the recommendation to look for the reasons, because we could not identify the reasons and to act accordingly, it just came in numbers.

10.1.8 Deputy S.G. Luce:

I put it to the chair that one of the reasons for the increase in the Planning complaints is the fact that we, in the last 12 months, have started recording them properly. Would she care to comment?

Deputy I. Gardiner:

It would be very good to check what has happened in 2025, because we could compare it to 2025 and if we will see all that in 2025 and if it has reduced it would be great for everyone.

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

This is not the forum to discuss the comparative merits of the Complaints Panel or the Public Service Ombudsman, but can I ask the chair if during her inquiries she listed any evidence to suggest that the reason for the lack of complaints to the Complaints Panel was the perception that the quasi-judicial process operated by the Complaints Panel is regarded as a States-controlled body through the influence of the States Greffe?

The Deputy Bailiff:

Time for a short answer.

Deputy I. Gardiner:

We looked at the P.A.C. report in 2022 when we said that the Complaints Panel does not have fair taste, and people feel that the Complaints Panel will not be beneficial for them to put the complaint in.

The Deputy Bailiff:

That brings the time period allotted for questions on that matter to an end. Thank you, Deputy.

Deputy M. Tadier of St. Brelade:

Sir, has it been extended yet? Are there any Members left?

The Deputy Bailiff:

There is one Member, but there is no proposition to extend the period, unless someone wants to make a proposition.

Deputy M. Tadier:

Could I propose that, please?

The Deputy Bailiff:

The proposition has been made to extend the period by another 15 minutes. Is that seconded? **[Seconded]** In that case the time is extended. Do you have a supplementary question, Connétable of St. Mary?

The Connétable of St. Mary:

No, sir, thank you.

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

The chairman mentioned a number of figures which showed an increase in the number of complaints. Against what was that increase labelled? Was it an average over the previous 5 years or was it between one year and the next that there has been a large increase?

Deputy I. Gardiner:

It is a very good question. When you look at the numbers, we considered the baseline for the complaints. In some departments the baseline was very clear. We also considered, for example, if it was 1,000 complaints raised in one year and 1,500 in another year, if the rise of complaints was proportionate for the numbers submitted. When we mentioned these numbers here, we mentioned it when it was not comparable with increase in total. If it makes sense or if I need to explain again.

10.1.11 Deputy M. Tadier:

The Deputy may be familiar with the expression “prevention is better than cure”. While I fully support the implementation eventually of an ombudsman in Jersey, did the panel find any recommendations about how to prevent complaints in the first place, by making sure that there are no reasons for making complaints and that there is better governance around public services?

Deputy I. Gardiner:

For most of the recommendations there is a specific recommendation about lessons learned. It is a normal way of life for any Government, there are things that arise. If we have learned a lesson from a submitted complaint, it will not come back and we will have a decrease in complaints. Interestingly enough, I know that we hear a lot of complaints around Health and Care Jersey, but when we look through the numbers ... and you can see we did not mention in this report Health and Care Jersey, because relatively the complaints in that department decreased over the years, so they probably did handle complaints. Even though we know it is a big department and it is always in the public domain and it is close to us, but statistically we could see improvements. I assume that improvements are

based on making sure that feedback and complaints were handled appropriately within the department.

10.1.12 Deputy M. Tadier:

When it comes to specific departments, like the Department for Infrastructure or the Department for Environment, where there seems to be a significant, almost doubling, of complaints over a couple of years, does the Minister think that there are specific steps that need to be taken for those departments to look at why so many complaints were arising and what might those changes be?

Deputy I. Gardiner:

Yes, this is one of our clear recommendations specifically to that department, because it stood out compared to other departments and specifically around planning and the regulations within that department. What we found was although it was a big number of complaints, some of them were related to Fort Regent, which is about the users of Fort Regent and not much to do with the specific Minister for Infrastructure. So the complaints were submitted towards the department and it was registered on the department that it should be resolved by different stakeholders.

10.1.13 Deputy P.F.C. Ozouf:

Would the Chair agree, I am trying to be constructive, that the fundamental weaknesses in the Governments, past and present, maybe with the exception of Planning, complaints handling system is not just about the feedback it has logged or responded to, but rather a deeper failure, namely the absence of a coherent pan-government process framework to deal with complaints? Would she agree that had the Government acted on the States approved 2018 proposition and the establishment of a shadow ombudsman board as a process catalyst, we might now have that unified system underpinned by an independent oversight and the process underneath it? Does the panel chair agree and does she agree with me that it is the benefit of putting a shadow ombudsman to get these processes in place, which did not exist back in 2018 and 8 years on, they still do not exist? That is where we are going to see an increase in the improvement, which helps, as the Minister for the Environment so helpfully said.

Deputy I. Gardiner:

I thank the Deputy for his question. I was not aware about the shadow ombudsman. Is the Deputy aware about the quality assurance framework that Government put in place to handle and learn from complaints? That particular framework that we have examined does work. It started to work recently and we have seen the results. Nevertheless, we did not examine ombudsmen and I believe any progress, in my personal opinion, not as the chair of the Public Accounts Committee presenting this particular report, I can agree with the Deputy that any small progress around independent review of the complaints would help.

10.1.14 Deputy P.F.C. Ozouf:

I do not wish to take up the Assembly's time, because we will take it up on another occasion, but there was a reason why the shadow ombudsman was proposed; it was to be constructive and helpful in terms of processing. I stand by what I said in 2018. I stand by it today. I hope the panel chair in her capacity as Scrutiny ... and I hope the Government is listening, because there is a solution here which does not call for a huge of money being spent, it is money being better spent by having action of a complaints process. Does the panel chair agree? She can say yes or no and I will come and talk to her about it.

Deputy I. Gardiner:

Thank you for raising it. Deputy Scott and myself will get involved, because I believe any value for money arrangements that will improve the independence of the handling complaints and will not cost millions for the public purse would help.

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

Following that statement from Deputy Ozouf, I was wondering if the chair would advise the Assembly as to the importance of value for money in complaints resolution. As I understand it, one of the reasons the ombudsman has not gone forward is because of the significant resource that would be required to provide it.

Deputy I. Gardiner:

Absolutely and this is why, when we examine, we have met with the Ombudsman Association and the Northern Ireland Ombudsman and discovered this particular system that they have developed. They do not have separate authorities' tribunals. They have a small ombudsman. They call in experts for anything handled by the public interest, including arm's length organisations, say Parishes, non-Ministerial departments that we did not examine, so the public has any public authority dealing with the public have a place to submit complaints.

10.1.16 Deputy K.F. Morel:

My question was more general. I mention the ombudsman only because of the statement made by Deputy Ozouf. In general in terms of complaint handling, what level of priority does the committee place on value for money?

Deputy I. Gardiner:

It is high priority. When we are talking about public trust, and we know that public trust in the Government and politicians is low in Jersey, this is one of the ways where we can gain public trust, by listening to the public, understanding their concerns and, if possible, act accordingly.

10.1.17 Deputy M.R. Scott:

Did the panel explore, in terms of even albeit related to value for money, the possible linkage between a failure to deal with complaints and Government ultimately having to settle legal action?

Deputy I. Gardiner:

We did not look into this.

10.1.18 The Connétable of St. Mary:

Belated supplementary, if I may, Sir. On the question of the value-for-money question raised by Deputy Morel, can I ask if the panel considered the present costs of running the Complaints Panel, if those costs could be identified within the budget of the States Greffe, and also, if that aspect was pursued, whether they took account of the saving that would be achieved in Government resources in departments concerned on the basis that the ombudsman procedure being much simpler would avoid the lengthy expenses that would necessarily be involved in a Complaints Panel hearing as now constituted?

Deputy I. Gardiner:

The answer is that we looked specifically at within the Government internal handling, nothing from outside. This is why we mention what was the difference between our review in 2022 and 2024-2025. This is why there was a conversation with Deputy Scott about taking over. It is my understanding that she is now looking into the cost of the complaints, the Police Authority and various tribunals. We have lots of different small panels, boards and authorities that are handling complaints. From my understanding and my conversation with Deputy Scott, this will be looked at, the cost now of all this administration in total.

[15:45]

The Deputy Bailiff:

Are there any further questions for Deputy Gardiner? That brings that period of questions to an end.

PUBLIC BUSINESS

The Deputy Bailiff:

Before we start Public Business, a decision needs to be made about whether to reduce the minimum lodging period in respect of a matter listed on the Order Paper, namely an amendment to a National Day for Jersey, P.6, lodged by Deputy Tadier. Deputy, do you wish to make the proposition under Standing Orders 26(7) that the lodging period be reduced to allow this matter to be debated at this sitting? Oh, he is not here.

Deputy I. Gardiner:

If the Deputy is not in the Assembly, can I raise one question? I would welcome your ruling.

The Deputy Bailiff:

Yes.

Deputy I. Gardiner:

We have a busy Order Paper and we know that there are a lot of amendments around Senators. Can I propose if we will look today through everything that we have on the Order Paper and go through the business today from the shipping going down? The Senators debate will start probably tomorrow morning and however long it will last it will last. It will be a full item over maybe 2 days.

The Deputy Bailiff:

Your proposition is that the debate in relation to Senators take place last and everything else is dealt with before then? Is that your proposition?

Deputy I. Gardiner:

My proposition, yes, when I look at the Order Paper and time of today, I think that within the next hours we can deal with it and to start fresh with the Senators debate tomorrow first or second thing in the morning, and to go through the debate for however many days it takes.

The Deputy Bailiff:

Yes. Is that seconded? **[Seconded]**

Deputy K.F. Morel:

Yes, and I reserve the right to speak.

The Deputy Bailiff:

Yes. To be clear, the proposition is that all the business is dealt with before the debate on Senators, including National Day for Jersey and everything else? All the business, that is the proposition?

Deputy I. Gardiner:

Yes, Sir.

The Deputy Bailiff:

Do you think that will be done in an hour and a half, do you?

Deputy I. Gardiner:

As much as possible and maybe something small will be left for tomorrow morning. The Senators debate will be big and long.

The Deputy Bailiff:

All right. Do you want to speak briefly on this proposition?

Deputy I. Gardiner:

I will make this proposition as it is, because I do believe that we have had a long day of questioning today. I look at the Order Paper and there are things that will take some time, there are things that will take less time, but knowing the type of Senators debate is usually very long, it will be good to have it together. Get through all business before we talk about Senators.

The Deputy Bailiff:

All right. Deputy Morel, you wish to speak on the proposition?

Deputy K.F. Morel:

Yes, please, Sir. I wanted to put the opposing opinion, if possible. I disagree with Deputy Gardiner. The Order Paper is set. We have the Order Paper. I know there are members of the public who are interested particularly in this debate [**Approbation**] and will be waiting to hear that debate this afternoon. Often it is the case that there are important items on the Order Paper which capture the public's imagination. I know this has happened many times, the public come here on the Tuesday expecting that item to be debated, but it is halfway down the Order Paper and will not be debated until Wednesday or Thursday. Many time members of the public have been disappointed, because they cannot then make the Wednesday or the Thursday. Today, we know that the Senatorial proposition is definitely catching some elements of the public imagination. People will have taken time either to be present here or listening or watching online. The Order Paper has been set for some time now, people will have got ready. I am sure Deputy Millar is prepared for today. Indeed, by moving it, especially given that it is moving all the other items on the agenda, it makes a significant difference to people's preparation. That does not include me. One of those items is myself, I am presenting a proposition on the Order Paper. I am ready to go today if needed, so I am not counting myself in that, but it is not right for us, particularly with regard to the public, to mess the public around in that way.

Deputy A.F. Curtis of St. Clement:

I would echo that. I have been preparing for public business to the Order Paper set. We have things I would like to speak on and I would like to finesse and I would not like them dealt with quite yet. I would like the Order Paper respected. Members should have circulated any desire prior to this. I will be calling for the appel if it is called and I will vote against.

Deputy P.F.C. Ozouf:

I was going to do a slight amendment to Deputy Gardiner's proposition, because if we cannot get through all the other business today, we can put it at the end of the Order Paper. I was going to say to Members, some Members might not like this, but it sends a good message to the public, that we are getting the business of Government done first and doing the things that we need to get on with things that are going to make real changes for Islanders. Tomorrow we can talk about ourselves. I have done some polling among my constituents and I know what they think. They want us to get on with business and let us deal with the esoterica issues of Senators and international standards and the rest of it.

The Deputy Bailiff:

Are you proposing an amendment?

Deputy P.F.C. Ozouf:

No, Sir.

The Deputy Bailiff:

Deputy Tadier, do you want to speak on this?

Deputy M. Tadier:

Yes. The immortal words are “I was not going to speak” ... **[Laughter]** Firstly, just because there are not people in the gallery does not mean that there are not people listening at home or listening online. Secondly, it is disrespectful to those who have amendments or who are potentially waiting for permission to have their amendments taken at this sitting. Members are planning their workload and speeches have been written or prepared and other speeches have not been written or prepared, because that was going to be done later on in the week. Yes, very much stick to the order that it is in. You cannot say government business first. If the Deputy wants to make that proposal for future to P.P.C., that Government should have their business dealt with first, but I think you will get a strong reaction from Back-Benchers and non-governmental members to that suggestion.

The Deputy Bailiff:

The debate is closed. Deputy Gardiner, do you wish to reply?

Deputy I. Gardiner:

I call for the appel.

The Deputy Bailiff:

The appel has been called for. Those in favour of putting the debate on Senators to the end of the Order Paper will vote in favour, pour, and those against will vote contre. I invite the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The vote is: 18 votes pour, 24 votes contre and one abstention.

POUR: 18		CONTRE: 24		ABSTAIN: 1
Connétable of St. Brelade		Connétable of St. Peter		Deputy R.S. Kovacs
Connétable of Trinity		Connétable of St. Martin		
Connétable of St. Saviour		Connétable of St. John		
Deputy G.P. Southern		Connétable of St. Clement		
Deputy S.M. Ahier		Connétable of Grouville		
Deputy C.S. Alves		Connétable of St. Ouen		
Deputy I. Gardiner		Connétable of St. Mary		
Deputy S.Y. Mézec		Deputy C.F. Labey		
Deputy P.F.C. Ozouf		Deputy M. Tadier		
Deputy T.A. Coles		Deputy S.G. Luce		
Deputy B.B. de S.V.M. Porée		Deputy K.F. Morel		
Deputy D.J. Warr		Deputy R.J. Ward		
Deputy H.M. Miles		Deputy I.J. Gorst		
Deputy C.D. Curtis		Deputy L.J. Farnham		
Deputy L.V. Feltham		Deputy K.L. Moore		
Deputy R.E. Binet		Deputy Sir P.M. Bailhache		
Deputy K.M. Wilson		Deputy M.R. Scott		
Deputy M.B. Andrews		Deputy M.E. Millar		

		Deputy A. Howell		
		Deputy T.J.A. Binet		
		Deputy M.R. Ferey		
		Deputy A.F. Curtis		
		Deputy B. Ward		
		Deputy L.K.F. Stephenson		

11. Reduction of Lodging Period

The Deputy Bailiff:

Before we start that debate, in relation to Senators, a decision needs to be made about reducing the lodging period in respect of a matter listed on the Order Paper, namely an amendment to a National Day for Jersey, P.6, lodged by Deputy Tadier. Deputy, do you wish to make the proposition under Standing Order 26(7), the lodging period reduced to allow your amendment to be debated at this sitting?

11.1 Deputy M. Tadier of St. Brelade:

I do, please, Sir. In doing so, I will make the case, very briefly, and apologise to the Assembly for not having got it in for the 2-week deadline. I was somewhat caught out by not realising how much time I had, partly because it was a Ministerial proposition, which had not necessarily clicked, so it was a 2-week lodging for amendments rather than one week. I do believe it is a matter of public interest, in the sense that it will allow us to have a holistic debate and it is something which I have discussed extensively with the Minister, who I understand is prepared to accept the amendment. I leave it in the hands of the Assembly.

The Deputy Bailiff:

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

Deputy M. Tadier:

Sir, I am being asked by Members about the statement I am due to give on behalf of the Assemblée Parlementaire de la Francophonie. That will be given on 20th March, which is Thursday. That is Journée de la Francophonie, which is the French equivalent of Commonwealth Day. That is why I would like to give it on that day. I think we will still be here, with a good wind.

12. Re-instatement of Senators (P.2/2025)

The Deputy Bailiff:

The next item and the first item of Public Business is the proposition Re-instatement of Senators lodged by Deputy Millar. The main respondent is the chair of the Privileges and Procedures Committee. There are 5 amendments, which have been lodged by Deputies Coles, Mézec, P.P.C., Deputy Moore and Deputy Tadier. Deputy Millar, do you accept any of the amendments?

Deputy M.E. Millar:

No, Sir.

The Deputy Bailiff:

Thank you. Before we start, I remind Members that in accordance with Standing Order 89A, any matter coming or arising before the States which relates to alternation of the membership of the States

must be decided by a majority of Members. In other words, there needs to be 25 Members or more voting in favour of this proposition, which also applies to amendments to it. I ask the Greffier to read the proposition.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion – (a) that the office of Senator, elected on an Island-wide basis, should sit alongside the offices of Connétable and Deputy in the States Assembly, and should be reinstated by removing one Deputy from each of the 9 electoral constituencies and substituting 9 Senators in their place; and (b) to request the Privileges and Procedures Committee to bring forward the necessary legislative amendments to give effect to this proposition in time for the General Election in 2026.

12.1 Deputy M.E. Millar:

Firstly, I would like to start with some thanks. I would like to thank the Constituency Support Team for their help in organising the public meetings that were held in each of our 12 Parishes to discuss the reinstatement of the Island-wide mandate. Those meetings would not have happened without their support. I would also like to thank the Constables and their teams for hosting and facilitating and helping promote them; those of you who did so. I would like to thank all States Members who came along to listen and participate. The vast majority of you attended at least one. Especially I would like to thank those who came to more than one. Special mention has to go to Deputy Ahier, as well as Deputy Gardiner, Deputy Mézec and Deputy Farnham. I am grateful for your interest in the subject and for coming to listen. In particular, I would like to thank all those members of the public who came out on dark, wet and windy wintery evenings to participate and share their views, and to all those who have written to me about the proposition. I will return to the subject of the public meetings later. I do feel a slight conflict in bringing this proposition. Generally speaking, I am a firm believer that there is only one direction of travel, which is forwards. There is an element of going backwards about this proposal. I also believe, however, that if you make a mistake then you should fix it. Many people consider the removal of the Island-wide mandate to have been a mistake. The proposition seeks to return the office of Senator to the Assembly. It is relatively simple and proposes doing this by removing one Deputy from each of our 9 districts and creating 9 Senators. I would emphasise, however, that the name is less important than the fact that these 9 Members would be voted on by all Islanders, the so-called Island-wide mandate. When I campaigned in the 2022 election, many people told me that they were unhappy, disappointed or even angry that the Island-wide mandate had been lost. As a result of the depth of feeling, I included the return of Senators as a specific commitment in my manifesto, the one that was delivered to all households in the district.

[16:00]

Since the election, people across the Island have consistently told me that they wanted to see the return of the Island-wide mandate. It is important that we listen to members of the public and not just to theorists, commentators and other politicians, and particularly not to those outside the Island. Regardless of electoral or political theory, it seems to me that the public, and this is what I heard in the meetings, have a clear view that those elected Island-wide have a different and wider perspective and a mandate to act in the interest of the Island as a whole, and not just their district constituents or their political supporters. Time and again the word “disenfranchised” has been said. There are members of the public who feel a genuine sense of loss, of influence and voter power. Where they have previously been able to exercise more than 10 votes, some have as few as 4 votes between their Constable and their Deputies. They feel that something has been taken away from them and that they were not properly consulted. Instead it was presented to them as a *fait accompli*. Just to be clear, this was not the only issue in the last election and no one is suggesting that. I am certainly not. People also talked a lot about housing, this is in 2022, the hospital and the cost of living. However, the loss of Senators was a big issue on the doorstep and has continued to be a matter of concern

among many Islanders. Let us talk briefly about some of the objections that I have heard since lodging the proposition. Firstly, talking about ourselves again, as Deputy Ozouf has just used those words. I do not necessarily agree that we are talking about ourselves. We are talking about something that is of real concern to many of the public and which the public want us to talk about with a view to returning the Island-wide mandate. Have we not got better things to do? Yes, of course, there are a lot of important things to do. But this proposition has done nothing to distract from the work of Government, nor has it prevented any other States Member bringing their own proposition, nor has it stopped the work of the Scrutiny Panels. All of those things are continuing at pace, but we should all discuss things that are of interest to the public. Perhaps we should remember that the role of Senator was established in 1948 and the Assembly of the day also had hugely significant challenges: rebuilding the Island after global conflict and occupation by an enemy force. They really had challenges. The nature of our democracy and the engagement of the public will always be important. It will be damaging to our democracy, returning the Island-wide mandate. I do not understand this. It largely returns our Assembly to the format it has had for over 70 years. Are we suggesting that until 2022 our democracy was failing? Would we have succeeded in building the Island we have, and in particular a globally-recognised international finance centre, without the political stability that is one of the recognised cornerstones of Jersey's international reputation? How can returning Members to this Assembly that have been voted on by all eligible voters be anti-democratic? I am sure someone will seek to explain. I have to emphasise that I am not suggesting something new or novel or inventive in any way, as some commentaries would have you believe. It is a return to the position, broadly, as it existed prior to the 2022 election. It reinstates an unpopular model. Unpopular with who exactly? There is no clarity or evidence about this. The people who do not like it are generally people from off-Island, theorists or politicians or people who have come here and say they do not understand. There are many of the public who do support this model and want to see it back. It has also been said, of course, that we do not have a clear view of public demand for the return of the Island-wide mandate and that the information we do have is, at best, anecdotal. However, that is an easy criticism to make of anything which we oppose. I am sure that many of us have been told by many of our constituents that they want to see the return of the Island-wide mandate. The fact that it is in some form of official document or study does not change the public view. In how many other areas of constitutional policy do we have a clear view from the public? Do the public, as a whole, want to remove the Bailiff as Speaker of this Assembly? I am not at all convinced. Do they want non-citizens to be able to stand for election, as we discussed in December? Again, I do not know. Do we know, with any certainty, if they want Constables to be removed from the Assembly? Again, who knows? Has anybody thought to ask them? We do not have a view from the public on very many of the subjects we discuss here. It does not stop the debate. We do not seek their views on a whole range of subjects and it does not stop us from exercising our votes in what we think is in the best interests of the Island. The fact that a relatively small proportion of the population may have voted for the manifesto of one party does not mean that everyone is in agreement with their manifesto, nor indeed that they have a general mandate to anyone other than those who voted for them. Nor does it mean that anyone else's manifesto is in any way inferior. I also have no doubt that there will be Members standing up very soon to criticise the public meetings that were held in January and February, so let me deal with some of the obvious issues. Firstly, were they hugely well-attended? No, clearly not. Some were better attended than others. But, no, hundreds of people did not attend each meeting. Grouville did very well, Constable. Some did better than others, as I say. I take some responsibility for that, for not doing a better job of promoting them. It was more difficult than I expected. I am not an expert user of social media and made assumption about how quickly details might spread. I relied too much on the *J.E.P. (Jersey Evening Post)* article and media coverage was late in the day. I had hoped that many Members would help spread the word in your networks, and I am grateful to those of you and the Constables who did. It is also always difficult to find a time that suits everyone and timing was not always right. Secondly, were those who attended representative of our community as a whole? Again, no. The majority of those who attended were

older people. As we know, it is older people that are most likely to vote. Those meetings were perhaps representative of those among our community who do vote election in election out. Despite that, I am not going to accept criticism of those meetings. I made an effort, imperfect as it may have been, to engage with the public, in person and not via social media polls. I spent some 25 hours of time attending them and speaking with people. Members had plenty of time to conduct their own research and take soundings if they were not satisfied by the outcome of the meetings or who attended them and if they were minded to do so. Overall, however, I calculate that some 150 people came out to talk about the subject. Those of you who attended will, I hope, agree that many of those people showed real passion and determination about the subject. There were a handful, maybe around 6 in total I would say, who spoke against the Island-wide mandate; again, some passionately. However, the overwhelming majority were in favour of re-instatement of the Island-wide mandate. This is also reflected in the views of people, over 30 of them, who have written to me about this. Again, only 2 have been in opposition and all the others were in favour. I recently received a letter enclosing something that is quite old school. I have not circulated it, because I did not have consent to do so, but it is effectively an old-school petition. It was sent to the Members of St. Lawrence, St. John and Trinity by parishioners. There are about 70 or 80 names, some of them are couples. A similar list, I believe, has been sent to the Deputies in St. Mary, St. Ouen and St. Peter. I am told by those who organised this letter that roughly 10 per cent of people who were approached did not want to sign. I believe there is huge support for this. Some people, of course, wanted more: more Senators, a return to the dual elections that Deputy Tadier is going to propose, rules around who should be Ministers, timing of terms for Senators. However, this proposition is simply to return 9 Members elected on an Island-wide basis to this Assembly in 2026. I believe that that is achievable within the time available. Several people have also commented on the referendum conducted in 2013. It had a turnout of 26 per cent. I have discussed this with the chief statistician and his view was that it is not statistically robust, because we know nothing about the characteristics of those who participated, other than the Parish in which they lived. It cannot be relied on as being indicative of the views of the public as a whole. One thing we talk about reasonably frequently in this Assembly is a question of consultants, people from outside the Island coming here and telling us we are getting it wrong or telling us what to do. That does seem rather what has happened here. The changes have been made because people outside Jersey do not like our system. Electoral reform must be made with the consent of the public and not to satisfy political and electoral theories. As someone said to me: the public do not care about the Venice Commission. It must work for Jersey and not just to satisfy those looking in from outside. We also talked about low-voter turnout. The public are equally concerned. The public are also concerned about the fact that we have low-voter turnout. Perhaps we all need to think about how we address that issue. Clearly, removing Senators has not improved matters. The turnover went down at the last election. Perhaps if we are going to look to other standards, international standards in electoral reform or look at other Commonwealth models, we could look to see what they do about voter turnout. One of the criticisms we have heard about Jersey's system is that people do not understand it. That people coming to Jersey from other places do not understand and find it difficult. That may be less because they do not understand the concepts of Senators and Deputies and Constables. It may be because they have come from jurisdictions which do not have the type of open and fair and reliable elections that we have, from jurisdiction where there is abject lack of faith in Government and politicians and where people do not vote. That is a challenge for all of us. Perhaps we could look at what other countries do. We heard in December that Australia requires people to be an Australian citizen merely to vote. We also learned, to my surprise, I have to say, from Deputy Coles that in the U.K. you have to be a British citizen to vote. I have never thought about that, having been a British citizen. Both of those countries have large immigrant populations. Perhaps the way to deal with low voter turnout and the lack of understanding is to require people to have citizenship to vote. That way education about our system can be part of the citizenship test and people will understand both how they vote, why they should vote, and the expectation that they should vote. I am just making the suggestion. I also, last week, met some Australian parliamentarians who were

entirely supportive of their system of compulsory voting. That was also mentioned at more than one of the meetings, I believe. Again, I am just mentioning that. Someone said they had visited Australia and thought the system of compulsory voting was suspect, but they had noticed when they went to the pub the night before the poll and everyone in the pub was talking about who they were going to vote for. None of those things are things that could be done without consultation and discussion with the public. I am just simply putting them out there as possibilities. Removing Senators and the Island-wide mandate has not helped. One of the reasons for the change was the difficulty in understanding our system, particularly those who are new to the Island.

[16:15]

We have to remember that the structure of our Assembly, our governmental structures, and our voting systems have developed over a long period. We have, after all, some 800 years of constitutional autonomy. Many of our laws are different to those in other jurisdictions, including the U.K., and are confusing to people when they come to live here. For example, property law, when you buy a home, instead of signing a conveyance or a contract, like many other jurisdictions, you come to court only on a Friday afternoon and take an oath to observe the contract rather than signing it. That is baffling to people coming to the Island. Contract law, objet and cause, are not familiar to lawyers even from the U.K. Cause is one thing I struggled with when I was doing my applicant's exams. Our law in housing and work are different from many other jurisdictions. Income support is different from Universal Credit and may not have any comparator of any sufficient degree in other jurisdictions. Our health systems are different. Our school system, particularly our secondary school, to my view, not having children in it, is baffling, aside from the area of school models. All of these things affect people in their daily lives and yet the thing we focus on is that they have 3 voting slips when they go to vote. I do not think that is difficult to understand. Lastly, and this is where my notes get a bit sketchy, another thing that we talk about a lot in this Assembly over the last few months, we have talked several times about cultural and what is culture. I would suspect that if I gave you all a piece of paper and asked you to write a couple of lines about what culture means, we would have 49 different answers. I have no doubt of that, in fact. In an organisational sense, in an H.R. (human resources) perspective, organisation culture, organisation change, they often talk about a recognised definition of culture as being "the way we do things around here". We have many champions of culture in this Assembly and that is why we have had some of the propositions we have. Deputy Tadier very shortly is going to tell us, I expect, that Corn Riots Festival is now part of our cultural fabric. We have discussed this morning the Battle of Flowers and its cultural significance. Our voting mechanism and our electoral processes are as cultural as everything else. Senators were introduced in 1948. If you voted for the first time in 1948 - assuming you could vote at 18 - you would have been born in 1930. You would have lived through the war; you would possibly have been evacuated and you may have lived through occupation. But you would have spent your entire life until 2022 voting for culture, and we have just ignored that. We have thrown out that cultural icon - I will use that word - that many people view Senators as having. Many people view Senators in that way and they miss it terribly and they are angry it has been removed. As one person said: "We have always had Senators and then we had various roadshows and politicians came along and said we were too stupid to understand it." That was a direct quote. We have to think about culture and our electoral mechanisms are deeply ingrained in Jersey as they are deeply ingrained in any other jurisdiction, and changing them must be done with caution. I am going to finish just with some direct quotes from emails that members of the public have sent me. Firstly: "We do not agree with the false statement in tonight's *J.E.P.* to the effect that your proposal would make the voting system more complicated and less representative. Furthermore, we strongly disagree with the assertion that the prior 3 tier system was unpopular. On the contrary, it is our view that the role of Senator had Island-wide support by voters." Next: "Thank you for trying to reinstate Senators. Stopping the public from having an all-Island vote is an insult to democracy." Next: "With the low turnout the Deputies who are there representing me who got in with very few votes will say, 'We are happy with the present

situation'. I am not. I feel as if I am no longer truly represented." Next: "I am all in favour of the return of the Senators or whatever people want to call an Island-wide option. The current system whereby options are restricted to those few candidates in their voting district is absurd and not at all democratic. I do not know how anyone could have believed that this would increase voter engagement or turnout. I have always voted in the past although last time my choices were based on exclusion. I sincerely hope you are successful as I will not vote again until I can vote for someone I actually want to elect." Lastly: "I, like many, feel very frustrated that currently I am only able to vote for 3 Deputies and a Connétable in an election for nearly 50 States Members, which is very frustrating. There should still be States Members with an Island-wide mandate." To conclude, I believe that there is a very large part of our population who feel disheartened, disengaged and disenfranchised by the loss of the Island-wide mandate. My proposition listens to those people and aims to address this concern. It is not difficult or burdensome to reinstate. If there is a clear need for electoral reform going further then it must be done with the public and not to them. I ask Members to listen to Islanders and their voters and support this proposition. Thank you. **[Approbation]**

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

Sir, may I ask the Deputy to give way for a point of clarification please?

The Deputy Bailiff:

Are you prepared to give way?

Deputy M.E. Millar:

Yes.

Deputy K.F. Morel:

Thank you, I was just wondering if the Deputy could clarify that not only are British citizens allowed to vote in United Kingdom elections but also Commonwealth citizens who are resident in the United Kingdom are able to vote.

Deputy M.E. Millar:

Yes, I apologise, I believe that is the case.

The Deputy Bailiff:

Thank you very much. Is the proposition seconded? **[Seconded]**

12.2 Re-Instatement of Senators (P.2/2025): Amendment (P.2/2025 Amd.)

The Deputy Bailiff:

The first amendment has been lodged by Deputy Coles and there is an amendment to that amendment lodged by Deputy Moore. Deputy Coles, do you accept the amendment to your amendment by Deputy Moore or not?

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

No, Sir.

The Deputy Bailiff:

You do not. Thank you. I ask the Greffier to read the amendment.

The Deputy Greffier of the States:

Page 2, paragraph (a) - For the word "offices" substitute the word "office" and delete the words "Connétable and". Page 2, paragraph (a) - For the words "one Deputy from each of the nine electoral constituencies", substitute the words, "the role of the Connétables as Voting members". Page 2, paragraph (a) - For the word "nine" substitute the word "twelve".

12.2.1 Deputy T.A. Coles:

I stand here as the filling in the first of this political sandwich that we are having. In the 2 years that I have been in this Assembly I have felt quite comfortable in my seat that I have at the front bench here, it has got a nice view over the entire Assembly, however, today I wish I was sat in either the position of Deputy Warr or Deputy Curtis where 10 eyes in the current Constable rows would not be drilling into my soul. I think it is fair to say that I have worked with many of the Constables in varying forms, mostly under the guidance of the Constable of Trinity on the planning bus where we all have a very good, banterful relationship where we then take our policy work very, very seriously when we come to adjudicating on planning matters. I do not know if you picked up on it earlier but the Constable of St. Saviour used to work at the cinema, and this is a fact that comes around quite frequently on the bus. I have to pay special homage to the Constable of Grouville, and that is mostly because he is my lift home this evening. Also the fine relationship that the Constable of St. Martin had with my mother; they used to work together many, many years ago, so it is quite a small world. I have directly apologised to the Constable of St. Mary for what is about to come within my speech, as unfortunately his is the smallest Parish and unfortunately that does create the imbalance of voter equity. So I am very sorry to the Constable that unfortunately it is mostly his Parish that skews the numbers. I have been asked by some people why have I brought this, and unfortunately it is because P.2 has been brought. The asking to return to the Senators has instigated this debate. I was quite comfortable with my party's position in the last Assembly when they took the compromise agreement which was to remove the Senators and leave in the Constables to create that balance between the Parish and the local representation within the Assembly. It has been said a few times as well that in the building trade you have 3 options that you can only pick 2 of. You can have fast, you can have cheap, and you can have good. You only get to choose 2 of those options. So if you find a builder that is cheap and is good, he is not going to be quick. If you find a tradesman who is good and quick, he is not going to be cheap. This is the quandary we find in this debate around the position of the voter equity. You can have voter equity, Island-wide mandate, or the Parishes. Unfortunately you cannot have all 3; you could only have 2. We can have voter equity and an Island-wide mandate. We can have voter equity and the Parishes. You could have the Parishes and Island-wide mandate but you will not always have the voter equity. When I do the comparisons between the area that I represent of St. Helier South and that of St. John, Trinity and St. Lawrence, you will notice by population that the districts of the 3 Parishes has 786 more people. But under what is proposed under P.2 with the removal of one Deputy from each of the districts this will mean that St. Helier South has 3,354 people - I am rounding up and there is a decimal point there but I will round it up - per representative. Where in St. John, St. Lawrence and Trinity there is 1,994. Clearly not voter equity. However, I am afraid to say, by removing the Constable, having the Island-wide mandate, maintaining the 4 elected Members as Deputies of those areas, this becomes a lot closer in number. You will see that in St. Helier South that would mean there is then 2,795 members of the public to each representative; where in St. John, St. Lawrence and Trinity there is now 2,991. This is much closer and much more fair. But I realise that I am not fighting logic within this debate because we can do numbers for days on end but we are talking about what we value most. I am not saying with this amendment that I do not value the Constables; I think they do excellent work. However, as this debate has asked us to consider the reinstatement of Senators, we have to make a choice. This is the option that I am trying to present with my amendment; that we do have a choice. We could - as Deputy Millar suggests - go back, we could take that step back because she does not think that what we have now has worked. We can reset. However, we could also take the standpoint that if she believes that this has not worked we could take a step forward; we could change it in a different way rather than the taking the step back and trying it all again. We could evolve forward, not having to take the step back to step forward. There are so many parts to the fairness of our system that bringing back the Senators would establish. It is everybody having that equal right and that equal vote. This is where I was saying earlier about how when we look at the Constables and the Parishes that they

represent, that the numbers unfortunately just do not work for voter equity. This is the point that I want to keep making, that it is about voter equity. I want everybody to have an equal vote. That is why having the Senators gives everybody an equal vote on those candidates. Having the same number of Deputies within their district gives them the same number of votes and voter equity. Unfortunately, when the Constable of St. Mary only represents 1,818 compared to the Constable of St. Helier who represents 35,822 people, this is where the voter equity unfortunately fails, and it is unfortunately because, like I said, Reform Jersey would not be bringing this at all within this Assembly if it was not for the fact that we are here again debating the Senators for the third time. I am not denying the ability and the right for people to bring propositions; that is entirely within their remit, however, as we did not bring this for the first 2 debates - and they were clean debates and they were defeated - we have a third attempt so this is where we have to propose more of the other facts.

[16:30]

I should say though on balance, just because again I do like the Constables and I do like the Constable of St. Clement, he is a very honest man I believe, and he is the only Constable who has that number that is closest to being voter equity. If every Parish could be the same size as the Parish of St. Clement this would not be a problem, but unfortunately we are stuck in the situation where our Parish system is important to our Island identity and so, therefore, we do not want to change our Parish boundaries around our electoral districts. This causes us more problems. I am also aware that a lot of Members of this Assembly will say: "Well, if we remove the Constables from the Assembly that is the end of our Parish system." I do not believe that for a moment. I see the organisation that exists within the Parish of St. Helier with its C.E.O., its Procureurs Publique, its Roads Committee, which is then replicated across all the other Parishes, these are very well-established municipalities that are very well focused on their local areas. Therefore, I do not believe that the Parishes rely on the Constables being in the Assembly. Yes, it is absolutely an advantage for them to be here to get some of this direct access, but of course after this they would still be allowed to run as a Deputy or even as a Senator, if they wished. For me this is all about voter equity and it is nothing personal about any member of the Constables benches; that includes the Constable of St. John, who happens to be a Leeds United fan and a red rose versus a white one does not always work, but we somehow manage to make it work. So I am fully aware that we are in for a long cycle of debates and also that there is another amendment to this amendment, which will protract this even further. I am not sure how much of this speech people are going to remember by the time we come around to vote but I get a chance to close after that so I will pick up on some other points and, as we are getting longer in the day, to move this debate swiftly on I will sit down here.

The Deputy Bailiff:

Thank you. Is the amendment seconded? [**Seconded**]

12.3 Re-Instatement of Senators (P.2/2025) Amendment (P.2/2025 Amd.) - Amendment (P.2/2025 Amd.Amd.)

The Deputy Bailiff:

There is an amendment to the amendment and I ask the Greffier to read the amendment to the amendment.

The Deputy Greffier of the States:

Part 3 - For the word "twelve", substitute the word, "eight", and after the words "in their place" insert the words "reducing the number of Members within the States Assembly to 45 with funding saved on salary for the vacated seats distributed equally between the Senatorial seats".

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

Members will be pleased to hear that I should be brief. This amendment offers options to the Assembly, and I should state first that having previously voted to remove Senators, and also having campaigned for option B in the 2013 referendum, I am bringing this amendment not because of my ultimate voting intentions in this overall debate but I do believe that we should consider other options. This amendment offers options to the Assembly so that if they wish to reintroduce the role of Senator by removing the Connétable from the Assembly, they meet another aspiration of the public, which is to reduce the overall number of Members of this Assembly and provide a clear purpose for those who succeed in seeking a Senatorial mandate. The reduction in the number of Members I believe is straightforward and would not impact upon the matter of fairness as each elector will still hold the same number of votes across the Island, albeit with the slight variations in St. Martin and Grouville and in St. Helier Central. Deputy Millar refers in her speech to the disenfranchised voices that she has heard and that have prompted her to bring her proposition. Well, I am sure many of those disenfranchised people may well in their next breath mention their views that there are indeed too many of us here in this Assembly. I move the amendment.

The Deputy Bailiff:

Is the amendment seconded? **[Seconded]** Does any Member wish to speak on the amendment to the amendment?

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

Just to get the ball rolling. In many instances obviously being brief and concise can be a good thing but I think that there is an issue here when we are talking about reducing the overall membership of this Assembly, which is an aspiration I think we should be aiming for, but to be so brief on it I do not think gives it the credibility that it ought to for us to genuinely have faith that the Assembly would operate effectively on fewer numbers. I am convinced that there probably are mechanisms by which the Assembly could afford to do that and still maintain Members in all of the roles that we need to fill here. Obviously this would also mean amending the Troy Rule as well presumably. But is that really to just be done on the back of a relatively short explanation, a line in a proposition, without saying how that will be done. Throwing in what I do have to say is a strange suggestion that we would add to this extra salary for Senators without saying what they are actually getting paid extra for. Why would they deserve that extra money above any other Member of the Assembly if they are not doing anything different with the role for it? In fact, you could have a situation in this proposed system where the Chief Minister happens to be somebody who commands the majority of the Assembly but is a Deputy, meanwhile all 8 Senators end up on the Back Benches simply because that is what the desire of the Assembly is when we distribute the roles after an election. The people getting paid the most would be not those with the most responsibility. We have seen in the last few years certainly absolutely brilliant advancements in the constituency support services provided by the Greffe, something that when I joined 11 years ago was completely non-existent. It has been a fantastic innovation. Really radical: when we are not on the executive side of things we have even got premises to work from on Hill Street; again something we did not really have when I joined all those years ago. Providing better support mechanisms for States Members to do their parliamentary work and their constituency work is a really good way of being able to free up Members to be more productive so that we could, as an Assembly, potentially do with fewer of us. But to deliver that by throwing some extra salary at one category of membership of the Assembly without defining what they will do for it, what extra mechanisms will be in place to make them productive, just strikes me as a bit strange. If we are going to argue for reducing the membership of the Assembly, which is a perfectly fine aspiration, I think there are probably many better ways of doing it and arguing for it than the way that the Deputy has argued for in this amendment.

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

Just to say I do sympathise with Deputy Moore's aspirations to reduce the number of people in the States Assembly, and I notice that I am aligned with Deputy Mézec in that respect too. But the manner in which this is being introduced I do not think is a way that is methodical, I do not believe that it gets the ducks in a row because if you reduce the number of States Members then you have to start thinking will we be resourcing Scrutiny Panels adequately, for example, and other committees. I may just flag for the Assembly that I have been looking at a proposition about amending the Troy Rule, and reintroducing my proposition to introduce lay members on Scrutiny Panels. But I do think that should come first before you start reducing the number of States Members. Similarly, in terms of suggesting a manner of remunerating States Members like this, I know that we already have a mechanism by which we work out the remuneration of States Members and that would need to be changed. Even as a principle I do question whether it makes sense just to automatically make Senators, Ministers, chairs of Scrutiny Panels, it really does help if they have got adequate knowledge, and I can absolutely vouch that some of that work is as much as I expect any Minister does. So I will not be supporting the amendment of the amendment for that reason, thank you.

12.3.4 Deputy I. Gardiner of St. Helier North:

I would like to ask Deputy Moore, because I looked, and also there is another amendment and the other amendment gave a different number and also specified what will be the difference between the work that the Senators would do. Would the Deputy advise why there are 2 different amendments on the same because I do also - as Deputy Mézec and Deputy Scott - believe that we need to look into possibly reducing numbers and making our Assembly work more effectively, but I do not understand why there is disparity between 2 amendments.

12.3.5 Deputy T.A. Coles:

I think when the initial reform of the Assembly was brought in the last Assembly there was an idea to reduce the number of States Members by 2 to make the constituencies balance and be a little bit more equal, which seems to make sense. But this is where I get the concern for the number of officers that the Deputy has proposed of removing within here, and how that number of 8 Senators has been come to as we have 9 districts. That means one district would get an extra seat or would not lose an extra seat, and so I feel the gap in this is not explaining how that number is filled. That is the only thing I can really comment on the amendment to my amendment, as I am sure when the Deputy's full amendment of her own will come around she will probably be giving a more detailed explanation to how things will work. But just on this first amendment to my amendment, that number is what gives me the most concern; figuring out how we get to the number of 8 rather than if it was go to back to the original 9 Senators that Deputy Millar proposed, it would have made at least a little bit more sense.

12.3.6 Deputy M.E. Millar:

I am only going to speak once regarding this amendment so my remarks apply to both Deputy Coles' amendment and the amendment to that amendment by Deputy Moore. Deputy Coles' amendment is one that I am sure will have raised eyebrows across the Assembly and with the public, as will the amendment to the amendment, lodged by Deputy Moore. In one sense I am pleased that a Member of Reform Jersey, and indeed Deputy Moore, are supporting the reinstatement of Senators - that is some positivity - but I am not content that they are both seeking to do so at the instance and expense of the 12 Constables. I do not support the amendment. The Constables are a fundamental part of this Assembly with the vital link they provide to the Parishes and the Parish system, and I do not support their removal from the States, and certainly not without consultation with the public. Any decision to remove Constables should only be taken with full consultation and with the consent of Islanders. We know, I believe, that Reform Jersey are opposed to Senators, Reform Members voted to remove Senators before the last election and twice this Assembly have voted not to bring them

back. I believe they have also been consistent in wanting to remove the Constables from the States, and I recognise the consistency of their position.

Deputy A.F. Curtis of St. Clement:

Sorry, a point of order, Sir?

The Bailiff Deputy:

Is it a point of order or is it a point of clarification?

Deputy A.F. Curtis:

It is a point of order on a ruling of Deputy Millar's speech.

The Bailiff Deputy:

All right.

Deputy A.F. Curtis:

She seems right now to be purely referring to the substantive amendment and not the amendment to the amendment, she is talking purely about Reform Jersey's mission within the primary amendment and I wonder if you could rule whether she should remain her comments to the amendment to the amendment, which is the objective of Deputy Moore's amendment.

The Deputy Bailiff:

I do not think there is anything inappropriate in it. She has made it clear she is speaking once on the 2 matters together and Members do that quite frequently, so I do not think there is anything inappropriate in it.

Deputy M.E. Millar:

Yes, I was trying to avoid speaking twice so I was trying to run the 2 together, apologies, Deputy. However, nobody - neither Reform, I believe, or any other Member of this Assembly - can claim to have a mandate to remove the Constables from the Assembly. I hope the Constables and supporters of the Parish system are watching and listening closely to this debate. There may be a message: the Constables are next in the firing line.

[16:45]

Bringing back Senators not only delivers on what voters have told us on the doorstep, and of promises that many of us made during our election campaign, in our manifestos and at the hustings, but it also ensures the continuance of our Parish system. The Senators, given that they need to attract support from across the Island, have historically been strong supporters of the Constables and the Parishes, reflecting overall public opinion across the Island. Supporters of the Parish system in this Assembly will, I hope, reject this amendment as amended, but I hope they will also support the main proposition in order to bring an end to the gradual erosion of an electoral system which - unless reversed - may end with the establishment of just one class of States Member. My proposition aims to return a class of Member with an Island-wide mandate to the Assembly. It did not envisage the removal of Constables and I do not believe there is a strong desire from the public to do so. I cannot remember the subject of the Constables position coming up regularly or at all in my conversations with constituents. I ask Members to reject this amendment.

12.3.7 Connétable K. Shenton-Stone of St. Martin:

I would like to thank Deputy Millar for her comments on keeping the Constables. I will only speak briefly on this amendment because I want to address the question of removing the Constables in the full debate when we address Deputy Coles' amendment, rather than the amendment to the amendment.

Deputy M. Tadier:

Sir, could I raise a point of order? I am loathe to do this and interrupt but she is the chair of P.P.C. (Privileges and Procedure Committee). I do not know if I could ask the Member to give way?

The Deputy Bailiff:

It is a point of clarification?

Deputy M. Tadier:

A point of order, Sir.

The Deputy Bailiff:

A point of order, that is for me then. Do you want to sit down please?

The Connétable of St. Martin:

Yes.

Deputy M. Tadier:

I think it is really important - also given the fact that it is the chair of P.P.C. addressing this - that we as good discipline speak to amendments because otherwise we very quickly fall into bad habits. I think we are ...

The Connétable of St. Martin:

I am speaking to the amendment.

Deputy M. Tadier:

I am sorry I have interrupted incorrectly but ...

The Deputy Bailiff:

The Connétable made it clear she was going to speak to the amendment separately from the underlying amendment.

The Connétable of St. Martin:

Yes.

The Deputy Bailiff:

But I have also previously ruled if a Member is only going to speak once in relation to an amendment and an amendment to an amendment that does not contravene Standing Orders, particularly in this context, because the amendment of Deputy Moore is parasitic upon the amendment, and both envisage the removal of the Connétables so I do not think that the approach of Deputy Millar to speak to both was inappropriate, bearing in mind she was only speaking once. But I think the Connétable has made it quite clear she is only addressing herself and her remarks to the amendment to the amendment, have you not?

The Connétable of St. Martin:

Yes.

Deputy M. Tadier:

Sir, can I finish? I do not know if that was a biological intervention or a legal one ...

The Deputy Bailiff:

Well, I thought you had made your point of order.

Deputy M. Tadier:

The point of order is that I think here, for example, we are talking about simply the number, whether it should be 9 or 8 is the number, and it is specifically not about whether or not Constables should be removed as a principle. I think it really blurs the lines in terms of speaking to amendments because of course people can change their mind and they might hear something subsequently in a different debate. So certainly for my part I will always try to address the issue in front of us, and I do not think one should stand up and say: "Because I am only going to speak once I want to talk about everything under the sun that relates to electrical reform." It does not seem to be good practice.

The Deputy Bailiff:

Well I have made my ruling on these issues and I do not want to revisit it, having made it twice now.

The Connétable of St. Martin:

I apologise for any confusion but I did say that I was ...

The Deputy Bailiff:

You did, yes.

The Connétable of St. Martin:

... only speaking briefly on this amendment because I was going to speak fully on the other amendment but I can sit down and wait for Deputy Moore's amendment to speak so it does not muddy the waters.

The Deputy Bailiff:

Well, it is a matter for you.

The Connétable of St. Martin:

I will wait to speak on the next amendment from Deputy Moore, thank you.

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

I have got slightly confused because there are 2 amendments; one is for 8 senators and one is for 7 senators. This is the 8 senators amendment of the amendment, I believe.

The Deputy Bailiff:

Yes, it is.

Deputy R.J. Ward:

Just to confirm in my own mind. The reason I link to the other one is essential to this part, before somebody puts in a point of order which I understand and I agree with that, is that I think it needs to be clear as to whether these 8 Senators in this amendment of the amendment will form a Council of Ministers. In the other amendment the 7 Senators are there to form Council of Ministers automatically. The reason that is important is I must make the point about those 8 Members if they are to form a Council of Ministers, is that therefore there will be no change, there is no opportunity to remove a Minister if they are acting inappropriately or doing anything inappropriate or not meeting the standards for this Assembly. There will be no such thing as a vote of no confidence in Government ... well, there will be but if you can only be in the Council of Ministers if you are a Senator you can have a vote of no confidence in those 8 Council of Ministers, but then they have to form the new Council of Ministers. There seems to be an internal problem with logic there which I do not understand and I think that just needs to be explained. I may have got this wrong but that is the thing. The other point I will make is I always believed that we should have one type of States Members and equal-sized constituencies, but I compromised that in order that we come up with a better situation last time. The reason now that we are in a position of a colleague of mine bringing a proposition with Senators is we are about to lose the equity of voting right across the Assembly that

we had, that has brought an Assembly that is more reflective of our society, has more female Members, has more Members from across our community, and we have to think very carefully about making changes that may affect that. Therefore, as much as I understand the role of Constables, I was a Constable myself and I am involved in Parish matters very frequently, we have to look for the equity of vote. In this amendment to the amendment I think we get the worst of both worlds. We end up with a smaller number of Senators in a smaller Council of Ministers and, having taken on a Ministerial role - I know how full on that is - and to concentrate that among less Members would make that very difficult if they are to form the Council of Ministers, and please stop me if I am wrong because I am still getting that that will be what will happen. So, therefore, I cannot accept this amendment to the amendment for that reason. Cutting those numbers will not work. I recognise the work also of other Members across the Assembly as chairs of Scrutiny Panels or on Scrutiny Panels, or work you do in constituencies, and I am not so sure whether we should have that inequity of pay. I will say the Chief Minister should probably be paid more, not necessarily this one but certainly [Laughter] ... I do not want to be seen to be too keen; and certainly not previous ones, as Deputy Gorst is suggesting in my ear. But I think that role - if we can move forward sensibly here - is so essential in terms of the main role in the Island, that might be the only position that I would suggest is paid more. Otherwise we go down a very slippery slope of what are we doing this for. So I would urge Members to reject this amendment and we move on to the main amendment.

The Deputy Bailiff:

To make it clear, Deputy Ward, it is not this amendment but the fourth amendment that envisages the Senators should form the entire Council of Ministers, so that is not ...

Deputy R.J. Ward:

I just wonder if, when the proposer responds, whether that could be confirmed because I am not sure we all got that.

The Deputy Bailiff:

That is the position and we are not voting on that until later on.

12.3.9 Deputy M. Tadier:

I will stick to what I said earlier and speak to the amendment. The amendment is essentially do you prefer the number 9 or the number 8 and I think both numbers have got quite a lot going for them when it comes them, given the fact that the mover of this amendment does not want to have Constables taken out of the Assembly and replaced with Senators. Anyway it seems a bit academic as to what number should replace the Constables if they are taken out of the Assembly. But I will not presume the outcome of that eventual vote that we will have perhaps tomorrow. I would like to make the case for 8, if that is okay, because I think 8 has merit, even though I will not be voting for it, because I think the 8 side has not really been given much weight here up until this point. So why 8 and not 9? I think 9 does not have any particular traditional historical roots when it comes to the Senatorial elections, there have never been 9 Senators elected in the Island and I am surprised that the traditionalists who have attended the Parish meetings throughout the Island would countenance such a number, even though there is a lot to be said for it. Mathematically it is not a prime number, it can be divisible by 3 and so it is also a square number. It is the lowest square number after 2 of course, or is that 4? I am losing myself; 4 is the one with the lower, is it not? We have already had biology; I am not going to refer to any parasites but we are where we are with this. The first thing to remember is that it is not our fault that these amendments are being brought; it is of course because - I was going to call her Senator Millar - Deputy Millar has brought this, even though it has been debated several times already during this term. It seems that we have not debated it enough. So I think 8 has got a historical record there because we did have at one point 8 Senators in this Assembly, I think it was 2011 elections if I remember rightly, where we went from I think 12 to 8 and then was

it 6 for a while or was it 4, you lose track about the numbers. Surprised we never had 7 because 12 is a really good biblical number, it refers to the tribes of Israel, for example, and 7 is a good biblical number because it is the number of days in the week. I am wondering whether to support this number 8 now or wait until later on for 7 so we can have one for every day of the week. Let us look at what might happen and who the winners and losers might be if we went for ...

The Deputy Bailiff:

Deputy Scott, your light is on, do you want to speak next or ...

Deputy M.R. Scott:

I just wanted a point of clarification. How is 7 days of the week ... now I have got it, Genesis, sorry.
[Laughter]

Deputy M. Tadier:

I did not invent the number of days of the week, and I am sure when it comes to the Sabbath we will all feel like having a jolly good rest. It feels almost like we are going back maybe 6,000, does it not, to when the world was created according to some.

The Deputy Bailiff:

You need to focus on the issues, in accordance with Standing Orders.

Deputy M. Tadier:

I do, Sir. I was interrupted there. So, look, who might the winners and losers be in such a scenario? So let us look at maybe the last election, so 2018 I think was when there were 8 Senatorial seats. There could have been 9; it could have made all the difference. I will not go through the whole list but let us go to the bottom of the list but they all count; I go towards Senator Gorst, he was elected in sixth position, I think he needed 12,000 votes for that. Then we had another independent, my esteemed St. Brelade colleague who became Senator Ferguson at that point, and she came in seventh. Then my esteemed leader came in eighth, so he has held the position of Senator, and I am sure he will mention that later on. Of course we now have Deputy Moz Scott who came in as an independent in ninth position. If only there had been that ninth position back then, then she would have been a Senator and the rest could have been history. I am sure the Government would have been in a much better position than it is today had that been the case. There are of course other elections that took place. I go back to one, I think it was in 2011, this was one where there were only 4 seats that were available because I think we were still working on a 6-year term, if I remember rightly, but there were some changes. So Senator Bailhache topped the poll and then it was Senator Gorst, and we had a newcomer with Senator Francis Le Gresley elected for the first time, and then it was Senator Farnham. Those were the top 4 seats but there are still 5 potential seats that would get elected under the 9 system, so let us go through them. We would have had Senator Coley, we would have had Senator Cohen being re-elected, we would have Senator Stuart Syvret coming in there at seventh place, we would have had Senator Mark Forskitt - that is certainly one that I would have been interested to see - and we would have had Senator Corby as well. But in fact there were only 9 candidates for that election so there would not have been an election in the first place because they would have all been elected uncontested. There is a counterfactual there of course because if there were 9 seats you could argue that there would be even more people standing for election. So then you have to get on to the question about how long is the ballot paper going to be because traditionally of course in Jersey we used to elect 6 senators in 2 different segments, so when it was introduced in 1948 I think they were even elected for 9-year terms, if I remember rightly, but it was for a longer period and there was not a general election at the time, and they were elected on different days incidentally.

[17:00]

So it depends how nostalgic you want to be but I just wanted, for the balance of argument, to make the case for ... I think it was 8 I said, so let us make the case for 8 and why there is a good argument for coming down on the side of 8. If nothing else it makes the ballot paper a bit shorter as well, so it might mean that we have a more manageable system when it comes to the hustings. So please I ask Members, even though I will not be supporting it, to give strong consideration to the number 8.

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

I am not going to find myself able to vote for virtually anything in this debate but I will come to those arguments later. But on this narrow question of 8 ... and I think that Members must, if I may say, refrain from making remarks which are not really serious, because we are dealing with the constitution of the States. This is no laughing matter; this is really important and I do not think we should be joking about this because the public is wondering why we are talking about this in first place. I will come to that later. But the mathematics of it are that on the narrow issue of 7 or 9 or 8 is that when there was a system of Senators with 6 candidates on average people voted for 4.5 Senators, so they did not use all of their votes. That is important because of the legitimacy that you will get in a slate of 8 or 9 or 10 people. It is very important; legitimacy is really, really important. I must say that I was in that election that was 8 Senators and I came eighth and I got legitimately elected, but I was really worried about it because of the numbers, and that was kind of different because there was a number of 2 Senators being squashed into one, and on that particular occasion you could kind of live with an 8, but even 8 you are really pushing it in terms of the legitimacy of those people who get elected, I am afraid to say, certainly in positions 7, 8 and 9. It worked on a one-off basis because we were merging it; it does not work if we have got to vote for the least worst option, and it is absolutely the least worst option - I hope none of this gets through for reasons that I will come to later - 8 is better than 9 but this whole thing is a bit questionable in that we are sticking a pin in a donkey in terms of voting this. We are dealing with the constitution of the States and it really troubles me, but 8 is certainly better - not for any silly reason - it is more legitimate if you are going to do something. I will be supporting Deputy Moore.

The Deputy Bailiff:

Thank you, Deputy. Does any other Member wish to speak on the amendment to the amendment? I call upon Deputy Moore to reply.

12.3.11 Deputy K.L. Moore:

I thank Members for their attention in this debate, and particularly to those who have taken the time to speak. Of course, as set out in the running order, this amendment is a very narrow amendment. That is the reason why I felt my speech was brief and to the point because it covered the very simple matter that is at hand. I think it is perhaps a new criticism though and one that hopefully will not be made again; I have not previously heard people being criticised for being too brief, but there we are. So this amendment deals with one aspect of the 2 amendments that are before the Assembly from me in this debate, and they simply deal with the numbers aspect. The remainder of my amendment will be debated when we get to amendment 4. Quite simply, as I stated in my opening speech, if the Assembly wishes to remove the Connétables from the Assembly they should also consider reducing the number of Members altogether, and that is the purpose of this debate. Reducing our number by 4 in my mind is not a matter that requires a great level of methodology; it is simply basic arithmetic. If we consider the workloads of various Members around the Assembly in various panels and committees that are populated by Members of this Assembly, I am sure we can all take an honest look at ourselves and say, yes, we could probably achieve this level of representation and consideration in our work with 4 fewer Members. Deputy Gardiner quite rightly asked why there is a discrepancy between the number of Senators that would arise through this amendment versus the amendment 4. The number 8 is arrived at in this one; it is simply a matter of keeping to what is, I believe, a convention of this Assembly that we have an odd number of Members sitting here so when

there is a crucial vote we do not have to look to the Bailiff for that casting vote because it can be achieved through the full number of the Members of this Assembly. So of course in this instance the Assembly would arrive at a membership of 45. The voter equity that was achieved by the recent changes to our system, which are set to balance out the number of votes each elector has in their respective districts, would not be changed at all by Members supporting this amendment. Let us take my constituency of St. Mary, St. Ouen and St. Peter; under this amendment an elector would have 8 votes for Senators and 4 votes for Deputies, as they currently do, equalling 12 votes. Of course, as I pointed out in my opening speech, in St. Helier Central each elector would end up with 13 votes because of the 5 Deputies that they elect rather than 4, and of course in Grouville and St. Martin they would hold 11 votes each because of the balance that was achieved there. So I am grateful for the consideration of my other amendment by those who have spoken of it in this Assembly. That is aimed thoroughly at providing a purpose, if we are going to reintroduce Senators, but that is a matter for a future debate on the running order and I will stick to the question here which is simply that if Deputy Coles' amendment is adopted as amended, but amendment 4 is not adopted, there would simply be 8 Senators in the old-fashioned system, without any of the aspects that are proposed in amendment 4, which we are yet to debate. I hope that has made it absolutely clear. I would be grateful for a gesture to the for or contrary, but there we are. I hope this amendment has caused Members to consider the rationale and the potential for reducing our numbers and meeting another expectation or wish of some members of our own community, and if it is the will of this Assembly to remove the Constables they could also meet another aspiration and reduce our number to 45 as opposed to our current number of 49. I make the amendment and I shall ask for the appel.

The Deputy Bailiff:

Thank you. 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 the opportunity of casting their votes both in the Chamber and, where appropriate, remotely I ask the Greffier to close the voting. I can announce that the amendment to the amendment has been rejected.

POUR: 6		CONTRE: 38		ABSTAIN: 0
Connétable of St. Helier		Connétable of St. Lawrence		
Deputy K.F. Morel		Connétable of St. Brelade		
Deputy I.J. Gorst		Connétable of Trinity		
Deputy K.L. Moore		Connétable of St. Peter		
Deputy P.F.C. Ozouf		Connétable of St. Martin		
Deputy K.M. Wilson		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 S.M. Ahier		

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

12.4 Re-Instatement of Senators (P.2/2025): Amendment (P.2/2025 Amd.) - resumption

The Deputy Bailiff:

We now move back to the first amendment lodged by Deputy Coles. Does any Member wish to speak on the amendment?

12.4.1 Deputy M.R. Scott:

In the world of producing solutions to an imbalance of power - I believe history records some quite extreme ones, including the French guillotine - I note that this proposition is essentially proposing that we remove the Constables out of the States, notwithstanding their position in the States having been confirmed by 2 referenda. In doing this, the justification has been the manner in which the inequality of their representation of populations needs to be addressed or cannot be addressed by the principles that were put forth by the Venice Commission, which I might point out is a commission that was set up somewhere by the E.U. that we were never part of and even the U.K. is no longer with. Again, on the basic idea that it is really not desirable to have 3 types of States Member I think there is a bit to unpack here because basically there is a lack of ... we have the Constables, this is pretty unique, and yet we say: "Well, having 3 Members should not be acceptable." Our own electorate want the Constables. That was found out in a democratic way and I do believe it needs to be respected. If we are different as a jurisdiction, what of it? Even in this debate we are discussing

our Island identity, things that make us special, so really what we should be focusing on is what truly is fair. What is recognised as fair within our community? Because here is the thing, democracy is not made by speeches, it is made by a sense of fairness that is supported by the wider community. Within that community are many communities and it is fundamentally unfair if one is represented more than the other, so indeed we do have an inequity that arises from the different sizes of the populations in a Parish system. I have seen and witnessed quite a few people really trying to work out a way of parcelling up super-constituencies. So we twiddle about with the number of Deputies, whether you add Senators, not just to get these super-constituencies for the resulting ones comply with the fairness principles, while respecting or trying to align with Parish boundaries. You know what; I do not believe it can be done. The question is, why are we doing this? Why are we doing this when in fact if you want to have voter equity there are different ways of achieving that? Yesterday I did write to States Members and I did discuss one principle that I have mooted before, which is relatively simple and does not involve the establishment of a boundary commission, another quango when we are trying to reduce their number. That was having voting ... having the Constable of St. Helier elected on an Island-wide basis - I am afraid I have not consulted with him but I know that in the past he has not even supported having Constables in the Assembly - and the 11 remaining votes distributed among the Constables in proportion to the populations that they represent, which is regularly found out. That is a proposition that I have chosen to bring separately because we really are being caught down in the weeds already with a proposition that has 5 amendments and has had one proposed amendment to one of those amendments, and all because we are stressing about these principles. So the long and short of it is ... why even stick with them? I understand why a political party would stick with them, particularly one that has got 10 Members in the States right now.

[17:15]

Another question that we can ask about this particular system that has been adopted is: do we know if the 20 per cent of Members that are represented by this single political party actually reflects the support Island-wide? Well, we do not because we do not have any Island-wide representation whatsoever, we just know that there was this attempt to comply with the Venice principles that led to this multi-Member super-constituency stuff, but trying to maintain or align with these Parish boundaries and it is basically how you tie yourself in knots. I do not see how abolishing the Constables in terms of this proposition really gets us any further in terms of this desirability of having people who are going to represent a wider community, elected on an Island-wide basis. It gives the opportunity, for example, the leader of a political party to show that his political party has got Island-wide support, which did occur at the time of the previous election when in fact that happened. Whether or not that particular individual would enjoy the process or not - and I believe that people might react differently to that - I do believe there was value with that. I remember being in a school presentation where the actual question was asked: "Why did we not have a Reform member stand in Trinity?" We may ask why was that opportunity not given to those people in Trinity, but they had an opportunity when we did have Island-wide representation. So, is this really any type of solution that really takes us out of the weeds, avoid muddled thinking? I would say no, so I will not be supporting it.

Deputy M. Tadier:

Can I just ask point of clarification?

The Deputy Bailiff:

Are you prepared to give way for that purpose?

Deputy M.R. Scott:

Yes.

Deputy M. Tadier:

Which amendment was the Deputy speaking to; it was not immediately clear?

The Deputy Bailiff:

She was speaking to this amendment, was she not?

Deputy M. Tadier:

Sorry, I meant to ask what amendment did she think she was speaking to?

Deputy M.R. Scott:

I believe I am speaking to the first amendment, the amendment to the amendment. I believe that we have voted on that.

The Deputy Bailiff:

We are all speaking on the first amendment now.

Deputy M.R. Scott:

Can I ask a question, what amendment the Deputy thinks we are debating?

The Deputy Bailiff:

I do not think we need to have a discussion to and fro.

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

The problem with a debate on the constitutional composition of the States is that there are innumerable moving parts and it is easy, as we all know, to overlook issues which can put a spanner in the works. That is why it is better, in my view, to found debates of this kind on the report of a body of people who have chewed over the issues for hours and looked at them from every possible angle. This amendment is ambiguous. When I first read it, I had a completely different view of what it meant. It says that the office of Senator should be reinstated by removing the role of Connétable as voting Members and substituting 12 Senators in their place. When I read that for the first time, I thought that is a very interesting proposal, the Connétables are going to remain in the States as non-voting Members but that is going to mean that there are going to be quite a lot of Members of the States and how will that work. So I put that to the President, the Bailiff, as a point of order, and the Bailiff has ruled that the proposition ... the amendment I am sorry, is to be interpreted as meaning that the Connétables are going to be removed from the States in their entirety. But there is a more significant problem with Deputy Coles' amendment because he says that removing the Connétables from the Assembly would allow them to remain in the States by seeking election to another office. But it is not just the individuals who are Constables that one needs to think about. It is the public who elect them. Now, I can understand that voters might wish to think it appropriate to have the Constable of St. Helier, for example, in the Assembly as a Deputy because he represents a large number of people. But unless the rules are changed to allow for elections for Constable and Deputy to take place on different days, and Deputy Coles is not suggesting that in his amendment, it may not happen. If Constable Crowcroft, for example, were to stand for both offices, he might find himself elected as Deputy, but not as Constable. All those people who voted for him to become a Deputy on the basis that the Constable of St. Helier should be a Member of the Assembly might be disappointed to find that the Constable of St. Helier was not a Member, even though Deputy Crowcroft was. They would have voted for him to be a Deputy on the misapprehension that he was also going to be the Constable. It does not work. I think there is a much more fundamental problem with this amendment and it was referred to by Deputy Scott, and that was that there was a referendum not all that long ago which decided that the Constables should remain in the States. Are we going to ignore that referendum? The people expressed themselves in very clear terms that the Constables should remain in the States. It seems to me almost unbelievable that it should be proposed, without a further referendum, that the Constables should be removed. I am going to vote against the amendment.

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

Can I get a point of clarification from the Deputy?

The Deputy Bailiff:

Are you prepared to give way for a point of clarification? Yes, Deputy Coles.

Deputy T.A. Coles:

The referendum that the Deputy referred to, what was the result of that referendum?

Deputy P.M. Bailhache:

That does not strike me as a point of clarification.

The Deputy Bailiff:

Whether it is or it is not, do you know the answer to that question, the result of the referendum?

Deputy P.M. Bailhache:

The result of the referendum was that people voted by, I forget the exact proportion, but something like 54 per cent to 46 per cent that the Constables should remain in the States.

The Deputy Bailiff:

All right. Thank you, Deputy.

12.4.3 Deputy S.Y. Mézec:

There was a reason that Deputy Coles was seeking that point of clarification. Deputy Bailhache asked the question, I think he meant it rhetorically, but I do not think it needs to be rhetorical, which is should we ignore that referendum? Of course there were 2 referendums, one in 2013, one in 2014. The 2013 one resulted in a mandate from the public to adopt what is basically the system that we currently have, which is a compromise of sorts between different competing priorities in what people would like to see in an electoral system. Should we ignore that referendum result? My view is no, we should not, until there is some kind of fresh mandate, as the Deputy says. The reason that this amendment is on the table is because there is an attempt in the Assembly to ignore that previous referendum and go back to the option that came dead last in that referendum, which 80 per cent of people who voted in it, which is the greatest democratic mandate there is for any electoral change, and that can be dismissed as not statistically relevant as if barely-attended meetings in Parish Halls are relevant, the greatest democratic exercise in asking the public what they would like for an electoral system, option C, which is the system that P.2 asks us to revert to, came last with 80 per cent of the public voting against it. Through that referendum, the majority through the ranked voting system got to adopting option B, which was for Deputies in districts and the Constables. I did not vote for that winning option in that referendum. I voted for option A because, and I retain this as my position, the obvious, cleanest, fairest and most equitable voting system is for one kind of member elected on an equal basis, and I have never heard a rational argument against that. But, since we do not all agree on that, and as Deputy Bailhache said, there are innumerable permutations of electoral reform that we could come up with, it means that something has got to give and some people have to compromise. Before the last election, I compromised, and lots of other States Members compromised, to say, okay, while simplicity and equality are our priorities, there are a significant amount of the population and significant membership of the States Assembly who also have a priority that the Parishes should have direct representation in the Assembly through the role of Constable. I was prepared to say at that time, as the majority of States Members were, that in the name of progress, in the name of getting a cleaner system, a more democratic one, I will compromise on that point about wanting one Member on an equal basis and say let us combine it with those who say let us have direct Parish representation in the form of the Constables, and we will distribute those Deputies as far as is

possible to get as much equity as we can. That is the system that we adopted for the 2022 election. It was a compromise of those who want equality of votes and those who want Parish representation. But, as Deputy Coles said in his opening speech, which I thought was an excellent analogy about the tradesperson who you want to be quick, cheap, and good, but you cannot have all 3 of those, realistically you can only pick 2. That is also the case in our voting system, because if you want Island-wide voting, which is a perfectly sensible thing to argue for, there are all kinds of virtues in Island-wide voting; the greater say that you give to the public, the Island-wide focus on that election, they are all really good arguments. I have always found it weird that they are such good arguments you do not want to apply them to 40 out of 49 of our Members. I think that is an intellectual inconsistency if you ask me. But, accepting that there are good arguments for Island-wide voting, but you cannot fit that in a unicameral chamber like ours alongside voter equality and direct Parish representation, you can only fit 2 into that system. If you have Island-wide and Parishes, you will not have the scope to distribute the Deputies seats properly to make sure that there is around about the same number of electors per representative in the system. It becomes mathematically too difficult. That is why those of us who want voter equality cannot buy into that compromise because it is not a compromise. You do not get that core voter equality if you want Island-wide and direct Parish representation. So the point of this amendment is that it proposes an alternative compromise. It proposes the other 2 elements that can go together, which is voter equality and Island-wide representation. You can do that in our system and it will be pretty clean, not as clean as one Member on an equal basis, but as clean as what we have currently got, a 2-tier system, and you can get voter equality in that. So that is an alternative compromise. Here is the thing, in fact I could take or leave that as a strong push to adopt that system of just Senators and Deputies, I am not that bothered about it. But having bent over backwards, frankly, to accept the compromise with the Parish representation to get better voter equality, for that now to be kicked back in our face to say you will get no voter equality and instead we are going to go back to a 3-tier system for which there is no rational explanation for, which the public rejected 80 per cent to 20 per cent in 2013, and get told that there is no public consultation on this, is just laughable. Then that compromise is broken, and so we argue for a different compromise instead, but the fact of the matter is that we are okay with the current compromise.

[17:30]

I will say to the Constables who Deputy Coles spoke of his fondness for working with them, I am very fond of working with Constables as well. We have had some fantastic times and some really good work has been done. It is great having 2 Constables on the Council of Ministers as full Ministerial roles. They are contributing really well in that sense and I know that some people have views about whether Constables should be Ministers or just focusing on their Parishes, but I think it is working well at the moment. In the last Assembly, when the original electoral reform debate by the then Deputy Russell Labey was proposed, which was to remove the Constables, 20 Members voted in favour of that - 20 - it was 5 short of the majority that would have seen the Constables be removed. That is reasonably close and with the passage of time may have got even closer. But we backed out of that and chose the compromise that kept the Constables for the sake of greater voter equality, to get a proper majority to improve our system. Without that compromise baked in, it is, I think, a matter of time before the Constables were removed because the desire for Island-wide voting I think over time would probably become more pressing and more desired from the public, for all of the good reasons that there are for it. So it is my view that, in maintaining the current system where we have a good level of voter equity because of the distribution of the Deputies, with the Parish representation, is a fair and decent system that respects Jersey's culture and our heritage and retains that long-standing position. That is something that could carry on for a while and you will note it is not something that, outside of the debates on Senators, Reform Jersey has bothered pushing. Even though it is our policy, there is not obviously an overwhelming mandate for that change, and so we have not prioritised it. Because, instead, we have been prioritising the stuff that matters to people

more, which is access to healthcare, affordable housing, the stuff that we should be spending our time talking about rather than this navel-gazing stuff. So, that is the point of this amendment. It is not to say, great, let us just go ahead and remove the Constables from the Assembly and do that in complete disregard to the role that they play in the Assembly and the good work that we often do alongside them. It is to recognise that their presence in this electoral system is part of a strong compromise that had lots of good buy-in, buy-in from those who want voter equality and buy-in from those who want direct Parish representation through the roles of the Constables. If you break that compromise, those who support voter equality have no reason to stay around and have a good reason for looking for an alternative, and that alternative does not mean keeping the Constables. If you want to bring back Senators, okay, but the obvious trade-off then is through the Constables because you cannot have decent voter equity in the rest of the system. If that is to be the trade-off, so be it. I am not of the view that it would be the death knell to the Parish system. I think the Parish system is strong and robust enough to survive without being on life support by having the heads of the Parishes as automatic Members of the States Assembly. I think it would do well without and I think you would end up with a mix of some Constables who would run for the States as well and get elected, elected with the permission of their electorate, and if that is how it is to be, then that is fair and democratic. If you run for one but do not get the other, that is democracy. You may well have some people putting their name forward for Constable who really like the idea of getting stuck in, in the Parish role, but do not have the faintest interest in doing the political stuff and all of the work that comes with that, often which is not very fun and often which is very divisive and unpleasant. So you might get a different kind of character coming forward who is capable of doing a really good job in the Parish system. But, at the end of the day, it is unnecessary, because right now we have a voting system that works pretty well, gives good voter equality, but if you are going to step backwards in time, do not expect the others who bought into that compromise to stick around for it, because it will not lead to us having a good, clean, fair and democratic system. There are only 2 options, really, voter equality and Parishes or voter equality and Senators. This amendment provides a choice between those compromises.

The Deputy Bailiff:

Thank you, Deputy. I note the time. Is the adjournment proposed? **[Seconded]** Are Members content to adjourn until tomorrow morning? The Assembly is adjourned until 9.30 a.m. tomorrow morning.

ADJOURNMENT

[17:36]