

STATES OF JERSEY

OFFICIAL REPORT

MONDAY, 25th NOVEMBER 2019

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[14:31]

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

COMMUNICATIONS BY THE PRESIDING OFFICER

The Bailiff:

1.1 Welcome to His Excellency the Lieutenant Governor

On behalf of Members I would like, in the normal way, to welcome His Excellency to the Chamber this afternoon. [Approbation]

1.2 Domestic Abuse Campaign

Members will have found on their desks - and I see some are wearing them - a purple ribbon. These are given to Members today to see the launch of the Jersey Safeguarding Partnership Board of its domestic abuse campaign. People are encouraged to wear the purple ribbon to show their support for that campaign and to take a stand against domestic abuse. So that is what the purple ribbon means.

1.3 Written Questions

Lastly, under A, I have received suggestions that it would be more efficient not to read out the list of written questions when we go through the early part of the Order Paper. At my request, the Chairman of P.P.C. (Privileges and Procedures Committee) has consulted Members and of those who responded, 38 were in favour of not reading out the list of written questions. This is not a matter provided for expressly by Standing Orders and accordingly it is a matter within the discretion of the Presiding Officer and so I will not read out the questions on this occasion. Having taken that decision, it is open, of course, to review subsequently should Members urge upon me a different course. But it might be appropriate to see where that takes us at the present time.

Deputy M. Tadier of St. Brelade:

May I raise a point of order? It is just partly as an observation, but I think it would be good to have your opinion. We have made a decision this morning not to read written questions out, but we have just read a long list of amendments to amendments, which sound gobbledegook to the public, which does not seem to be consistent in either informing them, or keeping them informed, Sir.

The Bailiff:

I am afraid, Deputy, although the point is possibly very well made, that is provided for in Standing Orders, that they are to be read out. Without a change to Standing Orders, I do not think that is within my discretion.

QUESTIONS

2. Written Questions

2.1 DEPUTY J.M. MAÇON OF ST. SAVIOUR OF THE MINISTER FOR INFRASTRUCTURE REGARDING THE PROTECTION OF CATS INVOLVED IN ROAD TRAFFIC ACCIDENTS: (WQ.512/2019)

Question

Further to the answer to written question WQ.307/2019, is the Minister now in a position to advise on the estimated timeline for the consultation to be undertaken follow the adoption of 'Cats: additional protection when involved in road traffic accidents' (P.30/2019) and what, if any, work has been undertaken to date?

Answer

The Proposition was brought forward without any reference to my Department's resources or capacity, other than a statement of presumption that it could be undertaken within existing resources. In my Ministerial comments I advised that there were unrecognised resource requirements associated with this work in the Proposition.

Nevertheless, good progress has been made in project scoping and the technical development, the initiative is having to be programmed in with other States priority work, in tandem with business as usual.

In particular, a number of meetings have been held with the States Police, Natural Environment (in which the States Vet office and who are responsible for the administration of animal welfare legislation) and Law Drafting. Through these meetings workable proposals for law drafting instructions have been developed at technical level between officers.

The next step is to engage with other Authorities and NGO stakeholders to explain the technicalities of the proposals and receive any comments. These meetings are in the process of being arranged.

Following from this, the law drafting proposal will be brought forth for consideration at a political level and consultation with interested parties.

2.2 THE CONNÉTABLE OF ST. LAWRENCE OF THE MINISTER FOR HOME AFFAIRS REGARDING A REVIEW OF THE SEVEN DEPARTMENTS COMPRISING THE DEPARTMENT OF JUSTICE AND HOME AFFAIRS: (WQ.513/2019)

Question

On Page 16 of the Efficiencies Plan 2020-23 (R.130/2019), reference is made to a review of the seven organisations that make up the Department, intended to "...concentrate on maximising frontline functions, removing administration duplication and the approach to business support while also assessing the leadership structures that support them".

Will the Minister explain –

- Who is undertaking this review?
- How were they selected?
- Why were they selected?
- The estimated cost of the review?
- If the review has begun, when did it start?
- If the review has not begun, when will it start?
- If not completed, when is it expected to be completed?
- Whether the report will be made public and if not, why not?

Answer

A small team from Ernst Young (EY) are carrying out the review, supporting the service leads in Justice and Home Affairs.

EY was invited to submit a proposal for supporting this work. The proposal set out the scope of the project including key areas of focus, the methodology, the timeline for delivery and its fees for

completing the work. EY also set out the approach it would take to identify efficiency opportunities for the Department from 2020 onwards.

EY was selected because of its international and local experience conducting similar reviews in other organisations and addressing the challenges specific to the Department. There are also economies of scale and efficiencies arising from EY's broader work with Departments across the Government of Jersey in relation to the Government's Efficiencies Plan. EY are required to align its work on the JHA review with the broader Government Efficiency Programme to avoid double-counting. EY are required to ensure the JHA review benefits directly from the work on the wider Efficiency programme. EY were also selected to avoid delays, costs and inefficiency arising from procurement of a separate partner for this review.

The cost of the review is split into two phases, Phase 1 cost £36,250, Phase 2 will cost £58,875. This excludes expenses.

The programme's quality assurance and governance is tracked via a weekly review; progress from Phase 1 to Phase 2 and continuation of the work is subject to successful progress updates.

The review began on 7th October and is expected to be completed on 20th December 2019.

This report is for internal use, to inform me and my senior officers of the options and opportunities to ensure efficiency savings are delivered, to provide a business support model which functions across the services and to provide efficiency opportunities for 2020 and beyond.

2.3 THE CONNÉTABLE OF ST. LAWRENCE OF THE MINISTER FOR HOME AFFAIRS REGARDING THE REVIEW OF JERSEY'S PRISON AND PROBATION SERVICES: (WQ.514/2019)

Question

Following the recent review of Jersey's Prison and Probation Services, will the Minister explain –

- The purpose of the review?
- Who undertook the review?
- How and on what basis the persons who undertook the review were selected?
- The cost of the review?
- Whether the report arising from the review will be made public and if not, why not?

Answer

The purpose of the independent review was to examine the effectiveness and extent of a coordinated approach in managing offenders across Jersey Probation and After Care Service and the Prison Service. The review included an analysis of how the departments work together to provide services for offenders in custody and the transition between custody and the community. The review also focused on how both organisations operate in managing offenders, the extent of collaborated or integrated working and whether opportunities for joint working are being fully exploited.

The review was also focused on identifying areas for improvement, opportunities to work more closely and whether, and to what extent, the island could benefit from a 'whole systems' approach. The review was tasked with providing an assessment of the effectiveness of the current working arrangements compared to other similar jurisdictions.

The review was carried out by Mr Max Murray and Mr David Matthews. Mr Murray served in the Northern Island Prison Service for 37 years, carrying out several senior roles including Governor, Director of Offender Management and secondments to the UK. Upon retirement he became a member of the Northern Island Probation Board. For his services to Criminal Justice, Mr Murray was awarded a Commander of the British Empire (CBE) by Her Majesty the Queen in the New Year's Honours in 2015.

Mr Matthews recently retired as the Prison Governor in Guernsey, serving 8yrs there following a long career in the UK Prison Service. He has gained extensive experience working within the complexity of an island environment and understands the difficulties in running a multifunction prison within a small island community.

I agreed, with the Probation Board, to identify a small team of suitably experienced professionals who could carry out the review independently from Jersey. Both the Jersey Probation Service and the Department of Justice and Home Affairs explored possibilities and between them identified the two individuals, which were subsequently agreed by me and the Probation Board.

The cost of the review was £9,110.00

The report is for internal use only at this stage. The report will inform me, the Probation Board and officers of options, opportunities, areas for improvement and challenges to be considered and discussed. This will help inform policy and operational decisions that need to be discussed amongst several stakeholders before any decisions will be made on the way forward.

2.4 DEPUTY M.R. LE HEGARAT OF ST. HELIER OF THE MINISTER FOR TREASURY AND RESOURCES REGARDING THE SALARY LEVEL OF THE CHIEF EXECUTIVE OFFICER OF ANDIUM HOMES: (WQ.517/2019)

Question

Is the Minister intending to force a reduction in the Andium Homes C.E.O.'s salary and, if so, what advice, if any, has she sought regarding whether this would breach both his contract and the Employment Law of Jersey?

What is the potential financial and reputational cost of reducing the salary and how does this compare with the cost of agreeing his current salary until his contract expires in 2021?

Answer

This question appears to be a duplication of one asked by the Deputy during the Minister for Treasury and Resources' Questions without notice on 12th November 2019.

As stated during that question session, a new acting Chair has been appointed at Andium Homes with a specific remit to resolve the ongoing issue in relation to the CEO's annual salary. The Assistant Minister (to whom all shareholder responsibilities are delegated) maintains that the recent increases in Executive remuneration were not approved by the Guarantor in accordance with the Memorandum of Understanding that exists between the two parties and this matter needs to be resolved.

The Assistant Minister is fully briefed on this matter, although would highlight that any contract matters would be between the employee and the employer (Andium Homes), not the Assistant Minister as delegated Guarantor, although the Minister fully acknowledges the role she plays as the Guarantor of the company.

Until such time as the acting Chair brings forward a proposal for consideration the Minister is unable to respond to the second question posed.

2.5 THE DEPUTY OF ST. JOHN OF THE MINISTER FOR CHILDREN AND HOUSING REGARDING THE PROFESSIONALS EMPLOYED IN THE CHILD DEVELOPMENT CENTRE: (WQ.518/2019)

Question

As the Child Development Centre where all children with life limiting disease, disability or who need palliative care are looked after by Paediatricians Physiotherapists Occupational Therapists and Social Workers is managed by the Children Young People and Education Service, (C.Y.P.E.S.), are the clinicians employed by Health or are they employed by C.Y.P.E.S.?

What is the reporting and clinical governance arrangement for clinicians, if they are classified as Health Care Professionals?

Answer

The Child Development Centre has a range of professionals and other staff working together and with a wide range of partners to support children and young people who have a range of very complex needs. Ensuring appropriate and effective clinical governance is critical in this regard.

Currently the therapy staff (occupational, speech and language, and physiotherapy) remain under the line management of the Health and Community Department whereas the social care staff such as the family care co-ordinators and senior practitioners are in the Children, Young People, Education and Skills Department. Clinical governance for health staff remains unchanged and is provided by the Health and Community Services Department.

The Children, Young People, Education and Skills and Health and Community Services Departments have an agreed Memorandum of Understanding in place which sets out operational, performance, assurance, financial and governance arrangements and have a monthly Joint Governance and Oversight Group attended by the Directors General, Group Directors, Medical Director and other appropriate officers to review progress and plan direction.

As part of the Children, Young People, Education and Skills Department there is a new post created of Team Leader for the Child Development Centre who will provide daily operational management and direction while ensuring all clinical and professional management and governance arrangements are in place.

2.6 DEPUTY K.G. PAMPLIN OF ST. SAVIOUR OF THE MINISTER FOR CHILDREN AND HOUSING REGARDING SITES FOR DEVELOPMENT BY JERSEY PROPERTY HOLDINGS AND ANDIUM HOMES: (WQ.519/2019)

Question

Will the Minister provide a breakdown of all future confirmed and potential sites for development by either Jersey Property Holdings or Andium Homes for future affordable housing, including the anticipated delivery dates?

Answer

CONFIRMED SITES – ON SITE	ANTICIPATED COMPLETION
Belmont Court, St Helier	Q4 2019
Samares, St Clement	Q4 2020

Le Squez Phase 4, St Clement	Q2 2021
Summerland, St Helier	Q4 2021
Ann Court, St Helier	Q1 2022
La Collette Low-rise, St Helier	Q2 2023
Convent Court Low-Rise, St Helier	Q4 2021
NUMBER OF UNITS BEING DELIVERED	781

CONFIRMED SITES – IN DEVELOPMENT	ANTICIPATED COMPLETION
Robin Hood, St Helier	2020
Jersey Gas, St Helier	2023
Ann Street Brewery, St Helier	2023
The Limes, St Helier	2023
Rosemount Mews, St Saviour	2020
APPROXIMATE UNIT DELIVERY	500

POTENTIAL FUTURE SITES – REQUIRE TRANSFER FROM THE GOVERNMENT TO ANDIUM HOMES – DELIVERY DATES UNKNOWN AT THIS STAGE
Ambulance Station
St Saviours Hospital, West
Warwick Farm
Le Bas Centre
Former Police HQ
The Bridge
APPROXIMATE UNIT DELIVERY - 500

The above noted sites are capable of delivering approximately 1,800 homes. Further sites are required to deliver the 3,000 affordable homes identified in the OAHNR as being required. Andium continues to work with Government to identify suitable sites for affordable homes as well as seeking viable sites from the private market.

The JDC are currently primarily focused on the delivery of category B (open market) homes.

2.7 DEPUTY K.G. PAMPLIN OF ST. SAVIOUR OF H.M. ATTORNEY GENERAL REGARDING DELAYS IN COURT PROCEEDINGS IN CASES INVOLVING CHILDREN: (WQ.520/2019)

Question

Will H.M. Attorney General outline the reasons why any court proceedings relating to cases involving a child may be delayed beyond two weeks and provide an anonymised breakdown of all such cases in the past two years, showing the duration of each case?

Answer

The Deputy has clarified that the question relates to the average duration of public law proceedings in relation to children who are subject to applications for care or supervision orders under the Children (Jersey) Law 2002 (“the Children Law”).

The following table sets out the number of cases in each bracket for 2015 -2018. The information has not yet been collated for 2019 but will be provided early in 2020.

Duration of Proceedings

Year	≤26 weeks	>26 ≤ 39 weeks	>39 ≤ 52 weeks	≥52 weeks	Average in weeks
2015	1	NK	NK	NK	44.2
2016	3	3	5	4	42.7
2017	3	3	4	4	45.8
2018	7	2	10	8	42

It is accepted that any delay to proceedings is contrary to the best interests of children. Article 2 of the Children Law provides that in proceedings in which any question with respect to the upbringing of a child arises, the court shall have regard to the general principle that any delay is likely to prejudice the welfare of the child. Delay must therefore be purposeful and the court will intervene to ensure that progress is made. The Royal Court has issued a Practice Direction in relation to the case management of care and supervision proceedings which should assist with ensuring that cases are dealt with as expeditiously as possible.

There are various reasons for the duration of proceedings, including availability of suitable experts, consideration of extended family members who have come forward during the course of the proceedings, purposeful delay (i.e. rehabilitation of the child with parents under the auspices of the proceedings), lack of involvement in the proceedings by parents and availability of court dates which accommodate all the parties and witnesses’ availability. The court continues to treat these cases with urgency. It is obviously important that any decision made takes into account the particular needs of that child. Such decisions are significant and cannot be made without all of the information being placed before the court.

There exists in England and Wales a 26 week target for such cases. This target has caused some difficulties that have been publicised and to which I referred in my speech following the publication of the Independent Jersey Care Inquiry on 7 July 2017. It has sometimes led in England and Wales to delay in local authorities issuing proceedings, which is contrary to the interests of the child and the parents, who cannot obtain legal aid until the application has begun. In some cases the desire to conclude matters within 26 weeks has meant that the final order has not been properly tailored to the

child. Figures produced by CAFCASS (Children and Family Court Advisory and Support Service) show that the average duration of proceedings in England & Wales for Quarter 1 of 2019 was 33 weeks. Seven local authorities had an average of 26 weeks or less, four had an average of 27-29 weeks, and 32 had an average of 30 or more weeks.

2.8 DEPUTY K.G. PAMPLIN OF ST. SAVIOUR OF THE MINISTER FOR CHILDREN AND HOUSING REGARDING THE APPOINTMENT OF SOCIAL WORKERS: (WQ,521/2019)

Question

Can the Minister provide a breakdown of (a) the entry level grade (b) years in practice and (c) the training received pre and post role in relation to all of the social workers appointed following the recent successful recruitment drive?

Answer

Since the start of the Let's be Honest campaign, which began in March 2019, a total of 18 qualified social workers have joined Children's Service (the "Service"), with eight more qualified social workers due to arrive and start in the island before the end of the year.

The following roles have started:

- Eight newly-qualified social workers (ASYEs) – two of whom two are Jersey born and have studied in the UK before returning home;
- eight experienced social workers, including a new director of safeguarding and care;
- one team manager;
- one independent reviewing officer.

All new starters are required to hold a relevant social work degree, which is a legal requirement to practice social work in the U.K. and Jersey. In addition, some hold a Masters in social work.

Social workers are on Civil Servant (CS) grade 10 and for newly qualified social workers on their supported year in employment they are on CS9.

All social workers must be registered with the English Health and Care Professions Council (the "HCPC"), and for continuing membership, through re-registration every three years, social workers are required to provide tangible evidence of relevant training and development undertaken to support and develop their social work career.

The Service's newly-qualified social workers (those who have recently qualified and have come straight from university to the Service) are required to complete the Assisted and Supported Year in Employment (ASYE) programme for Jersey (Cohort One).

Our newly appointed Director of Safeguarding and Care is the ASYE programme director and he is establishing a programme board to govern the quality of the programme. He is working together with an ASYE consultant, Portsmouth Local Authority, the Skills for Care Council, and the Department of Education in the U.K. to establish a comprehensive and high-quality programme for Jersey. The expectation is, through the ASYE Programme, our newly-qualified social workers will be able to practice confidentially and competently throughout their first year in employment.

Further, the Service is working in partnership with:

- The Social Care Institute for Excellence (“SCIE”);
- Team Jersey (colleagues responsible for Jersey First practice model);
- Research in Practice; and
- The Safeguarding Partnership Board

to implement and develop our social care practice model, including mandatory training and opportunities for continuing professional development. This will also support progression within the Service to ensure that we retain our staff over the longer term, which will have the ultimate advantage of establishing a stable workforce.

Further to this, the new director is leading work to develop a workforce development strategy for both social work within the Children’s Service and with partner agencies across the island also responsible for recruiting and retaining social workers.

Our experienced social workers have between two and 17 years of post-qualification experience, with an average of six years of service following the completion of their social work degree.

The team manager has over 21 years of experience, whilst the IRO has nine years of post-qualifying experience.

Lastly, our new director has been a qualified social worker for over 23 years and is HCPC registered.

2.9 DEPUTY K.G. PAMPLIN OF ST. SAVIOUR OF THE CHIEF MINISTER REGARDING THE COMPOSITION OF POLICY DEVELOPMENT BOARDS: (WQ.522/2019)

Question

Will the Chief Minister provide a comprehensive list of all of the current Policy Boards, including details of the membership of each one and the budgets spent since inception, and advise what new Boards he plans to establish in the future?

Answer

As the Deputy will be aware, all Policy Development Boards have been established via a public Ministerial Decision which can be found on the States Assembly website. In addition to the Ministerial Decision, terms of reference for each Policy Development Board has been presented in a timely fashion when each new board is founded.

None of the Policy Development Boards were allocated funding at the time of their inception, however the Housing, Early Years and Island Identity Policy Development Boards have since applied successfully for funding for specific projects.

For clarity, there are currently seven Policy Development Boards;

- Early Years Policy Development Board
- Migration Policy Development Board
- Housing Policy Development Board

- Revenue Policy Development Board
- Island Identity and International Profile Policy Development Board
- Sports Facilities Strategy Policy Development Board

There are no additional Policy Development Boards planned at this stage.

The membership of each Board, budget spent to date, objectives and terms of reference are as follows:

Early Years Policy Development Board

Objectives:

To establish a shared strategic policy position across early-years, based on a consistent vision and set of agreed principles and outcomes that evidence improvements and progress.

To develop a regulatory framework to ensure all child care provision is of a high quality and offers a safe environment for children.

To outline approaches to developing an early-years learning framework that supports a shared pedagogy for early childhood education that is aligned to workforce development, home learning programmes, and the nursery education funding programme.

The Early Years Policy Development Board has a budget of £200,000 of which £6,255 has been spent to date. The Board has committed to spend an estimated £50,000 up to the end of 2019 for work that has been commissioned but not yet been invoiced.

Chair:

Senator Tracey Vallois (Minister for Education)

Membership:

Senator Sam Mézec (Minister for Children and Housing)

Deputy Jeremy Maçon (Assistant Minister for Education, Assistant Minister for Health and Social Services, Assistant Minister for Social Security)

Deputy Louise Doublet

[Documents establishing the terms of reference](#)

Migration Policy Development Board

Objectives:

To develop a set of comprehensive migration policy proposals which will deliver more responsive controls over who can come to live, work and access public services in Jersey. To propose improvements to consistency wherever practical and help to reduce the Island's reliance on inward migration.

This board does not have a budget.

Chair:

Connétable Chris Taylor (Assistant Chief Minister)

Membership:

Deputy Judy Martin (Minister for Social Security)

Deputy John Young (Minister for the Environment)

Senator Sarah Ferguson

Deputy Rowland Huelin

Dr. Michael Oliver (Lay Member)

Mr. Murray Norton (Lay Member)

Mr. John Shenton (Lay Member)

[Documents establishing the terms of reference](#)

Housing Policy Development Board

Objectives:

To examine the housing market in Jersey and to develop comprehensive proposals that improve supply, affordability, access to, and the standard of housing in the Island.

The Housing Policy Development Board has a budget of £97,850, which reflects the value of the contract with Altair in respect of expert support and advice it provides to the Housing Policy Development Board. £39,140 of this budget has been spent to date.

Chair:

Mr. Michael de la Haye

Membership:

Senator Sam Mézec (Ministe for Children and Housing)

Deputy John Young (Minister for the Environment)

Deputy Kevin Lewis (Minister for Infrastructure)

Deputy Susie Pinel (Minister for Treasury and Resources)

Deputy Gregory Guida (Assistant Minister for the Environment, Assistant Minister for Home Affairs)

Deputy Lindsay Ash (Assistant Minister for Treasury and Resources)

Deputy Carina Alves

Connétable John Le Bailly

Mr. John Scally (Lay Member)

[Documents establishing the terms of reference](#)

Revenue Policy Development Board

Objectives:

To review and propose the long-term tax policy principles

To consider, in the event that additional revenue raising be required, policy options to materially increase revenues.

This board does not have a budget.

Chair:

Senator John Le Fondré (Chief Minister) & Deputy Susie Pinel (Minister for Treasury and Resources)

Membership:

Deputy Judy Martin (Minister for Social Security)

Deputy Gregory Guida (Assistant Minister for the Environment, Assistant Minister for Home Affairs)

Deputy David Johnson

Additional lay members may join the board in future following Ministerial approval.

[Documents establishing the terms of reference](#)

Island Identity and International Profile Policy Development Board

Objectives:

The Policy Board will:

Interrogate the various strands of what it means to be ‘Jersey’, from both an internal and external perspective.

Review historical events that have defined Jersey’s culture where appropriate

Examine problems in the way we perceive ourselves and barriers to cohesion

Identify opportunities to better define, coordinate and project a coherent and inclusive Island Identity.

The Board will work in a cooperative way with other Ministers, Departments and Policy Boards, appreciating that the solutions will often be cross-cutting and collaborative. It will also recognise the financial constraints to public spending, proposing policy options which are practical, innovative and low-cost.

The Policy Development Board currently has been allocated a budget of £25,000 however it is yet to spend any of this sum.

Chair:

Deputy Carolyn Labey (Minister for International Development, Assistant Chief Minister)

Membership:

Deputy Jeremy Maçon (Assistant Minister for Education, Assistant Minister for Health and Social Services, Assistant Minister for Social Security)

Deputy Carina Alves

Deputy Russell Labey

Tom Hughes (Lay Member)

Alexia McClure (Lay Member)

Jacqui Rutter (Lay Member)

Geraint Jennings (Lay Member)

Ben Shenton (Lay Member)

[Documents establishing the terms of reference](#)

Sports Facilities Strategy Policy Development Board**Objectives:**

To provide political oversight of the development of a sports facilities strategy for the Island.

These proposals are to be considered for incorporation in, and delivery via, the Government Plan, the Island Plan 2021-2030, and other delivery strategies as appropriate.

This board does not have a budget.

Chair:

Senator Steve Pallett (Assistant Minister for Economic Development, Tourism, Sport and Culture, Assistant Minister for Health and Social Services)

Membership:

Senator Lyndon Farnham (Deputy Chief Minister, Minister for Economic Development, Tourism, Sport & Culture)

Senator Tracey Vallois, Minister for Education)

Connétable Chris Taylor (Assistant Chief Minister)

Deputy Gregory Guida (Assistant Minister for Environment)

Deputy Lindsay Ash (Assistant Minister for Treasury and Resources)

Deputy Hugh Raymond (Assistant Minister for Infrastructure)

[Documents establishing the terms of reference](#)

Officers have collated the above information as part of a wider, ongoing, project to publish a full list of all Ministerial Boards, with additional guidance to support good governance, which will be made publicly available in due course.

Cost of Producing Answer

As a means of giving an approximate indication to the time and cost of producing an answer to a written question, it has been decided that answers shall include a cost, broken down by civil service grade:

Civil Servant Grade 7 x 2 hours = £33.24

Civil Servant Grade 14 x 15 mins = £9.5

2.10 DEPUTY K.G. PAMPLIN OF ST. SAVIOUR OF THE CHAIR OF THE STATES EMPLOYMENT BOARD REGARDING RISK-MANAGEMENT TRAINING IN THE PUBLIC SECTOR: (WQ.523/2019)

Question

What risk management training or procedures, if any, are in place for any teams across the public sector to mitigate against the impact of organisational change and a potential-increase in overtime taken or long- term illness due to pressures on staff?

Answer

The Government has in place an Organisational Change Policy and toolkit arising from perceived risks of undertaking organisational changes. This was reviewed and last updated in November 2019, learning from the current change arising from the Target Operating Model work.

The policy aims are:

- To provide a framework through which changes to service, service delivery models, team structures, processes or procedures, technologies, or ways of working can be address
- To ensure that the process of introducing change is planned in such a way as to achieve operational and service objectives and engages and supports employees.

The policy sets out the roles and responsibilities during any proposed changes. This includes the support and risk mitigation actions required. This includes one-to-one meetings with staff, regular communications, the involvement of the trade unions and change management workshops, amongst other areas.

We recognise that the resilience of some employees during times of change can be low. We also ensure that advice and guidance, and an independent telephone counselling service is promoted. This again mitigates potential absences arising from change. Where an employee is absent, we use the usual management tools to support employees back into work.

Overtime, and the use of agency staffing to cover absence, is monitored and action taken where there are trends identified.

Cost of Producing Answer

As a means of giving an approximate indication to the time and cost of producing an answer to a written question, it has been decided that answers shall include a cost, broken down by grade:

Tier 1 x 15mins:

Total: £20

2.11 SENATOR S.C. FERGUSON OF H.M. ATTORNEY GENERAL REGARDING THE REMOVAL OF ORGANS FROM DECEASED PEOPLE: (WQ.524/2019)

Question

1. Will H.M. Attorney General explain the legal basis for the States to remove organs from deceased people?
2. Do friends or relatives have authority to permit a deceased person's organs to be donated, given that they do not 'own' the deceased person's body; or is it the case that an individual must give authority, on the basis of a witnessed signature, for their organs to be donated after they have died?
3. In which legal enactment is it provided that the deceased person's medical practitioner must hold the information to demonstrate that the deceased person had given permission for their organs to be donated?
4. Given that patient information is currently held by N.H.S. Wales, is it permissible under the rules of G.D.P.R. to transfer private information to a third party, such as N.H.S. Wales, particularly in the absence of signed permission?

Answer

1. Transplantation activity involving the body of a deceased person, including the removal from the body of organs for donation purposes, is governed by the Human Transplantation and Anatomy (Jersey) Law 2018. The 2018 Law provides that a person may lawfully carry on a transplantation activity with express or deemed consent¹. The provision of each such consent, and exceptions to the giving of consent, is governed by express provision made therein². The carrying out of a transplantation activity without consent - express or deemed - is a criminal offence³.
2. To answer the question first about the manner in which an individual must give their consent for organ donation, the 2018 Law simply provides that the authority on which a transplantation activity may be carried out is the provision of 'express consent' or 'deemed consent'⁴ –
 - a. The 2018 Law does not prescribe the form in which express consent must be provided. It says only that the consent is to be provided or given⁵.
 - b. In the case of 'deemed consent'⁶, which would become relevant where the deceased had not opted or been able to make an express decision as to consent, the 2018 Law enables that consent to be deemed, subject to a number of conditions. Those conditions include

¹ Article 3(1).

² As to express consent, see Article 4, 5, 6, and 7. As to deemed consent, see Article 4 and 9.

³ Article 11(1).

⁴ Article 3(1) enables a transplantation activity to be carried on on the basis of express or deemed consent.

⁵ See, for example, Article 4(3) dealing with 'consent' in which the Law simply says that "*express consent is required*" and the table set out in that Article talks only of "*the adult's consent*" or the "*consent of the person or persons appointed [to make the decision as to consent on his or her behalf]*".

⁶ See Article 4(2).

that the deceased person is not an excepted person⁷ or a young person⁸ – in which case express consent to a transplantation activity is always required – and where another stated exception in the 2018 Law does not apply, such as where the deceased person had decided not to consent to a transplantation activity, in other words, they had ‘opted out’ from the deemed consent system⁹.

The 2018 Law does not go further in prescribing the form in which express consent, or a decision not to consent, must be provided. In practice, the established means of providing consent to organ donation is through registration on the Organ Donation Register, and that Register now permits the registration of opt-out decisions also, though that would not prevent consent or an opt-out decision being evidenced by other means. The Senator will recall that the States made provision enabling the registration of express and opt-out decisions on the Organ Donation Register in the Human Transplantation and Anatomy (Jersey) Regulations 2019.

In ‘deemed consent’ cases, there are other practical and medical factors which will determine whether ‘deemed consent’, though established in accordance with the 2018 Law, will result in an actual organ donation. Those are matters of medical policy and practice on which the Health Minister or specialist medical practitioners would need to advise.

As regards the first part of this question, as to the authority of friends and relatives, to permit a deceased person’s body to be donated, the 2018 Law makes provision in this regard. In cases for which express consent is required under the 2018 Law, for example –

- a. where an adult has died and had not made an express decision as to a transplantation activity but had appointed one or more persons under the 2018 Law¹⁰ to deal with the issue of consent, the 2018 Law permits those appointed persons to provide consent to organ donation on behalf of the deceased¹¹. The Senator is referred to Article 8 of the 2018 Law for further detail as to the appointment of such persons.
- b. In a case where a deceased person had appointed a person to make such a decision, but at the time of death that appointed person is not available to give consent, the 2018 Law permits a person who stands in a qualifying relationship to the deceased to give consent to organ donation on behalf of the deceased¹². A person in a ‘qualifying relationship’ includes, among others, the deceased’s spouse, civil partner, certain extended family members and friends of long-standing¹³.

In the case of young persons, the 2018 Law permits those with parental responsibility or those standing in a qualifying relationship to the child to provide consent to organ donation in certain circumstances¹⁴. Those cases are set out in Article 6 of the 2018 Law.

The 2018 Law also makes express provision as to the cases in which a qualifying relation may *object* to consent being deemed in the case of a deceased person who had neither made an express decision

⁷ The excepted persons are adults who had died but were not ordinarily resident in Jersey for a period of 12 months before dying (Article 5(3)(a)) and an adult who lacked the capacity before dying to understand the notion that consent to a transplantation activity could be deemed to have been given (Article 5(3)(b)).

⁸ See Article 6 which requires express consent in the case of young persons (ie persons under the age of 18).

⁹ See Article 4(2)(a). The other exceptions are listed in Article 4(2)(b) and (c).

¹⁰ Ie under Article 8.

¹¹ See Article 4(2)(b) and Case 3 in Table 1 set out in Article 4, in the case of adults who are not excepted persons. See Article 5(2), (5) and Case 2 in Table 2 set out in Article 5 in the case of adults who are excepted persons.

¹² See Article 4(2)(b) and Case 4 in Table 1 set out in Article 4 in the case of adults who are not excepted persons. See Article 5(2), (5) and Case 3 in Table 2 in Article 5 in the case of adults who are excepted persons.

¹³ See list of qualifying relationships set out in Article 1(3).

¹⁴ See Article 6 and the cases listed in Table 3 in Article 6.

as to organ donation nor a decision to ‘opt-out’. Provision is made for objections to deemed consent in Article 4(2)(c) of the 2018 Law.

3. The question asks whether registered medical practitioners, specifically general practitioners, in Jersey are required by law to keep a record of either the express consent or ‘opt-out’ decisions of Jersey residents, where made, for the purposes of the 2018 Law. There is no provision of this nature in the 2018 Law.
4. The Senator’s question seeks to ascertain if it is compatible with data protection legislation for NHS Blood and Transplant Service, which is responsible for maintaining the Organ Donation Register in the UK, to make available information, provided to it by members of the public in registering a decision as to organ donation, to third parties, which I have taken to mean medical practitioners working at hospitals, such as the General Hospital.

There is no processing of personal data, in the context of organ donation activities, by authorities in Jersey, and so Jersey data protection legislation is not directly relevant. Rather, in the case of a Jersey resident registering their decision as to organ donation on the Organ Donation Register, that process involves the consensual submission of personal data by Jersey residents to NHSBT for the specific purpose of registration on the Organ Donation Register and processing for related purposes. In that regard, applicants who wish to register on the Organ Donation Register, through the NHSBT website, are required to read and agree a privacy statement – that privacy statement can be found at www.nhsbt.nhs.uk/privacy.

This privacy statement makes it clear that NHSBT will collect and process certain personal data and that handling of personal data is regulated by the General Data Protection Regulation and the Data Protection Act 1998. It is made clear that the majority of NHSBT’s data processing is necessary under Article 6(e) and 9(h) of the GDPR - provisions which in turn have been reflected in the Data Protection Act 1998 - which allows NHSBT, as a public authority, to process personal data for the performance of its task or in the public interest and for the provision of health care. Permitting access by local authority hospital practitioners, including those at the Jersey General Hospital, for the purposes of organ donation enquiries by medical practitioners on the death of a person, would come within these permitted exceptions.

2.12 THE DEPUTY OF ST. JOHN OF THE MINISTER FOR TREASURY AND RESOURCES REGARDING TOBACCO DUTY: (WQ.525/2019)

Question

What are the Minister’s proposals to find alternative sources of income to that derived from tobacco duty, given the intention to use higher duty to reduce tobacco consumption?

Answer

The Revenue Policy Development Board was set up to review and consider future changes to the current structure and incidence of taxation, contributions and charges in line with long term tax policy principles.

The Board’s current priorities are to oversee the completion of all stages in the Personal Tax Review and to consider revenue measures associated with achieving environmental objectives. However, the Terms of Reference of the Board include the following:

“Should the need for additional revenue raising be required to fund public services, to consider, in advance, policy options to materially increase revenues, having consideration for the long-term tax policy principles.”

The appropriate channel for considering alternative sources of income (if needed) to that derived from tobacco duty, is the Revenue Policy Development Board.

2.13 THE DEPUTY OF ST. JOHN OF THE MINISTER FOR HOME AFFAIRS REGARDING THE INTRODUCTION OF A DOMESTIC ABUSE LAW IN JERSEY: (WQ.526/2019)

Question

Would the Minister detail what initiatives, including consultations, are in place to introduce a Domestic Abuse Law in Jersey?

What does he see as the time frame involved in introducing legislation that would mirror best practice in other jurisdictions such as England, Wales, Northern Ireland and Scotland?

Answer

The development of domestic abuse legislation is one of my highest priorities. Following the completion of the [Domestic Abuse Strategy 2019-2022](#) by the Safeguarding Partnership Board in consultation with Government, I instructed officials of Justice and Home Affairs and Strategic Policy, Performance and Population to begin developing modern legislation which reflects best practice in other jurisdictions.

Numerous local bodies have been consulted in the course of developing an initial policy position earlier this year, including-

- Jersey Safeguarding Partnership Board
- Jersey Probation and After Care Service (JPACS)
- The Women's Refuge
- Victim Support
- Jersey Multi-Agency Public Protection Arrangements (JMAPP) Board
- Multi Agency Risk Assessment Conference (MARAC) Steering Group
- Sexual Assault Referral Centre (SARC)
- Independent Domestic Violence Advisor (IDVA) Service
- States of Jersey Police (SoJP)
- Liberate
- Disability Forum
- Defence Advocates

The initial consultation was intended to highlight any specific local concerns and to ensure that no considerations were missed. As the legislation is developed, there will be wider participation including a full public consultation.

The feedback from these discussions is that legislation is necessary to specifically address domestic abuse, that it should recognise that domestic abuse is an offence that is more complex and more damaging than simple violence, that it should recognise the effects of an abusive home environment

on children, and that it should take account of patterns of coercive and/or controlling behaviour even where violence is not evident.

In addition, a very important function of dedicated domestic abuse legislation would be to make domestic abuse a clearly defined crime. This would mean that the perpetrator's criminal record would show that they had committed domestic abuse rather than simply record an assault, public order offence or similar.

I have no doubt that additional requirements will be raised during the development process, which I will do my best to accommodate. My intention is to bring a draft Law to the Assembly in 2020.

The current position and recent developments

While new legislation in this area is essential, members should note that in recent years the Assembly has approved significant improvements in the protection offered to victims of domestic abuse, and in the prosecution of abusers. The new provisions in the Criminal Procedure (Jersey) Law 2018 to allow evidence of hearsay and bad character will be of significant value in many domestic abuse cases, as will the improved provision for vulnerable witnesses to be brought into force in early 2020.

The Criminal Procedure (Bail) (Jersey) Law 2017 also offers improved protection to victims and witnesses by allowing bail conditions to be applied pre-charge to individuals arrested on the suspicion of domestic abuse.

In addition, the public order elements of the draft Crime (Prejudice and Public Disorder) (Jersey) Law 201-, which is currently under consultation, would provide that making threats to kill or cause harm are offences in themselves.

Lastly, the current guidance on prosecution of domestic abuse, issued by the Attorney General, recognises that *"Men, women and children can be victims of domestic abuse"*, and recommends that *"in cases involving an allegation of domestic abuse, if the evidential test is passed, the public interest will be generally in favour of a prosecution even if, for example, the injury was minor or the parties have reconciled."* This reflects the gravity with which our Courts and Government treat this issue.

2.14 DEPUTY M. TADIER OF ST. BRELADE OF THE MINISTER FOR EDUCATION REGARDING THE LOCATION OF A BRANCH LIBRARY AT LES QUENNEVAIS: (WQ.527/2019)

Question

Are there any plans to keep a branch library in Les Quennevais once the school has moved to its new site? If not, why not and, if so, what form will it take?

Answer

Les Quennevais Branch Library will not be moving with the school when the school relocates to its new building in September 2020. This decision was taken in the light of safeguarding concerns around the co-location of public and educational facilities. It was also felt that moving library services further away from the local population centre to the new school would be disadvantageous to our customers. As such we are currently exploring other possible venues where we might locate library services, to ensure they are readily accessible to the local community.

This is an opportunity for the Library to work closely with other partners and the local community to develop a broad and diverse range of complementary services and activities. Our aim is for us to develop a 'library offer' for the West of the island that is proudly owned by the people who use it.

It is possible that we will be able to relocate services from Les Quennevais school earlier than September 2020, but if we are unable to find an alternative venue before the school moves we will continue running services from the old school in the interim.

**2.15 SENATOR K.L. MOORE OF THE CHIEF MINISTER REGARDING A
BREAKDOWN OF CENTRALLY-HELD FUNDING FOR EFFICIENCIES:
(WQ.528/2019)**

Question

Would the Chief Minister provide the Assembly with a detailed breakdown of the £10.4 million of centrally held efficiencies and impact reports to identify how the delivery of services for each Minister's portfolio will be affected by them?

Answer

The figure of £10.4m of centrally held efficiencies is the sum of:

£5.58m for vacancy management and

£4.86m for management of non-pay inflationary pressures

These budgets will be managed and monitored corporately through the Executive Management Team.

We will realise the vacancy management efficiency through agreement with Directors General on what level of vacancy management (roles and value) they will be delivering. At an organisational level this represents a prudent reduction of a little over 1% from approximately 10% to 9% of current vacancies.

This differentiated approach to departments (rather than applying a fixed %) recognises the different composition and needs of departments in respect of vacancies, and how it will vary through the year. For example HCS and CYPES who will need to maintain frontline services through employment of bank nurses or supply teachers.

It is recognised that this situation will be dynamic and requires regular reviews between Directors General, the T&E and COO (specifically People & Corporate Services) functions. Impacts will be monitored through these reviews to ensure vacancy management decisions do not result in adverse consequences.

Similarly, and as described in the Efficiencies Plan, the longstanding practice of funding inflation increases in the costs of goods and services from central reserves is a disincentive to securing better value for money. By managing inflationary pressures within departmental service budgets, rather than from central reserves, departments will have greater incentive to secure more efficient and effective procurement and expenditure.

For delivery of this efficiency support will be provided to departments by the Commercial Services team

Evidence of the delivery of these efficiencies will be captured monthly in conjunction with the standard budget management process. The value of efficiencies delivered, by department and in total, will be reported in the 6 monthly analysis approved in P88/2019.

Cost of Producing Answer

As a means of giving an approximate indication to the time and cost of producing an answer to a written question, it has been decided that answers shall include a cost, broken down by grade:

Civil Servant Grade 15 x 60mins: £60.00

Director General level x 30 minutes: £40.50

Total: £100.50

2.16 SENATOR K.L. MOORE OF THE CHIEF MINISTER REGARDING THE GENERATION OF SAVINGS THROUGH THE TARGET OPERATING MODELS: (WQ.529/2019)

Question

Will the Chief Minister describe the rationale for generating savings through the Target Operating Models and explain how those anticipated savings are to be realised in the next 3 years alongside pay protection and the commitment to offer training to staff on pay protection in order to bring them back to the same level of pay?

Answer

Implementation of the Target Operating Models is intended to modernise and improve how Government works and delivers public services and is not principally a cost-saving exercise. Therefore, no cost-saving targets have been set for each directorate. Importantly, however, Directors General are charged with establishing organisational structures, populated with skilled and capable people at the right grades for the work required, that are efficient and effective. This means that each directorate can deliver its contribution to the Draft Government Plan (as agreed following this month's Assembly debate), aligning service delivery with affordable and sustainable cost. This benefits service users as well as taxpayers.

As the Target Operating Model work rolls out, roles are subject to formal job evaluation to determine the right grade for each role. Some are new, some are changed, and others have stayed the same. It is good sense to assure grading at the right level in any organisation periodically, and this has never been done across government in the full and systematic way that is now being carried out. If the grade of a job into which an individual is placed is below their previous grade then three years' pay protection will apply, in line with existing policy agreed with the unions.

The commitment to assist people to progress their careers including achieving a role at their original grade within three years is also good practice, and fair. As part of the investment case in the Draft Government Plan, additional resources for People and Corporate Services will allow for career planning, succession planning and investment in skills and qualifications that doesn't exist at present.

If people are successful in achieving promotion to a higher grade, then they will receive a pay uplift again in line with existing policy.

Cost of Producing Answer

As a means of giving an approximate indication to the time and cost of producing an answer to a written question, it has been decided that answers shall include a cost, broken down by grade:

Civil Servant Grade 15 x 60mins: £60.00

Director General level x 30 minutes: £40.50

Total: £100.50

2.17 DEPUTY R.J. WARD OF ST. HELIER OF THE MINISTER FOR TREASURY AND RESOURCES REGARDING 'LOCK-UP AND LEAVE' PROPERTIES DEVELOPED BY THE STATES OF JERSEY DEVELOPMENT COMPANY: (WQ.530/2019)

Question

How many and which properties are being advertised by the States of Jersey Development Company (S.O.J.D.C.) as 'lock up and leave' homes?

How many have been sold for this purpose since the inception of the S.O.J.D.C.?

What are the projections for sales of 'lock up and leave' properties over the next 5 years?

Answer

SOJDC is currently marketing and pre-selling the Horizon development. There are 280 apartments in the development and SOJDC has pre-sold units to both Owner Occupiers and Buy-to-Let investors.

SOJDC has previously clarified via a written question (WQ.310/2019) that the advertising of 'lock up and leave' homes is meant to highlight that the maintenance of the units is undertaken by others and down-sizers who are domiciled in Jersey but may have a propensity for extended periods of travel outside of the Island, can do so with the comfort that their homes are secure and are being maintained in their absence.

Encouraging empty nesters to downsize is viewed by SOJDC as a key move to encourage the turnover of family homes and reduce the volume of under-occupied units (2011 Census highlighted that 42% of owner-occupied homes were under-occupied by two or more bedrooms).

It is not possible to determine the number of purchasers who are retired and likely to spend extended periods outside of the Island.

The latest breakdown in the pre-sales is as follows:

218 units have been pre-sold to local purchasers (Entitled or Licensed) and 4 units have been pre-sold to off-island individuals all of which have a connection to the Island. The split between Buy-To-Let investors and Owner Occupiers is approximately equal to one another. Investors will only be able to let their units to locally qualified people (Entitled or Licensed).

2.18 DEPUTY R.J. WARD OF ST. HELIER OF THE MINISTER FOR ECONOMIC DEVELOPMENT, TOURISM, SPORT AND CULTURE REGARDING THE REINSTATEMENT OF THE POSITION OF CULTURAL DEVELOPMENT OFFICER: (WQ.531/2019)

Question

What plans does the Minister have to reinstate the position of Cultural Officer?

What has happened to the funding from the previous post which was lost?

Answer

The aim is to recruit a member of staff as soon as possible to support the arts, culture and heritage sector in Jersey.

The previous Cultural Development Officer left the position in May 2018 and the funding connected with that role was returned to the centre. However, this will be addressed in the new Target Operating Model that restructures staffing in Government departments. An officer will be dedicated to this important role.

2.19 DEPUTY S.M. AHIER OF ST. HELIER OF THE MINISTER FOR TREASURY AND RESOURCES REGARDING IMPÔTS RECEIPTS: (WQ.532/2019)

Question

Will the Minister advise the Assembly of –

- (a) the total Impôt Duty receipts from 2016 to the present day;
- (b) the total receipts for each category (Fuel, Tobacco, wine etc.) during that same timeframe;
and
- (c) the predicted receipts for 2020?

Answer

The table below shows a summary of the actual receipts from Impôts duties for the years 2016 to 2018 and the forecast receipts for the years 2019 and 2020.

The forecast receipts for 2020 include the proposed Government Plan 2020-2023 (P.71/2019) measures as shown in Summary Table 1A of the Government Plan 2020-2023 addendum. (<https://statesassembly.gov.je/assemblypropositions/2019/p.71-2019add.pdf>)

Summary of receipts from Impôts duties 2016 to 2020

Commodity	2016 Outturn £'000	2017 Outturn £'000	2018 Outturn £'000	2019 Forecast £'000	2020 Forecast £'000
Spirits	5,326	5,651	6,049	6,375	7,268
Wine	8,225	8,209	8,194	8,442	8,795
Cider	1,034	760	801	796	834
Beer	5,766	5,889	6,345	6,339	6,628
Tobacco	14,609	15,019	16,118	15,081	15,720
Fuel	21,885	22,761	22,105	23,557	26,088
Customs Duty	177	184	244	200	200
Vehicle Emissions Duty (VED)	1,418	1,526	2,607	2,948	2,730
Total Impôts Duties	58,410	59,999	62,463	63,738	68,263

Some columns may not sum due to rounding

2020 Forecast figures are inclusive of proposed Government Plan measures

3. Oral Questions

3.1 Deputy G.J. Truscott of St. Brelade of the Minister for Economic Development, Tourism, Sport and Culture regarding the Jersey Aircraft Registry: (OQ.286/2019)

Will the Minister state how much has been incurred to date on forming, maintaining and marketing the Jersey Aircraft Registry; and will he also update the Assembly on how many additional aircraft have been added to the registry since Ports of Jersey assumed control?

Senator L.J. Farnham (The Minister for Economic Development, Tourism, Sport and Culture):

Senator Pallett has responsibility for this area, so will be taking that question.

Senator S.W. Pallett (Assistant Minister for Economic Development, Tourism, Sport and Culture - rapporteur):

I thank the Deputy for the question. Previous answers in this Assembly have established that just under £900,000 is being spent on the creation and the operation of the Jersey Aircraft Registry since the Assembly adopted the legislation in 2014. As Members are aware, the decision was taken in 2017 to suspend further development until a new business model could be found. Since that time

there have been no new registrations. In early 2018, it was agreed that Ports of Jersey would manage the Jersey Aircraft Registry in much the same way that they manage the British Registry of Ships in Jersey. I am extremely pleased to advise Members that Ports are finalising the terms of a contract with a commercial third party, who will operate the registry following a public procurement exercise. The commercial operator will work with Ports and Government to relaunch the Jersey Aircraft Registry with a new business model. Further legislative development will be necessary, but this work will be undertaken in-house at no extra cost beyond officer time. A successful aircraft registry is an important addition to Jersey's offer as an international finance centre and I am optimistic about its future, despite its troubled start.

[14:45]

I would just like to add, we would have liked - and I am speaking specifically to the Chairman of the Economic and International Affairs Scrutiny Panel - to have given you a briefing before we answered this question today, but unfortunately, I think, the timing of the question did not give us the opportunity to do that, but we will.

3.1.1 Deputy G.J. Truscott:

I thank the Assistant Minister for his reply and this was literally ... the question was borne out of curiosity in looking for a progress report. Plainly it was disappointing that no sales had been achieved and the best part of £1 million spent on the Registry. I think because there are sensitive negotiations, commercial negotiations ongoing, I am possibly a bit reluctant to continue asking questions on this. From my point of view, I look forward to an announcement from the Assistant Minister at some point.

Senator S.W. Pallett:

I know there was no question there, but I could add that the final stage of the tender considered 2 applicants, although a slightly higher number showed some early interest. One of the 2 were based overseas and one in Jersey. It is, in fact, the Jersey-based entity that was the successful bidder. Although it has business interests in the U.K. (United Kingdom), it has an existing Jersey business presence already and will be employing Jersey staff to develop proprietary systems and to run the registry.

3.1.2 Senator S.C. Ferguson:

I am sorry, I may have just missed it. How many planes have we on the register at the moment?

Senator S.W. Pallett:

I should not say "pleased to announce", but we still have the one plane on the register. I will say that I am extremely grateful to that one owner, who has been extremely loyal to the Registry through what has been some very difficult times. I thank him for his patience during this period.

3.1.3 Senator S.C. Ferguson:

Can we ask who the owner is?

Senator S.W. Pallett:

I do not think that is appropriate.

3.1.4 Deputy K.F. Morel of St. Lawrence:

I was just wondering, being less reluctant to continue with questions as Deputy Truscott was, it was mentioned by the Minister £900,000 had been spent on setting up the Registry and, obviously, they have been in talks with the business to take over the running of that Registry. I was wondering if that £900,000 will be passed over to that business in the form of a liability, given that they will be

benefiting from the work that has already been done? A liability to be paid back to the States of Jersey, they will be benefited from the work that has already been done by the States of Jersey.

Senator S.W. Pallett:

No, I can confirm that that is not the case. The new commercial operator will be taking a risk in their own right in taking on the Registry and are going to invest a great amount of their own money into a new Registry. There are benefits to Jersey more widely rather than just in the States. It is not money that we will see returned to the Government of Jersey, but there are opportunities, I think, through tactical income in future to return some of that to general reserve but, no, the cost will not be passed on to the operator. It is a very exciting opportunity but I think it would be wrong to pass those costs on to them at the start.

3.1.5 Deputy K.F. Morel:

Given that, therefore, £900,000 is to be written off essentially, or it is £900,000 for one aircraft on the Registry, which is obviously not great value for money, would the Minister be able to inform the Assembly of what lessons have been learned from the setting up of this Registry, with a view to not spending £900,000 and sending it down the drain?

Senator S.W. Pallett:

I think, if we look back, the opportunities that a Jersey Aircraft Registry offered Jersey were good. Unfortunately, I think the model that we set the original Aircraft Registry up was flawed and we have to accept that we did not do enough work with that. It is hoped now that anything that comes out of the new business model will be built on more unique selling points. I think there were issues around what the unique selling points would be around our own Registry. There are also some legislative issues that we did not resolve early on that hamstrung the opportunities for that Registry. Lessons learnt. I think to make sure that whatever model is brought forward is the correct one and it is sold on unique selling points that are not already in the market. We were, in some ways, developing something that was very similar to other jurisdictions. I think it is a very difficult market to gain new registrations in. But I am hopeful that the new operator, when we can finally announce them and it is for them to show what their model is. I think it is going to come forward with a very ... using new technology I think a very exciting prospect for Jersey in the registry market.

3.1.6 Deputy R. Labey of St. Helier:

I wanted an answer to the original question too as to how many planes there were on the registry now, which Senator Ferguson asked. Could I ask instead: how many aircraft are registered on the Guernsey registry?

The Bailiff:

It is a matter for you, Senator, but ...

Senator S.W. Pallett:

I think it is around about 400, but I would be taking a guess.

The Bailiff:

Yes, it is not obviously within your area of political responsibility and, therefore, it would have been proper to decline that question, if you had wanted to do so.

Senator S.W. Pallett:

Again, I think it is around 400 to 500. Completely different model in terms of how they operate, but we have to accept they have been more successful in attracting planes than Jersey have. Again, the hope is, with this new technology, new way of looking at aircraft registry, I think it is an exciting prospect for Jersey.

3.1.7 Deputy K.G. Pamplin of St. Saviour:

Not for the first time, Deputy Labey is in my head, because that was the chain of thought of my question. Are there any lessons, referring to the original question, learning from our neighbours, are they seen as our competitors, or is there much to be learned from what they have done that can send this forward?

Senator S.W. Pallett:

I think there was an opportunity to work more closely with our neighbour at the early stage. Unfortunately, that did not work out. My own personal opinion, I think that was potentially a mistake. So, there are lessons to be learned from that. Again, I go back to the model itself. More thought should have gone into it. I think it was flawed from day one with the actual Registry itself. There were technical difficulties with it as well that made it very difficult to operate without the necessary legislative changes. They will have to come to this House at some stage. There are parts of legislation that will need to change and it will be an opportunity for Members to discuss it when we bring it to the Assembly.

3.1.8 Deputy M.R. Higgins of St. Helier:

I do not want to prolong the Assistant Minister's agony. Could he tell us what type of aeroplane was registered? Was it a business jet, was it an airliner, or a little Piper Cherokee?

Senator S.W. Pallett:

I can confirm it is a private business jet; moderate size.

3.1.9 Connétable J.E. Le Maistre of Grouville:

Does G.S.T. (Goods and Services Tax) play a factor in the fact that Guernsey have more planes registered than we do?

Senator S.W. Pallett:

I think that was a potential issue with the original model that was put forward in Jersey. It may be an issue that we have to resolve moving forward, but it is not something that is currently being discussed in terms of the negotiations. But clearly, without G.S.T., that is going to be a benefit.

3.1.10 Deputy G.P. Southern of St. Helier:

I am not sure if I have heard an answer to this question yet, but is it the Minister's opinion that the absence of G.S.T. in Guernsey was a contributor to their success and our failure and is it proposing to make registration of aircraft exempt from G.S.T. in the future?

Senator S.W. Pallett:

I think added to the difficulties in terms of the Register and what it was providing, am I bringing forward an exemption to G.S.T. at the current time; no, I am not. I am not saying it might not happen, but at the current time there is no intention to do that.

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

I just wondered if there are any generic lessons to be learnt from the failure of this fund, but also the Innovation Fund and the Canbebdone Productions Fund that also had money from the Department, whether any generic lessons can be learnt about future investments, which we can take away from this Assembly?

Senator S.W. Pallett:

Not guilty on the first 2, as I was on one of the Scrutiny Panels that reviewed them. I think we, at that time, saw potential issues that maybe the Minister at the time should have picked up. Generic lessons is just to get the model right. The Innovation Fund, for example, there were recommendations

put forward by the Scrutiny Panel that, I think, would have been wise to take up at that time. I think the same applies to the Jersey Aircraft Registry. All I will say again is the model was flawed. It was already going to be in difficulty in terms of attracting aircraft in what is a hugely competitive international environment. We have looked back and considered where else we could have made changes, but I think once it was launched on the model it was based on, the business model it was based on, it was always going to be difficult to attract aircraft.

3.1.12 Deputy R.J. Ward:

Is one of the flaws in the model, given that we have not changed and given that this Assembly has declared a climate change emergency, even having the aircraft registry in its current context?

Senator S.W. Pallett:

It is an extremely good point and I think something that Government will have to consider, moving forward. The aircraft industry itself, as we know, is going to have to look at carbon neutrality and look at the amount of carbon it pumps into the atmosphere. Travel will change, I have got no doubt. Probably within 10 years we will all have our travel limited in one way, or another. We will have so many air miles that we can go on holiday each year, or something of that nature, to try to prevent the amount of travel, or the amount of pollution that we put into the atmosphere. But we are not going to solve that this afternoon.

3.1.13 Deputy G.J. Truscott:

I thank the Members that have asked the questions, because I have gone through my list that I had here and you have done a very good job. I might commend you all. When will the Assistant Minister be intending to come ... will he be making a statement in the Assembly once the negotiations have been hopefully successfully concluded?

Senator S.W. Pallett:

I am hopeful that contract negotiations are nearing completion. So I would say weeks rather than months. I expect it to be weeks. In terms of relaunching the Registry, there are some technical issues that we need to resolve with the Director of Civil Aviation. Once we are through that then I think we can begin registering planes back on to the current Registry. In terms of the new business model, that is something that they have got to develop. That is not something I have got any information on at the current time. We have obviously seen their business model, but it is going to take some time to develop. It is new technology and, as I say, if it works in the way that they believe it is going to work, it has got a hugely exciting prospect for Jersey.

3.2 Deputy C.S. Alves of St. Helier of the Minister for Health and Social Services regarding patients occupying nursing beds in private sector care homes that were funded by the Minister's Department: (OQ.292/2019)

Will the Minister advise whether any patients, upon discharge from either the General Hospital, or a U.K. hospital, are occupying nursing beds in private sector care homes for recuperation that are funded by his Department?

Deputy R.J. Renouf of St. Ouen (The Minister for Health and Social Services):

Instances where Health and Community Services funds nursing beds in the private sector are very rare. It may occur when short-term care, or reablement, is required. For example, when it is not yet safe for an individual to return home, but not in their best interests to continue to stay in hospital. An example given to me was when a patient had a hip operation, but was not yet weight-bearing, but it was nevertheless better for that patient to be in a social care environment, rather than stay in the General Hospital. The question also asks about repatriation from a U.K. hospital and this is normally

done by way of a scheduled flight and the patient going straight home, or by a chartered hospital to hospital transfer with discharge planning commencing upon return to the Island. In very exceptional circumstances, it can be safer for a patient to go straight to a social care arrangement and, in those instances, discharge planning around complex care has happened in the U.K. with departmental staff travelling to the relevant care centres in the U.K. to make those plans.

3.2.1 Deputy C.S. Alves:

How are the numbers of these occurrences recorded and are they available in the public domain?

The Deputy of St. Ouen:

No, I do not believe they are routinely published, or available in the public domain, because those instances are rare, I am told.

3.2.2 Deputy K.F. Morel:

If I could ask the Minister to refer back to the original question, which was: will the Minister advise whether any patients are occupying? So, it is very much a question about the current situation. I was wondering if the Minister would answer by letting the Assembly know whether today any patients are occupying nursing beds in private sector care homes, as the first question?

The Deputy of St. Ouen:

Drilling down into the question like that, I have to advise that I am not aware whether today there are any such patients.

[15:00]

I regret, but I will ask and I will inform the Assembly.

3.2.3 Deputy G.P. Southern:

While sounding like an answer, 'rare' is not a number. Can the Minister indicate how many such beds have been needed in the last, say, 5 years?

The Deputy of St. Ouen:

That depends on how the records are kept. Five years is a long time. May I limit that to a reasonable number, in case it means a member of staff having to trawl through records for days on end. I just do not know. I will say that we will provide the numbers over the last 12 months; if it is any easier we will go further than that.

3.2.4 Deputy M. Tadier:

How can the Minister say that the cases are rare, if he does not have the numbers to back that up?

The Deputy of St. Ouen:

This is a point of detail concerning the running of the hospital and discharge arrangements. I am not privy to every patient who is going through the hospital and exactly how they are discharged. I have said they are rare, because that was the advice given to me.

3.2.5 Deputy M. Tadier:

Would the Minister explain why his officers have not provided him with any figures to back up this question, given that this is the most obvious supplementary question to come out of oral questions and that, surely, they risk making the Minister look slightly foolish not having that information to hand?

The Bailiff:

Are you able to assist on the information you have been given, Minister?

The Deputy of St. Ouen:

I can only repeat what I have said. As Members might know, we meet together to discuss questions. We obviously took a line anticipating what information was required and I would hope that Members would see it is about how we take decisions based on people's best interests, not just about numbers. This is about care and this is about looking after people in the best way possible. That is how we approached it. We obviously did not foresee that some Members would want to drill down into the actual numbers of a very rare occurrence, but that request has been made and I will do my best to provide that information.

3.2.6 Deputy R.J. Ward:

Would the Minister agree, given that we are currently developing a future healthcare model, which I would say looks very promising, that this is exactly the sort of data that is essential to feed into that model, so that we can plan for the future and ensure that we are providing the best care in the best place and at the best time?

The Deputy of St. Ouen:

I would agree and I am sure it will be fed into the model.

3.2.7 Deputy K.G. Pamplin:

On this chain of thought, as we discovered in our Scrutiny hearing recently, the information provided on the website for the outpatients is inaccurate, has not been updated since September, so again, continuing that theme, when can the Minister start providing us with the accurate information; that we cannot see questions like this coming through when there is genuine concern?

The Deputy of St. Ouen:

Yes, in the Scrutiny Panel meeting we explained the limitations on the data collection we have at the moment and we felt that those figures, as the Deputy has said, were not accurate, but they were, unfortunately, the best figures we had at the time. But so much more work is being done around data collection, which I am sure will include recording the figures that Deputy Alves has asked about. That release of information will be improved very shortly.

The Bailiff:

Final supplementary, Deputy Alves?

Deputy C.S. Alves

No, thank you, Sir.

3.3 Connétable D.W. Mezbourian of St. Lawrence of the Minister for Home Affairs regarding the decision not to have a Deputy Chief Fire Officer: (OQ.285/2019)

When did the Minister decide not to have a Deputy Chief Fire Officer, and why?

Connétable L. Norman of St. Clement (The Minister for Home Affairs):

If I could preface my comments by saying that we have, in my view, a first-class Fire and Rescue Service, that is the envy of many other jurisdictions. This is a credit to our firefighters who serve on the front line and to our very effective senior leadership team. At the present time, we have decided to have a flatter structure in the Fire and Rescue Service. We will continue to have a senior management team that is fit for purpose and reflects our modern and dynamic service.

3.3.1 The Connétable of St. Lawrence:

Before making his decision, I would expect the Minister to have taken note of the 2017 independent strategic review of the Service, undertaken by the highly qualified Chief Fire and Rescue Adviser to the Welsh Government. The report noted the then limited senior resource capacity within the Service and made a recommendation as how best to secure and utilise that capacity, which included the role of a deputy chief fire officer. Has the Minister read that report? If so, what consideration did he give to that important recommendation, before he decided to abolish the role of the Deputy Chief Officer, thereby reducing capacity even further?

The Connétable of St. Clement:

I did see the report some considerable time ago, soon after I was appointed. But I think the Constable will know that we have been in the situation since the previous Fire Chief retired and the current chief became deputy chief. Also, despite that report that the Constable refers to, we have been conducting detailed service reviews ourselves, exploring the opportunities to improve the efficiency and effectiveness of our services, while maintaining and properly resourcing the front line, which is absolutely vital to me. These reviews have highlighted opportunities to create a senior management team that is best placed for the challenges that the Fire and Rescue Service face today.

3.3.2 Deputy K.F. Morel:

Given that the Fire Service is one which has been an exemplar of succession planning over the years, as an outsider looking in, it seems to me that removal of the Deputy Chief Fire Officer role could be a hindrance to future succession planning and bringing up talent from within. Does the Minister agree with this précis of the situation and if not, would he explain why not?

The Connétable of St. Clement:

Succession planning is vitally important in all services - and particularly those in Home Affairs - and I think that the Home Affairs Department have got a good record in succession planning. I think the new Fire Chief is a Jerseyman, who has come through the ranks; the current Chief of Customs and Immigration has come through the ranks ... sorry, the Deputy is mouthing something to me which I cannot quite understand. So there is a good situation there. The new Fire Chief is only recently in post and one of the roles he will have, one of the conditions he will have, is to encourage and think about succession planning when he eventually retires. We do have a substantial management team, including the Area Commander, Group Commander and 4 Station Commanders. All of whom will have the potential with training and expertise and experience to move up the ranks as opportunities arise. But succession planning is vitally important.

3.3.3 Deputy K.F. Morel:

Given in a future situation where we are looking for a new Chief Officer, given that other Brigades around the U.K. will have Deputy Chief Fire Officers and local candidates would not have been able to operate at that role, they being seemingly subordinate roles, does that not put local candidates at an immediate disadvantage to candidates from the United Kingdom?

The Connétable of St. Clement:

I see absolutely no reason for that at all. The existing management team, if the Chief Fire Officer is away, or is ill, the Area Commander steps up for the delivery of all response activities. The management structure is in place. There is a hierarchy. There is a flatter management structure than we used to have but, quite honestly, I have been concentrating - and I think Members would expect me to - on front line fire-fighting services. That is the most important thing to me. But the guys in the management team are also doing a first-class job and I have got nothing but respect and praise for them also. Hopefully, it will be some time before we are looking for a new Fire Chief anyway.

3.3.4 Senator S.C. Ferguson:

You never know, buses do operate and so on. Would not a deputy officer ... well, no, you have to always ... I am sorry, people do not understand; you must always allow for being knocked over by a bus.

The Bailiff:

Yes, but if you could pose your question.

Senator S.C. Ferguson:

Would not a deputy officer be the person to supervise such improvement as a clean cab policy? Would the Minister come back to the States and confirm that the Department has got a clean cab policy?

The Bailiff:

I am sorry, I am not sure I heard the expression. A clean what, Senator?

Senator S.C. Ferguson:

When firemen are wearing their uniforms in the cab, there is a lot of rather nasty materials that they acquire during fighting a fire.

The Bailiff:

I see. I just was not sure that Members would have understood the reference to a clean cab policy. Your question was: is the absence of a Deputy Chief Fire Officer likely to ... would plan for that?

Senator S.C. Ferguson:

Would he not be the person to supervise such improvements as a clean cab policy and maybe the Minister would like to come back to the States and confirm that the Department has a clean cab policy?

The Connétable of St. Clement:

I do not need to come back to the States. I can tell the Senator that the Fire Service operates a clean machine. No question about that. I do spend time at the Fire Station. I do spend time with the management team and officers of the Fire Service. In fact, just a few weeks ago, I spent a whole day, an awful day, with Green Watch where I was taken into a simulated burning building, I was cut out of a car which simulated a crash. I thank my Assistant Minister for assisting with that particular thing. I think there was a force 6 going on at the time and I was taken out in the R.I.B. (rigid inflatable boat), in the rescue boat and that was a terrific experience. Also, on that day, we went on 2 emergency calls, which was totally impressive and saw the co-operation that goes on between the Fire Service and the Ambulance Service. I do not know quite what that has to do with the Senator's question but I do assure her - and she is more than welcome to come and see - that the fire engines, before they go out, are very clean. Very clean indeed.

3.3.5 Senator S.C. Ferguson:

The toxic materials that the fireman's uniforms pick up during a shout are such that it causes a health hazard and most advanced Fire Brigades are taking off their uniforms and putting them in a separate compartment when they go back in the machine. Does our Fire Brigade do that?

The Bailiff:

That question is not related to the presence, or otherwise, of a Deputy Chief Fire Officer, Senator. It is asking about current practice which, in my judgment, has not anything to do with that.

3.3.6 Deputy K.G. Pamplin:

Just for some clarity, would the Minister confirm that there will be a review of how this is working and also reassure that every person involved, from every staff level within the Fire Service, will be able to take part of that service, to see how it is affecting the delivery of the service?

The Connétable of St. Clement:

Absolutely. Two things to say about that: we will be having a target operating model review beginning of next year, which all officers and all firefighters will be involved in and be able to have their input. What I really want to do, because it has been some time, is to have a proper formal inspection by Her Majesty's Inspectors of Constabulary and Fire also next year, if not the year after, when all of these sort of things, including the management structure, the number of firefighters, the number of machines, the number of resources we have, all that to be taken into consideration to inform and advise me, as the Minister.

The Bailiff:

We have run out of any reasonable time allocation for this question, I am afraid.

3.3.7 The Connétable of St. Lawrence.

It is interesting to hear that a further review will take place in a couple of years' time. But, clearly, public safety must be paramount in all decision making that reduces operational capacity. Will the Minister assure the Assembly today that this decision will not result in any reduction in service to the public? Apart from that assurance, will he tell us why he believes that to be the case?

[15:15]

The Bailiff:

They may be playing your tune, Minister.

The Connétable of St. Clement:

I think they are coming for the Constable. Can I say, I am absolutely confident that the Fire and Rescue Service and the other emergency services, for which I have political responsibility, will run extremely effectively as it is currently structured. The Chief Fire Officer has an excellent team around him and I know that between them they can provide effective leadership and resilience of the Service. I have said before that if additional resources, that changes are needed to improve these services, I will not be found wanting, if a robust case can be made by the services. I proved that with what I have done with the States of Jersey Police and if the other services find themselves in a similar situation, they will not find me wanting.

3.4 Deputy K.F. Morel of the Minister for Treasury and Resources regarding the heating bills issued by Andium Homes to its tenants: (OQ.287/2019)

Will the Minister, as shareholder representative, advise whether Andium Homes has removed its tenants' heating costs from their monthly rental charge, so the tenant now has to pay their heating bill separately; and, if so, will she explain why?

Deputy S.J. Pinel of St. Clement (The Minister for Treasury and Resources):

The Assistant Minister will answer the question.

Deputy L.B.E. Ash of St. Clement (Assistant Minister for Treasury and Resources - *rapporteur*):

Andium Homes has been running a programme of replacement of old J.E.C (Jersey Electric Company) winter warmth tariff heating systems. This has been in progress since 2012, starting with the La Collette high-rise refurbishment. It is basically the J.E.C. are no longer able to source vital

parts to support the old winter warmth heating systems and so the J.E.C. have declared them obsolete. For this reason, the J.E.C. can no longer support the historic winter warmth heating tariff which Andium Homes clients paid for within their rent. Additionally, the heating systems within some homes require significant upgrade as part of Andium Homes' commitment to achieve the U.K. decent homes standard across all of its homes. The modernisation will improve thermal comfort for its many clients and it offers a greater degree of choice and control. Previously, the winter warmth heating systems operated only between October and May of each year and people had no control over those. Following the installation of the new heating system, the weekly heating element has been removed from the total rental charge and clients were, therefore, informed that it was important that they budget for their heating by saving this weekly rental reduction and apply that saving to their quarterly electricity bill, as is the case for all other J.E.C. customers. It is also the case that clients, who receive an income support payment towards their heating costs, will still receive that payment directly from Social Security. Andium Homes, together with the J.E.C., have assessed the number of homes converted from winter warmth to the new controllable heating systems and found that, on average, running costs are broadly similar. The J.E.C. also have a dedicated team that have been able to help and advise clients on the most efficient use of their new heating system and on how to budget during this essential changeover.

3.4.1 Deputy K.F. Morel:

I notice choice, flexibility and control are given as the benefits, but often these just mean price rises, and, indeed, I am aware of one vulnerable tenant, who has been advised to put aside £100 a month by Andium Homes - they have advised the tenant to put aside £100 a month - for their heating costs, while their rent bill is being reduced by just 5 per cent, leaving the tenant with a net loss of over £700 *per annum*. Does the Minister believe it is appropriate for Andium to make its tenants hundreds of pounds a year poorer?

Deputy L.B.E. Ash:

I can only say that, in our experience so far - and I would have to discuss this with the Minister for Children and Housing as well - that has not been the overall case at all and, as I say, the J.E.C. have made it a point that anybody who has asked, they will show how to run these in the most economic way possible. What we do have, of course, is an interesting situation where, in the past, in some places, the only way to regulate your heating was to open the window, because you could not turn it on, or off, because it was just on throughout those winter months. So, what we will have now are people who are responsible for their own heating and electricity. If they ran the heating all year round, yes, it will cost them more, but equally, if people are careful as to how they use it it may well cost them less. As I say, all the research so far shows that there is very little difference for the vast majority of tenants.

3.4.2 Deputy M. Tadier:

The Assistant Minister talks about learning how to budget, but will Andium be providing information about the energy efficiency ratings of their homes, so that tenants and prospective new tenants, while moving between properties, or moving into an Andium property for the first time, know exactly what the property is likely to use, because it has an energy efficiency rating?

Deputy L.B.E. Ash:

That is an interesting question. It is not one that I have a definite answer to, but one thing I would say - and I think the Minister for Children and Housing would agree with me - on any of the situations when people move into a new Andium property, Andium are very good at bedding them in, showing what you should and should not do and generally they look after their clients very well and they have a 24-hour call-out service for any problems that may occur.

3.4.3 Deputy M. Tadier:

Is it not the case that many tenants, moving out of an old property into a new one, are going to be moving from an old rent tariff into a new one? We have seen cases of people moving from a 3 to 2-bedroom, or a 2 to a one-bedroom where their rent goes up. On top of this, they are going to be hit with an additional heating bill, which they did not have to pay before. Is this a symptom of the fact that Andium, in terms of their policy application, have lost their way and that - not just the heating issue, but certainly the heating issue is the subject of this question - needs to be regarded urgently, along with a review of general costs to those people?

Deputy L.B.E. Ash:

As I said, the general research that Andium have done shows that the bills have not gone up, so I think, on that, they have covered that. I think it is a rarity in the cases where it has done. As far as people moving into new accommodation with rent. Again, it is possible sometimes that it will go up, because you are in a newer property, but if you cannot afford it, you will still be covered under the benefit scheme, so I do not think it will hit very many people. But, again, it is something the Minister for Children and Housing and I are looking at, as to whether, in order to try to encourage - and we have moved off the subject a little bit - people to downsize, it is applicable that if someone is encouraged to move, they then end up paying more rent. It is something that we will be looking at.

3.4.4 Deputy K.G. Pamplin:

Just seeking some further clarity to the original question: can the Assistant Minister provide us either today, or in a follow up email, how many households this affects and how many of those households has Andium Homes approached, spoken to and taken through that process and how many are there left for them to help through? Just for clarity, thank you.

Deputy L.B.E. Ash:

I do not have all those facts at hand now. Obviously, it did originally affect nearly all Andium's properties, because they were moving from what was an obsolete heating system that really was not very good, particularly when we are looking at fuel economies and all the green policies we have got, it really was obsolete. That has been removed. I do not know how many people they saw in the process. All I do know is the J.E.C. were perfectly willing, they had a team absolutely dedicated to go and see people who wished to see them. I can try and get some figures and as soon as I can I will circulate them.

3.4.5 Deputy R.J. Ward:

Is there not a risk that removing this inclusion of heating is also removing the protection for those who really struggle to budget in this way and, therefore, having heating separate could lead to individuals switching their heating off in the winter and going cold and the most vulnerable, who perhaps are the most least likely to be able to budget as well, would suffer. Would it not have been best to give the option to include heating in rent, in a similar way, as this change was made?

Deputy L.B.E. Ash:

It is a very good question, but, obviously, it has changed. It was easy to keep the rent in there before, because it was one system, everybody had the same system. It was on at the same time for everybody in the whole thing, so you all paid the same. Now, of course, people are paying different. It has to be done on an individual basis. It is also true that the J.E.C. and Andium have encouraged people to set up monthly standing orders, as many people in here do, to the electric board and that covers that problem.

3.4.6 Deputy R.J. Ward:

Has the Assistant Minister not just explained the increase in complexity that comes with this, which is exactly the problem in terms of budgeting that people face? Therefore, it is just leading to a problem in the long term.

Deputy L.B.E. Ash:

It is not really doing anything that other people are not asked to do with their phones, electricity, whatever. It was just a quirk with Andium, because everybody was on the same heating system, same tariff. They are not anymore, because people will use it to an individual amount. It is just not a feasible thing to do.

3.4.7 Deputy K.F. Morel:

Has the Minister considered that the Island's most vulnerable people often live in Andium Homes' properties and, indeed, with reference to Deputy Ward's question, the tenant that brought this to my attention is now, indeed, too scared to turn on their heating, because of the fear of the electricity bills, precisely because they do find it difficult to deal with the complexity, as Deputy Ward mentioned? Does the Minister appreciate that a phone call and an order to set up a direct debit are not an appropriate way to handle moving somebody from a very simple system to a much more complex system, particularly when they are vulnerable? On top of that, will the Minister please provide the Assembly with all the research that Andium Homes has done, which has given them the view that there are no problems with this policy?

Deputy L.B.E. Ash:

As I have already said, I will endeavour to provide the Assembly with as many statistics as we can pull together. It is a difficult problem and I agree if someone has been inconvenienced ... if you give me their name and contact details, I will arrange - and I am sure the Minister for Children and Housing will as well - for Andium to contact them and see what we can do, whether it is within the benefit system, or whether Andium can come to some sort of agreement to help.

3.5 Deputy G.P. Southern of the Minister for Health and Social Services regarding the development of a model to support access to and the affordability of, primary care for financially-vulnerable individuals: (OQ.294/2019)

Will the Minister assure Members that the development of a model to support access to - and affordability of - primary care for financially-vulnerable individuals will be completed no later than October 2020 and, if not, why not; and is it his intention to bring down the cost to the patient of G.P. (general practitioner) consultations as part of this model?

The Deputy of St. Ouen (The Minister for Health and Social Services):

I can assure the Deputy and all Members that I and my Department are fully committed to an ambitious programme to fully develop and implement the new Jersey Care model and this work will continue throughout the rest of this year and the whole of 2020. This includes the Government Plan commitment to address the development of a model, which supports access to primary care for financially vulnerable individuals during 2020, next year. G.P.s will play an important role in the new model and where patient costs remain in the new system, measures will be included to reduce, or to remove, those costs for financially vulnerable patients.

3.5.1 Deputy G.P. Southern:

Could the Minister enlighten Members about how he is progressing with negotiating fresh contracts for our use of G.P.s in our system? How far has he got?

The Deputy of St. Ouen:

G.P.s are fully engaged in the redesign of the system. We are having very productive meetings with them. We are now embarking with them on a detailed planning stage with the imminent appointment of a health planner and economist to stress test the Jersey Care model and develop an affordable

health model, which improves that access to primary care services, which the Deputy and I are so passionate about.

3.5.2 Deputy K.F. Morel:

The Minister mentioned the implementation of the Jersey Care Model and also mentioned that further work is being done on it. Would the Minister provide the Assembly with a rough time, or even a date, as to when you will be bringing the Jersey Care Model before the Assembly for us to discuss and debate?

The Deputy of St. Ouen:

I think we have to await the work of the health planner and the economist. In addition, this week I have been very pleased to learn that the Health and Social Security Scrutiny Panel wishes to carry out a review into the healthcare model and I have no doubt we will be talking of that very question that Deputy Morel has asked. I would anticipate all that work being done and I hope the Scrutiny Panel, having concluded its review, then we can bring so much more information to the Assembly.

3.5.3 Deputy K.F. Morel:

A very brief supplementary. Can we take that as an assurance that the Minister will be bringing the Jersey Care model to the Assembly for debate and voting on?

The Deputy of St. Ouen:

That would be my wish. This should be discussed first in Council of Ministers, it will be discussed in the Scrutiny Panel, exactly how we do this, but I would like to bring all that detail to the Assembly in some manner and get its endorsement at some stage.

3.5.4 Deputy K.G. Pamplin:

I thank the Minister for drawing attention to our Scrutiny Panel review, which we very much would like to pay tribute at this stage to the Minister and the Department for their work in supporting us thus far.

[15:30]

Going back to the original question and intention of bringing down the costs to the patients of G.P. consultations, what has he identified already as some of the blockage in achieving the aims of Deputy Southern and all of us in making healthcare accessible for all?

The Deputy of St. Ouen:

The blockage is the very limited and inadequate model we have at the moment where it is a fee for service. Somebody has to attend and, just by virtue of that, the G.P.s receive something and then that is the end of it. There is no ongoing care, it is up to the patient to present themselves if a problem occurs. That is what needs to change in so many cases. It is not to say that that will be ruled out in all cases, but the challenges facing a health service these days are dealing with long-term conditions and it is very likely that we will contract differently with G.P.s, so that they will be asked to look after a number of patients with long-term conditions and receive a contractual payment for doing so. The contract with them will set out outcomes that we wish to see delivered.

3.5.5 Deputy R.J. Ward:

Given the essential nature of affordable primary healthcare to the very basis of the model that is being created, when does the Minister see tangible change happening - and I mean when, a date - to make primary healthcare access cheaper and more affordable for people on this Island? As, without that happening, then the model that he is presenting, which I said before is very promising, will be doomed to failure.

The Deputy of St. Ouen:

There is change happening now, at the moment. I refer Members to the Listening Lounge, which opened recently, where instead of going to seek the help of a G.P., patients can attend free of charge at a listening lounge. We are also developing clusters of G.P.s and paying them differently to look after, for example, again mental health patients. So, change is happening, but it is being given a boost by the Jersey Care model and the work we are doing with G.P.s. I cannot set out a month-by-month timetable when that work has still to be completed, but the intention is that the work of the planner and economist will be completed in the first half of 2020 and we expect to make very significant progress by the end of 2020. This care model will roll out in 2021 and subsequently, also.

3.5.6 Deputy R.J. Ward:

Will the Minister, therefore, say that residents of this Island will be seeing cheaper access to their G.P. by the mid-2020, end of 2020, beginning of 2021, mid-2021, end of 2021, or just not before the next election?

The Deputy of St. Ouen:

There is a commitment in the Government Plan that by the end of next year we will develop a model that addresses the affordability of patient fees and that is our commitment to do so.

3.5.7 Deputy M. Tadier:

A moment ago, in one of his answers, the Minister said that one of the problems of the current system is that it is up to the patient to present themselves. Could he clarify what he means by that?

The Deputy of St. Ouen:

In the payment model we have, G.P.s are not asked to follow up their patients, or to take a wider interest in their general healthcare in the long term. It is dependent upon the patients presenting to their G.P.s when they have a problem. Now, I know it is not a criticism at all of G.P.s, because I know they do look after the interests of their patients, but it is the payment model that we have.

3.5.8 Deputy M. Tadier:

Does he mean that there should be a different model whereby G.P.s have to guess whether any of their patients, at any one time, are feeling ill and therefore pay them a home visit, or phone them just on the off chance that they might be feeling a bit peaky?

The Deputy of St. Ouen:

No, I do not mean that at all. I mean that we are discussing commissioning G.P.s to take greater responsibility for their patients, but not just G.P.s but a whole range of primary care practitioners, which might include practice nurses and pharmacists.

3.5.9 Deputy I. Gardiner of St. Helier:

I think the Minister, where there is a big difference between G.P.s surgeries ... some G.P. surgeries offer free visits for under 16, for all children under 16, some under 5, some pay £10 and some pay full price. Would the Minister advise if, with consultation with G.P.s, we can address this, basically saying there is a business model that allows under 16 visits free which can be adopted by other G.P. surgeries and, if not, could this information be published, so the public can make a decision which G.P. to go to?

The Deputy of St. Ouen:

What I can say is that we are looking at children and how their access is made available. We include that within the term 'financially vulnerable patients', because children do not usually have their own income. So, we are looking at that in the studies we plan to do and we have spoken to the Children's Commissioner about the issue also.

3.5.10 Deputy I. Gardiner:

The point that I would like to clarify with the Minister, it is not about just Government putting money in to meet the cost for children G.P.s, but a G.P. who is able to create a business model, which allowed them to use existing budgets to offer free visits for children under 16. So, I am talking about the partnerships from both sides.

The Deputy of St. Ouen:

Yes, I am trying to understand the question from the Deputy. Yes, I acknowledge that some G.P. surgeries have provided a service free for children, but that must mean that they are somehow subsidising that service from elsewhere within their practices. But they are private practices, so I do not know the extent of that and we have no control over that, save to the extent that G.P.s can still claim a proportion of funds that are paid to them from the Health Insurance Fund, the £20 or so, when they do see that child. So they are still receiving for seeing the child, even if they do not charge the parents the remainder of the fee. All that model, that way of doing things, is under consideration and I think will be thoroughly discussed and is very possible that could well change in the next year.

3.5.11 Deputy G.P. Southern:

Does the Minister accept that between £42 and £45 does put off people from going to see their G.P. and does he not accept that it is essential to bring down those numbers attending A. and E. (Accident and Emergency) - 30,000, I understand, attendees at A. and E. -inappropriately, unless he does bring those numbers down that his model will not be made to work?

The Deputy of St. Ouen:

I think I can accept that, that we do know that some patients are put off by the cost of attending their G.P. or do not go early enough and that this does impact to a great extent on the A. and E. Department. I can accept that.

3.6 Deputy R.J. Ward of the Minister for Infrastructure regarding the safety of the Island's bus shelters: (OQ.288/2019)

What actions, if any, are being taken to improve the safety around bus shelters, particularly at night and for those in more remote locations; and if none, will the Minister commit to review the situation?

Deputy K.C. Lewis of St. Saviour (The Minister for Infrastructure):

Most shelters are equipped with street lighting and, therefore, are illuminated by existing lamp columns, some also have internal illumination. The main reason for lighting bus shelters would be to enhance passenger amenity, for example, by making it easier to read the timetable display. Where an issue is raised, I am more than happy to look at installing lighting.

3.6.1 Deputy R.J. Ward:

We are in this situation again where I feel I should ask the same question again. Are there any actions to review other areas of safety around late night bus shelters, for example some form of accessibility, or C.C.T.V. (closed circuit television), around certain areas, in order to reassure people that they are safe in getting late night buses?

Deputy K.C. Lewis:

Quite a complex question in a way. There are C.C.T.V.s that cover many of the town bus stops, but of the shelters administered by Infrastructure - which are 77 - there are 5 that are internally illuminated, 53 that are covered by street lamp columns and unlit 19. However, I do not administer all of the shelters, there are other bodies, such as Ports of Jersey and, indeed, many Parishes have their own, in which case there are 19 additional shelters, of which internally illuminated 2, nearby street lamp 12 and unlit 5. So, the total of bus stops in use comes to 811.

3.6.2 Deputy M. Tadier:

I am worried about the lack of empathy that might have been shown by the Minister. Clearly, the context of this question is one about a recent occasion where a young woman got raped in Grouville at a dark bus stop and the question of lighting is not there to talk about whether, or not, bus travellers can read a bus timetable, it is about safety. Will he address the issue? It is clearly easy to be wise in hindsight, but it is also clear that outside of St. Helier C.C.T.V. is not widely used and would having better lighting combined, perhaps, with C.C.T.V. either prevent this kind of recurrence happening, or at least facilitate the capture of a rapist, who is still out there at large?

Deputy K.C. Lewis:

Pretty appalling assertion, if I may say so. I have complete empathy with the victim of the recent crime. I deliberately avoided talking about it, because it is a live investigation, so we must allow the police to do their work. Already I have been in communication - or the Constable of Grouville has been in communication - with me, so should it be desirable, lighting can be installed at that particular stop. We have ascertained that there are cables running very nearby and should it be found desirable we would indeed put it in. But that there is no empathy is completely out of order.

3.6.3 Deputy K.F. Morel:

Looking at the original question, it is about safety overall and, of course, safety at bus shelters is not just about safety from the actions of humans, it is also about safety with regard to the traffic and accessing that bus stop. With this in mind, would the Minister - and this is a very specific question ... the Minister's officers have already agreed with me that there is a bus shelter at the top of La Ville Emphrie in St. Lawrence where access is via a bank, because there is no pavement and children and adults are both in danger of slipping, particularly in the very wet weather we have at the moment, into the traffic when it is icy and wet. Will the Minister commit to reviewing the access to that particular bus stop in the next prioritisation round, ensuring that Islanders and parishioners of St. Lawrence are able to access that particular bus stop safely?

Deputy K.C. Lewis:

We will use our best endeavours to make sure all bus stops are in a safe location. There may need to be a certain amount of land acquisition, but we are more than happy to do that, so I will put that in the programme. Also, we have 7 proposed new bus shelters going up shortly, Bagatelle Road, southwest bound near the Bagatelle junction, the La Rue le Masurier, La Grande Route des Sablons, Grouville, Le Route de St. Aubin westbound and Clarke Avenue eastbound is the next *tranche*. But, as I say, we have many stops there and we are trying to put up as many shelters as we can and we will do our best endeavours to keep the public safety with lighting, or whatever measures are needed to keep the public safe.

3.6.4 Deputy K.F. Morel:

Just purely confirmation: I understood the Minister to say that he would put that particular bus stop into the programme in the next round of prioritisation; would he confirm that is the case?

Deputy K.C. Lewis:

I will put that forward to the prioritisation with our road safety panel, which is an internal panel within Infrastructure, for prioritisation.

3.6.5 Deputy G.P. Southern:

Can we just expand the question a little and ask the Minister what plans he has in hand to improve safety at bus shelters?

[15:45]

Deputy K.C. Lewis:

I thought we had just covered that. I am not sure what more I can add. We work under advice, we have not had anything from the police yet. As I say, it is a live investigation, so I do not want to go over that ground again, but we want to make sure the public are safe and we will do whatever is necessary to keep the public safe.

Deputy M. Tadier:

May I apologise to the Minister for implying, or suggesting, that he is not empathetic. I know that is not the case, he is and I just clearly wanted an answer to the underlying question. So, I apologise to the Minister for that.

3.6.6 The Connétable of Grouville:

As the Minister mentioned, I have been in discussions with him about providing lighting at that particular bus stop. I think lighting will make people feel safe, but had lighting been present before that terrible incident, how likely does he think the crime would have stopped, or not happened at all?

The Bailiff:

I am not sure the Minister can answer that question.

Deputy K.C. Lewis:

Sorry, that is impossible to answer but, as I say, whatever makes the public safe and feel safe. I would be more than happy to put on that lighting.

Deputy C.F. Labey of Grouville:

Will the Minister ensure that when and if lights are put up, or shelters, or where the bus stops are ...

The Bailiff:

Deputy, I had overlooked that you are, of course, a Minister and normally Ministers would not ask questions of other Ministers, so I am afraid I have to not call upon you on this occasion. Thank you very much indeed.

The Deputy of Grouville:

OK, thank you.

The Connétable of Grouville:

Am I allowed to ask another question? I could probably ask the question that the Deputy was just about to ask.

The Bailiff:

The answer is, no, I am afraid not, Connétable. You did not signal for a supplemental when the time came. I called upon another Member, so I am afraid that time has passed. A final supplemental, Deputy Ward.

3.6.7 Deputy R.J. Ward:

I would just say that the question really is about anything that we can do to ensure safety, not just in the horrendous worst-case scenarios - and we all have empathy for that; I am sure the Minister does and that was not implied and I am glad my colleague apologised - but just safety in general, if we are going to encourage people to use buses and if we improve our bus service so they are later on in the evenings, which I know that everybody wants, I was pleased to hear him say that he will be looking at general safety, as well.

The Bailiff:

Sorry, is there a question there?

Deputy R.J. Ward:

I do not think there is, I apologise.

The Bailiff:

The trick is in the word “supplementary” question, a final supplementary question but ...

Deputy R.J. Ward:

I can add: “would the Minister agree?”

Deputy K.C. Lewis:

I do, indeed.

3.7 Deputy K.G. Pamplin of the Minister for Children and Housing regarding recently recorded increases in private sector rental prices: (OQ.289/2019)

What action, if any, will the Minister take in response to the finding of the latest Jersey House Price Index from Statistics Jersey that private sector rental prices have increased by 1 per cent during the last year?

Senator S.Y. Mézec (The Minister for Children and Housing):

The rising rent costs continue to be one of the biggest challenges for families struggling to make ends meet in Jersey, which I am sure Members of this Assembly are well aware of. The Deputy will know that there is ongoing work being done by the Housing Policy Development Board, which is considering a range of policies to improve the housing market, stabilise rents and increase the supply of good quality, affordable housing in Jersey and that Board will be presenting its findings to the Chief Minister early in the new year. But in the Government Plan, which we will be debating for the rest of this week, he will see that there are bids in there for funding that will enable me to undertake projects starting next year, including improving the Residential Tenancy Law to provide better stability for tenants, look at setting up a rent control tribunal which will have powers to tackle unreasonable practices in the private rental sector and also introducing a legal framework that will control the level of letting fees that are currently being charged to tenants in the Island, many of which they cannot be charged in other jurisdictions, because they have been quicker to deal with this unfair cost that is put on tenants.

3.7.1 Deputy K.G. Pamplin:

I thank the Minister for his answer. In the last 2 years, statistics in front of me show that private rental prices have increased by over 15 per cent. This is based on the 2002 levels; this alongside the decision by former Assemblies to have 90 per cent social rent as the benchmark. Is it the Minister’s view that this is working and does there need to be a re-think?

Senator S.Y. Mézec:

It is absolutely not working, that is blatantly obvious. I said in my election campaign that I consider the housing market to be broken. I still consider that to be the case and I find it supremely frustrating that our government system does not enable these issues to be dealt with much quicker, especially when there are solutions to some of the parts of this problem that are staring us in the face, because we can see what other jurisdictions do with great success. The U.K., as I mentioned before, has banned certain letting agent fees and looking at how rents are dealt with in places like Vienna in Austria, which I think has got a pretty good system. No, the situation is not working and that is why, when the Housing Policy Development Board reports back, I will be very interested in what feedback Members will have, because it will have a wide-ranging series of recommendations, not all directly

to do with rents and tenancy laws, but also to do with the availability of land and how that can be made, so we are getting the best use out of land and, therefore, the best costs out of it as well.

3.7.2 Deputy K.F. Morel:

Notwithstanding that we are all looking forward to the results of the Housing Policy Development Board's review, having been in office for 18 months now, would the Minister appraise the Assembly of the steps he has taken so far to try and bring down the cost of renting in the Island?

Senator S.Y. Mézec:

It was the case, right since the very moment that I took office as Minister for Children and Housing, that I had dealt with the Chief Minister and agreed that this would be the course of action we would go down. I said during my election campaign that putting proposals together to deal with the overarching issues here was not a simple piece of work and would take some time to achieve. What I do not have the power to do unilaterally is issue a decree that says: right, we are cutting rents by this amount, or: this legislation is being passed instantly without it having to go through the usual procedures. So, I am extremely frustrated that things take as long as they do, but I am satisfied that the Housing Policy Development Board is doing the work as best as it can and I know Members will look forward to its recommendations being published.

3.7.3 Deputy K.F. Morel:

Given that the Minister is quite clear that he has particular ideas in mind, such as rent control tribunals and things like this, why is he indeed waiting on the Housing Policy Development Board, why is he not just ploughing ahead, creating policy himself as Minister he is charged to do?

Senator S.Y. Mézec:

Well, there are 2 things I would point out to that: the first is that many of the issues that affect the housing market, there are levers that are not within my reach, because they fall into the reach of other Ministers, planning being an obvious one if we are going to talk about the cost of land and that is why we have to work together to find these wider solutions. But I would say to the Deputy, as he can see in the Government Plan, I have got bids in there to get a substantial amount of money, which will enable me to do some of this policy work and I am very much looking forward to cracking on with it. I wish we would have been able to have a more flexible M.T.F.P. (Medium Term Financial Plan) system and we have had that debate several times here.

3.7.4 Deputy R.E. Huelin of St. Peter:

According to the question, the private sector rental prices have increased by 1 per cent during the last year and I think R.P.I. (retail price index), as we found out over the last quarter, was 2.7 per cent. Does the Minister not think that his policies, such as they are, have been very successful?

Senator S.Y. Mézec:

I would greatly accept that if it is intended, as I think by the Deputy, as a commendation of my success as Minister, but I do not agree with him in that I think the R.P.I. figures are probably misleading, especially when you are looking at real terms earnings. The figures are skewed, because we continue to have a society where those with the most amount of money continue to see their wealth concentrated and those at the bottom are becoming worse off. So, I think those statistics are not very useful if you are trying to understand the situation that ordinary working people at the lower end of the income scale are living their lives.

3.7.5 Deputy R.J. Ward:

As a point of clarification, may I ask: is the figure of 1 per cent last year accurate? I am not so sure it is ...

The Bailiff:

Well, I am sorry, Deputy, this is question time. You cannot make points of clarification, they do not exist. You have not yet asked a question of this Minister. If you want to ask a question of the Minister, then you are perfectly at liberty to put your light on and ask a question but ...

Deputy R.J. Ward:

But the problem is, I think they are talking about a question that there is a wrong number there and so the whole debate is somewhat flawed.

The Bailiff:

I understand but there is no conceivable way the Presiding Officer can make a ruling as to whether, or not, the statistic is accurate. If you have a question for this Minister, by all means pose it. I can call on you now if you wanted to do that.

Deputy R.J. Ward:

Does the Minister believe that the 1 per cent figure is correct in the question?

Senator S.Y. Mézec:

I thank the Deputy for his extra minute's notice of this question. That statistic has been given to us by the Jersey Statistics Unit, in whom I have a great deal of faith. I think that the work they produce is very important. That is in the Retail House Price Index, which is published on the gov.je website. He can look at that to see what that figure represents, because within a number will be a million other numbers that can tell you all sorts of different stories about what is happening on the ground, but their report will be helpful to work out exactly how they have come to that particular figure.

3.7.6 Deputy K.G. Pamplin:

It would not surprise Members of my research, it is right in front of me, on a rolling 4-quarter basis: 'Advertised private sector rental prices increased by 1 per cent during the year and in quarter 3, 2019 compared with the year ending quarter 2, 2019.' On this and hearing other Members ask the questions, will the Minister get to a point where we do have - and quite rightly - a climate emergency? But if this is unattainable, when do we declare that we having a housing emergency on this Island?

Senator S.Y. Mézec:

That is an excellent point and I am going to have to say to Members of this Assembly that whether we are able to deal with this properly, or not, will depend upon how brave we, as the collective representation of the people, are prepared to be. It is my view that we have a market that works too much in support of the rights of investors, as opposed to the rights of people who need a roof above their head. Some of the proposals that the Housing Policy Development Board are likely to propose are things which I suspect will be challenging to some people. I hate to make this point, but there are more landlords represented in this Assembly than there are in the wider society and that means that people are going to have to think very hard about how we deal with this. Some of those solutions may not look like things that this Island has been prepared to put up with previously, but I hope this Assembly will be brave and accept that we do need drastic action on this.

3.8 Deputy G.P. Southern of the Minister for Health and Social Services regarding information provided in the 'Government Plan 2020–2023' (P.71/2019) about additional expenditure to improve Islanders' wellbeing and health: (OQ.295/2019)

Given that, on page 50 of the Government Plan, readers are directed to table 56 for further details about additional expenditure to meet the priority to improve Islanders' well-being and health and that

table 56 provides no such detail, but only sets out changes to the overall heads of expenditure, will the Minister inform Members where the detail of this additional expenditure may, in fact, be found?

The Deputy of St. Ouen (The Minister for Health and Social Services):

The Deputy is quite correct, there is an error in the Government Plan, for which we must offer apologies. Readers should have been directed to table 57, rather than to table 56. Table 57 may be found on page 200 of the Government Plan and, therefore, I can refer the Deputy and all Members to table 57, rather than table 56. Apologies again.

The Bailiff:

A supplementary, Deputy?

Deputy G.P. Southern:

I am looking at table 57. No, Sir.

3.9 Deputy K.G. Pamplin of the Chief Minister regarding immigration policy in relation to the hospitality, agriculture and retail sectors: (OQ.290/2019)

Further to the presentation of the interim report of the Migration Policy Development Board (R.140/2019), what evidence, if any, has been gathered that suggests there needs to be a reduction in immigration, specifically in relation to the hospitality, agriculture and retail sectors?

Senator J.A.N. Le Fondré (The Chief Minister):

The Connétable of St. John is answering this question.

3.9.1 Connétable C.H. Taylor of St. John (Assistant Chief Minister - *rapporteur*):

The interim report was published on the Migration Policy Board's website along with information it gathered and the considerations it has made. The interim report contains a number of principles that the Board is discussing with interested parties throughout October and November. These parties have included representatives from industry, the environment, the charitable sector and the Polish and Portuguese community. I would like to thank all those who have given their time and given their valuable feedback to the Board. What is clear from our consultations and considerations to date is that the current controls are not working as intended. This is what the Board was set up to investigate. The Board will consider the recommendations that will be made to the Chief Minister after the consultation period has concluded. The Board will also need to take into account the direction that the next U.K. Government might take on Brexit. I have to unfortunately emphasise that Brexit should have happened, it has not happened and has left the Board with an awkward quandary and we will need to know the outcome of Brexit before we can come to our final conclusions.

3.9.2 Deputy K.G. Pamplin:

I thank the Connétable for his answer. Brexit aside, just looking at the Scrutiny Panel's response to what was published, what has the Panel taken away from those recommendations? I know the process of responding to it, but there does seem to be a continual theme from similar questions earlier about the data gathered. Are they confident with the data they have got so far and can he allude to what can be done next to improve that data?

[16:00]

The Connétable of St. John:

As I said, I am very grateful to the representatives from industry and environment, the charitable sectors and others who have come forward and given their opinions. We have had some very frank and open discussions and it has been very beneficial to the Board to have gone through this

consultation process. Once we have finished the consultation process, which is at the end of this week, we will then be able to sit down and start producing our thoughts and recommendations to the Chief Minister.

3.9.3 Deputy M. Tadier:

Having to explain our residency and work rules to people not from Jersey, it is very difficult to explain how there is a 5-year rule before you can work in Jersey and a 10-year rule before you can rent, or buy, in Jersey. They always ask: “Well how do you live in Jersey for 5 years without working and how do you work in Jersey for 10 years without being able to rent?” The Constable said that current mechanisms to control the population do not currently work. Would he clarify if that means that the 2 mechanisms we have ostensibly to control the population do not work and that they should either be changed, or abolished?

The Connétable of St. John:

The question really refers to my personal opinions and not those of the Board and I am reluctant to make those known. I will say, however, that we are not looking for wholesale change and we are not going to throw the baby out with the bathwater. What is required is greater control and this can be achieved with the current structure, so long as it is properly understood and properly implemented.

3.9.4 Deputy M. Tadier:

I am not clear what is the baby and what is the bathwater in all of this. He has told us that the residency rules do not work. It is not clear if that is because they do not work full stop and that people come and stay despite those mechanisms, or that the mechanisms we have are too lenient. So, could he clarify whether he thinks that the 5 and 10-year rules should perhaps be extended, so you have to live here for 10 years before you can work, for example and go back to the old days where people had to live in Jersey for 20 years, in parenthesis I would say ‘in substandard accommodation’, or does he favour ... well simply which is his preference, either personally, or politically as a Minister?

The Bailiff:

You can only answer as a Minister but ...

The Connétable of St. John:

I can only reiterate really what I have said is once we have finished gathering all the information and once all the contributors have contributed, we will then deliberate with the information we have. To start trying to guess the outcome of the future is not possible.

3.9.5 Deputy R.J. Ward:

May I ask the Assistant Chief Minister, either as Assistant Chief Minister, or on behalf of the Migration Policy Board, whether he has a figure in mind for what the population of Jersey should be ideally?

The Connétable of St. John:

I have repeatedly answered this in the past. I have no idea on what the figures could, or should, be. That is a matter for this Assembly to decide.

3.9.6 Deputy R.J. Ward:

Does he believe that having a living wage may encourage more locals to take up jobs effectively and therefore having an effect on the population?

The Connétable of St. John:

I do not think there are many people out of employment at the moment, who would not welcome a job, even at any wage, or at the current wage. We are moving rapidly from a minimum wage towards a working wage and that is something that I support.

3.9.7 Deputy K.F. Morel:

Notwithstanding that I appreciate the Assistant Chief Minister will be providing comments and a response to the Scrutiny Panel's report, I urge Members to read the Scrutiny Panel's report on the findings by the Migration Policy Development Board. One of the findings, finding number 3 says: "The Migration Policy Development Board did not reach out to relevant stakeholders during its formation and only contacted a very limited number to invite on to the Board." Apologies, my microphone was off. In the interim report, published by the Migration Policy Development Board, it says that a number of lay members will be on the Board. It talks in the future tense, rather oddly. Could the Assistant Chief Minister advise the Assembly as to which lay members are members of the Board and which industries are represented on that Board?

The Connétable of St. John:

We have 3 lay members on the Board and, after much deliberation, it was decided to approach the Institute of Directors to appoint a person, or nominate a person, for the Board. We approached the Chamber of Commerce, because we felt that they were very broadly representative of Island businesses and we asked them to nominate a person for the Board. The Chief Minister and I, after much consultation, decided to ask Michael Oliver, a very well-respected local individual, if he would join the Board because his knowledge, I know, is most welcome. That is how we had the 3 lay members on the Board.

3.9.8 Deputy K.F. Morel:

Finding number 5 of the Scrutiny Panel's report says: "The diversity of the Migration Policy Development Board was not satisfactorily considered during the Board's establishment." When it talks about diversity, I imagine they are talking about having no Assembly Members under the age of 60 and also no people representing migrant communities on that Board. Could the Assistant Chief Minister explain why this was the case?

The Connétable of St. John:

I take very great exception to that question. I will not go into great detail, because I have not got the time with 90 seconds in which to answer that fully. This is passive discrimination and I will not tolerate it. The Board was made up in conjunction with the Chief Minister and myself on the basis of individuals' knowledge, their ability and their enthusiasm. There is no point having somebody who is not willing to commit and there is no point in having somebody who is not knowledgeable and those are the 3 criteria that I use. Somebody who looks at a Board and says it is not gender balanced, or it is not age balanced, or their examination of a Board is based on that basis, they are themselves being passively discriminatory. I look at people on their ability, on their knowledge and on their enthusiasm to get the job done and that is the only criteria.

3.9.9 Deputy K.F. Morel:

I asked also specifically about migrants and migrant communities. I doubt that the Assistant Chief Minister has much knowledge, or experience, of being a migrant, or a migrant community member. Could he explain why there are no migrants, or migrant communities, on the Board?

The Connétable of St. John:

I am a migrant myself. [Approbation] I was born in South Africa. I have experienced apartheid, so do not ever talk about discriminatory to me.

3.9.10 Deputy G.J. Truscott:

I totally agree, it is about control and, personally, I do not have an issue of swelling our numbers as we did back in the 1960s and the 1970s with workers coming over to the Island on a work permit-based system and then going once the job had been done. Does the Assistant Chief Minister agree that a work permit-based system is the way forward? I cannot understand what the procrastination is about.

The Connétable of St. John:

I thank the Deputy for that question and, to some extent, he hits the nail on the head. When the United Kingdom joined the Common Market, over a number of years, the Common Travel Area was extended. Currently, Jersey is able to attract, within the Common Market, a pool of some 650 million people. That is the area in which we can attract people to come to live and work in Jersey. After the U.K. leaves Europe, assuming that happens, the pool will be greatly diminished down to approximately 80 million, being that of the British Isles. Therefore, it will be more difficult for individuals to come and live and work on the Island and a permit system will be needed, I believe, and this is how greater control will be more easily possible.

3.9.11 Deputy K.G. Pamplin:

I just want to go back to the original question about the evidence. I thank the Assistant Chief Minister for giving us some more evidence, because that is what I am after. I think that is what we all need to make the right decision. So, just to clarify again, can he steer me and the Assembly to the evidence gathered so far that suggests there needs to be a reduction in immigration, specifically in relation to the hospitality, agriculture and retail sectors, for example, not the finance industry or other sectors of the Island?

The Connétable of St. John:

I do not believe that there needs to be a reduction in any particular area. What we require is the right individuals for the jobs available. In discussion with the industry, when somebody comes through the door, when they are looking for employment, very rarely do they ask what are their qualifications and very rarely do they have an option to interview a number of individuals. At the current time, usually a business advertising for somebody is lucky to have one individual come through the door and the only question they ever ask is: "When can you start?" This, unfortunately, is not matching the individuals to the job vacancies and so there is a mismatch and that is something that needs to be tackled.

3.10 Deputy R.J. Ward of the Minister for Education regarding the workload and marking policy agreed for use in the Island's schools: (OQ.291/2019)

Will the Minister advise whether the workload and marking policy, agreed with the teaching unions, has been fully implemented in all schools and, if so, how the impact of this policy has been monitored?

Senator T.A. Vallois (The Minister for Education):

I believe the Deputy is referring to the Marking and Planning Guidance for Teachers document, which was written in agreement with all the unions and launched in September 2018. The document is published on gov.je and accessible for all teachers, parents and students. Additionally, hard copies were made available for all head teachers and staff rooms. Briefings were given to all head teachers about the document and clear reference is made to this document in the Jersey Schools Review Framework, which was officially launched this September. Off-Island lead reviewers were briefed about our approach to marking, planning and feedback and were taken through the contents of the document during a 2-day induction in April 2019. Monitoring of the guidance implementation will be part of school reviews and there are plans to further develop the consistency of the implementation.

3.10.1 Deputy R.J. Ward:

It is a difficult question to ask, because I understand all those things have happened but on the ... I suppose what used to be called the 'chalk face', but I am showing my age, how can the Minister be assured that a tangible change is being seen in the classroom because, anecdotally, we are not seeing what we are hearing in the Scrutiny Panel, for example.

Senator T.A. Vallois:

I think this is the difficulty with how we approach this particular way of dealing with these areas. Because, of course, it has got to be recognised that there is not a one-size-fits-all approach, especially when it comes to learning in schools. Teachers are dealing with very different types of behaviour, experiences, learning requirements, so it is absolutely right that we would want to ensure that we are trusting teachers to implement the right learning model within the classroom for the cohort of students that they have before them. But, like I said, the review framework that we have just launched this September will help and assist our senior advisers to ensure the intention behind the guidance, that was agreed with the unions, is more consistently applied.

3.10.2 Deputy M. Tadier:

Does the Minister agree that the highly-selective education system that we currently have means that workloads, depending on which school you are in, i.e., whether it is a fee-paying, or a non-fee-paying school and also depending, possibly, on catchment, means that some teachers will have much bigger workloads, because they are required to deal, for example, with lots of S.E.N.s (Special Educational Needs), for example and other more complex needs that some schools may not need to deal with. Does she agree that this means that when looking at a workplace between the schools, that needs to be taken into account? I probably will not ask any more questions.

Senator T.A. Vallois:

It is a slightly different expectation from the guidance that I have been particularly asked about, but I would agree with the Deputy that, of course, there are much further workloads on schools where they have got further needs, further trauma to deal with within their schools that the teachers are having to find extra time to support, not just the students, but the families as well.

[16:15]

Also, having to support each other in ensuring that they are providing an appropriate lesson plan that is suitable for the children and working with the teaching assistants to have that one-to-one support.

3.10.3 Deputy M. Tadier:

Does the Minister specifically agree that it is the highly-selective nature of our education system - I would call it the overly-selective nature at many different levels - which leads to this disbalance when it comes to workloads? Would she take it upon herself to make sure that this theme about when and if we have selection to such a high degree in Jersey persists will be included in any review that she is bringing forward?

Senator T.A. Vallois:

I am not sure I totally agree whether it is an imbalance, due to purely the highly-selective education system that we have. The reason why I state that is because one of the themes that we are seeing coming through, special educational needs are not just to do with children that are not academically selected. So, we are seeing a high situation of demand in Hautlieu School, as an example and that is a selective school, even though it is a public school, but it is academically selective. So, we have got to recognise, we have to take away this assumption that we have in society that maybe just because you are bright you do not necessarily need extra support in certain areas. So, I am not sure whether

I could ... I think I know where the Deputy is trying to get at in terms of the fee-paying sector, but I am just saying that there are further fundamental issues that we are having to deal with.

3.10.4 Deputy R.J. Ward:

It was refreshing to hear the Minister at the public hearing that we had on Friday understand that 60 hours a week for a teacher to work is very common. Therefore, that points to the fact that much more work needs to be done on not only workload and marking policy, but the implementation to see tangible differences and, therefore, make the profession something that can be done and not take such a toll on people's lives.

The Bailiff:

Sorry, is there a question there, Deputy?

Deputy R.J. Ward:

Does the Minister agree? [Laughter]

The Bailiff:

Do you agree, Minister?

Senator T.A. Vallois:

Yes, I agree. I do not know whether I need to go any further than that, but there is a lot of work happening with around how we are working towards the future of the education system. But the guidance, the planning guidance that is referred to in your question, if that is read, there is a responsibility on us all, students, parents, teachers, school-leavers and the Department, to ensure that we have the right workload that produces the right outcomes for our children and not unnecessary bureaucracy.

The Bailiff:

Can I just make the observation, without in any sense singling out the last question, but this has happened on a number of occasions during the course of the question time thus far: the poser of the question, when they are given a final supplemental question, it is not an opportunity to make a definitive statement, a summation, or make a political point. It is still the opportunity to ask a question and it increasingly appears to be the case that fairly broad statements are taking the guise of questions at the end and that is really not the purpose of questions with notice in this way.

3.11 Deputy K.F. Morel of the Minister for Infrastructure regarding the structure and effectiveness of taxi and cab services in Jersey: (OQ.293/2019)

In developing the Sustainable Transport Plan, is the Minister's Department assessing the current structure and effectiveness of taxi and cab services in the Island?

Deputy K.C. Lewis (The Minister for Infrastructure):

The 2010 Sustainable Transport Policy initiated a comprehensive programme of taxi cab regulatory reform, which will not be fully implemented before March 2021. As part of this established and ongoing reform programme, there are periodic unmet demand surveys and review points, which consider the further measures that might be required. I can confirm the new Sustainable Transport Policy will also include measures to review the role of public transport, including taxi cabs, in reducing traffic and carbon emissions.

3.11.1 Deputy K.F. Morel:

I appreciate the review that is being undertaken, but surely the only important review that needs to be undertaken is the informal Facebook pages, *et cetera*, which Islanders are using to set up their

own taxi services, essentially. Does this not lead the Minister to realise that there is a need for a restructuring of the taxi services and does the Minister believe they are meeting today's needs?

Deputy K.C. Lewis:

Yes, the taxi drivers do work very hard, likewise the taxi cab drivers. There is the safety, there are an enormous amount of checks with taxi cab drivers. They have to go to C.R.B. (Criminal Records Bureau) checks, they have to be licensed as P.S.V. (Public Service Vehicle) drivers. There are lots of regulations involved. The people that the Deputy is referring to are providing lifts for money, which is illegal; it is very dangerous, they are completely unregulated, there are no background checks and, heaven forbid, should there be a horrific accident, there is no insurance. So, I would advise people strongly, do not use these kind of things, either catch a bus, or a taxi cab.

3.11.2 Deputy S.M. Wickenden of St. Helier:

I was wondering if the Minister could confirm whether part of the Sustainable Transport Policy that is going to look at taxis is going to re-introduce something such as an exam for taxi drivers, as I had a C.E.O. (Chief Executive Officer) of a very large company just the other day that came back from the airport and came to dinner with me and then turned around and said: "Well if you could listen to what the taxi driver told me, I would have turned around and gone back to the airport." They are supposed to be the ambassadors of the Island, there used to be an exam. A lot of the older taxi drivers are brilliant at this, but I think there should be an exam. Will that be looked into as part of the Minister's policy?

Deputy K.C. Lewis:

Not quite sure where the Deputy was going with that. Sorry, could the Deputy elucidate on that, please, then?

Deputy S.M. Wickenden:

Absolutely. I was asking whether there is going to be a re-introduction of the exam that is about taxi drivers being ambassadors and promoting this Island and answering questions that are pertinent to this Island in being ambassadors, that they used to do that. Apparently, clearly, they are not doing now.

Deputy K.C. Lewis:

I thank the Deputy for that clarification: so not running the Island down and being polite and courteous and well-dressed to all customers. I absolutely agree. I am more than happy to pass that on to the board.

3.11.3 Deputy M. Tadier:

The corollary to which is, of course, that all taxi drivers will from now on be employed by the Communications Unit at Chief Minister's and be told what to say after they have had the chip put into their brain. Sorry, Sir, you are indulging me, but that is clearly a statement trying to make a ...

The Bailiff:

Well I assumed it was leading up to a question, Deputy, but ...

Deputy M. Tadier:

The question is: I would like to focus on the positive potential and the current positive impact that taxi drivers have in the Sustainable Transport Policy. We know that taxi drivers have been leading the way when it comes to environmentalism. Many of them have hybrids, so partially-electric cars, or possibly even fully-electric vehicles. Could the Minister expand on what the possibilities are for them also being encouraged to be used more by the public, so potentially, if we use them more, prices

would be brought down and they could also, perhaps, access some of the areas of the Island, which the current bus company has not been able to necessarily maximise?

Deputy K.C. Lewis:

I think I got the gist of where the Deputy was going with that. It is a minority of taxi cab drivers that do run the Island down, but it just needs one, or 2, which is unfortunate. The overwhelming majority are very polite and courteous to their customers. Regarding the company itself, we had, as part of the original review, the J.T.D.A. (Jersey Taxi Drivers Association), as they are commonly referred to, were part of the original consultation and they were consulted widely. Regarding vehicles, yes, taxi drivers are ahead of the game, inasmuch as 77 of the vehicles that are used are, in fact, hybrid, electric and fuel vehicles, so I congratulate them for that.

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

In the light of the question, would the Minister agree that the time for restricting the numbers of taxis/cab drivers has now gone and that, secondly, if I may, is there any longer a reason for having 2 levels, namely public rank and private hire drivers?

Deputy K.C. Lewis:

Yes, that is indeed happening with the purple plates, so the whole system will not be transferred until 2021. There are existing long-term taxi drivers, who have grandfather rights, shall we say and the whole transfer in 2021 will be the few remaining ones transferring over. It is more efficient now. Lots of the taxi cab drivers are using apps, if they do not affiliate to a particular company and they can be called by using various apps on the phone, which is proving to be a very efficient system.

3.11.5 Deputy K.G. Pamplin:

I refer to the Minister's response about alluding to the questioner's point about what is developed on social media with young people. As a father of a 17 year-old son, my priority is getting my son home to my doorstep and if he has to pay in a car, where he knows that he is going to get here, is it not time, as part of the sustainable plan, that we engage with young people and that we can learn from them and listen to them as to why they are choosing this service, so we can help make it safer, regulate it and work within, because the priority has to be the safe arrival of our children home?

Deputy K.C. Lewis:

I absolutely agree with the safe return of the children home. Absolutely 100 per cent agree with those sentiments. The best way to do that, at the moment, is with a regulated taxi cab service if buses are not available in that particular area or, indeed, early hours of the morning at that time. I would again reiterate my advice not to go near the lift service that are provided, as I consider them to be extremely dangerous. There are several taxi cab companies out there, who are coming up with several initiatives, such as minibus services and we are exploring the ways that these can be shared, so we are on the way to that.

3.11.6 Deputy K.G. Pamplin:

Just to make the point again, will you, as part of this plan, set up a round table discussion, engage with teenagers, get their views and points? Because you cannot simply say to a teenager, as I am finding out every day at the moment: "Do not do that", because the genie is out of the bottle, this is not going to go away overnight. We have to work with our young people, to listen to them, to get their views to making something workable, so we can get them involved and home safely, as you are alluding to. I am asking, will that engagement happen with young people, just to listen to why they are choosing this way?

Deputy K.C. Lewis:

The team engages all people, young people, old people and families generally, to get people home safely. That is going to be part of the discussions we will be having.

3.11.7 Deputy G.J. Truscott:

It was roughly 20 years ago I was last in Singapore and the use of the car down there has been taxed so heavily I think it is really now a pastime for the rich only, but the government there subsidised public transport to a huge degree and they also subsidise the taxi and cab industry. Is that something, perhaps, we can consider going forward with the ring-fenced funds that we generate?

Deputy K.C. Lewis:

Well, we do, in fact, subsidise the public with regard to the bus service. We do not subsidise the taxi service, as they are individuals who like to do their own thing and they are doing very well - some better than others obviously - but they prefer to remain individual in that sort of sense. But I cannot see there being subsidised taxis any time soon, but the bus company is subsidised by way of subsidising the passengers, with people with disabilities and people who cannot, for various reasons, use motor vehicles.

3.11.8 Deputy R.J. Ward:

Would the Minister agree that one way to encourage cab drivers to move to electric vehicles would be to give incentives such as removal of G.S.T.?

Deputy K.C. Lewis:

That is straying outside of my remit at the moment, but I think the policy at the moment is not to interfere with G.S.T., is to keep it low and simple, but that is a matter for Members.

3.11.9 Deputy R.J. Ward:

Would the Minister for Infrastructure suggest other ways in which he would encourage the move to electric vehicles?

Deputy K.C. Lewis:

Yes, part of my remit also involves the multi-storey car parks.

[16:30]

We are increasing our charging points in multi-storey car parks. Quite a few individual companies and individuals themselves are putting in charging points for electric vehicles and it is certainly the way to go at the moment and it is something that I would encourage.

3.11.10 Deputy K.F. Morel:

Does the Minister accept that as lift services thrive online and dozens of otherwise law-abiding Islanders, if not hundreds of otherwise law-abiding Islanders, are willing to run the risk of prosecution in order to provide them, does he accept that this, in itself, shows that the current taxi and cabs market is not providing the services that Islanders need, in order to take them home safely? As a corollary to that, would he also outline how many extra cabs and taxis will be on the road as a result of the purple plate system that is continuing to be in use until 2021?

Deputy K.C. Lewis:

I would agree that obviously, especially with young people, the cost involved has a lot to do with using, shall we say, other initiatives that are online, which I will not advertise. I consider it to be highly dangerous. They do not have the same overheads as regulated taxi cab services, they do not have to sit for a P.S.V. licence, they do not have to have C.R.B. checks and they do not have to be insured to carry passengers, so obviously they can do it cheaper. But it is illegal, it is dangerous and I strongly advise against it. Obviously, there is work to be done if people are feeling the pinch of

how we can get people home safely and quickly. I have mentioned certain taxi cab companies now are looking into minibus services, which is possibly the way to go for youngsters to get home safely.

Deputy K.F. Morel:

How many extra taxis and cabs will be on the road as a result of the purple plate situation?

Deputy K.C. Lewis:

Well, the purple plates are an amalgam of the taxi and cab service. More plates have been issued. I do not have the actual statistics with me at the moment; more than happy to get back to the Deputy on that. But there is a fine line with providing a service and not saturating the market, in which case, taxi and cab drivers could go out of business if there were far too many taxis and cabs around, so it is a very fine balancing act.

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

The Bailiff:

Very well, that brings questions with notice to an end. We now move to periods of Questions to Ministers without notice. The first question period is for the Minister for Children and Housing.

4.1 Deputy S.G. Luce of St. Martin:

I have been reading the written answers to questions provided by various Ministers and the answer to question 6 specifically about the provision of social housing into the future. I note in the Minister's answer a list of potential sites in the future and, while I appreciate that neither Cyril Le Marquand House, nor South Hill are going to be affordable housing sites, I note that we have Warwick Farm and St. Saviour's Hospital on that list. Could we, therefore, assume that the new hospital will not be built on either of those sites?

Senator S.Y. Mézec (The Minister for Children and Housing):

I think that the key word in the question there was 'potential'. If the hospital is to not go on those sites, then, as Minister, I will be pushing for housing on those sites. Ultimately it will be the decision of this Assembly which site the hospital does go on. If it goes on one of the 2 sites he has listed, it will not go on the other of the sites, so they can all go on the list of potentials, but the key word is 'potential'.

4.2 Senator K.L. Moore:

Would the Minister give the Assembly an update on the work of the Policy Development Board?

Senator S.Y. Mézec:

That is a very potentially wide-ranging question. The Board meets regularly; we, I think, are hoping to have something published early next year. That Board has also been working with those who are constructing the Island Plan to try and feed in some of what our early findings are likely to be, so that they are prepared for that when putting forward to that Island Plan. But I hope that we will have something more substantial early next year that Members can look at and comment on.

4.2.1 Senator K.L. Moore:

Would the Minister not agree that it would have been more sensible to approach the Government Plan with findings from the Policy Development Board at an earlier stage, in order to best meet the needs of children?

Senator S.Y. Mézec:

I think that is a very fair point and, ideally, that certainly would have been the case. Sometimes it can be very difficult meeting competing timetables when there are lots of different pieces of work going on. She has mentioned the Government Plan, but the Island Plan equally as well is important. But I remain satisfied that in the run-up to the Government Plan we have got a substantial amount in that to deal with some of the consequences that are likely to arise from the Housing Policy Development Board's recommendations and it was right to seek to get agreement for that funding even before the Housing Policy Development Board had concluded, rather than waiting until afterwards and having to go for round 2 of the Government Plan, where there may be more difficult competition there.

4.3 Deputy R.J. Ward:

Could I ask the Minister, as the Minister for Children and Housing, does he believe that families on this Island can live on the minimum wage?

Senator S.Y. Mézec:

No, is the clear answer to that, certainly not without having to resort to the benefit system. Even still in that situation, many families would find themselves facing very adverse situations in their life, because of their lack of means. The Deputy knows that I am a staunch supporter of the living wage campaign; I was a founding member of their advisory board here and I remain of the view that we need to be pushing for a much higher minimum wage. We can talk about investing in services that children benefit from and that is obviously important, but many families, when running their own day-to-day lives, have the autonomy, or often lack the autonomy, because they do not have the money to make particular choices to support their family. So, I support improving the minimum wage to improve the lives of people on low incomes, especially families with children.

4.4 Deputy M. Tadier:

Can I congratulate the Minister and also Senator Moore, for taking the step to spend a night in the car park, partly to highlight the **[Approbation]** issue of homelessness in the Island? With that in mind, could the Minister give an update as to the progress of the homelessness strategy, how he sees it coming forward?

The Bailiff:

I am sorry, Senator, I am just hearing rather a lot of background chat from the corner there and I could not hear properly what the question and answer was, so others might not have done, but please carry on.

Senator S.Y. Mézec:

I think recognition also has to go to Sanctuary Trust, who put on that event who, I understand, met their target of £10,000 in fundraising, which is fantastic. **[Approbation]** They said that it was around about £10,000 that it costs to look after a single person going through their service for a year, so that is really important. There were around about 120 other people who took part in sleeping out in the car park in very uncomfortable and cold circumstances, to try and understand what it is like. The work for the homelessness strategy is proceeding at a pace that I am content with. We had a workshop on Thursday last week, which was really well attended by all sorts of different agencies that are feeding into this. Again, we hope to be ready to publish the findings of that, or to publish that strategy, early next year. I am very pleased with how that work is going and look forward to showing Members how that has proceeded.

4.4.1 Deputy M. Tadier:

Does the Minister acknowledge that, while we do have individuals sleeping in car parks, that much homelessness in Jersey is what we might term casual homelessness and sofa surfing, caused by a lack of affordable housing? Will he continue to take steps to bring down, in particular, rents in the private

sector? What mechanisms does he have and how does he think he will overcome the obstacles from a small, but vocal, minority of landlords in the Island?

Senator S.Y. Mézec:

Well, on that last point, the Deputy knows that I have got absolutely no problems whatsoever standing up to those who have, what I consider to be, a more regressive perspective on this issue. The Deputy is right that homelessness encapsulates a lot more than just rough sleeping and that is a conversation we have been having with those agencies for putting this work together. We are conscious of that fact and I understand that the strategy is likely to contain a broader definition of homelessness, so that we are seeking to tackle that particular issue. One thing the Deputy may have noticed today: I have published my response to the Access to Social Housing Review, which talks about expanding access to the Gateway. Currently we know that there are people who are quite obviously in need, but because they do not tick this box, or tick that box, cannot get on to the Gateway. That has got to change, so that we can target people who are most in need, but that has also got to go hand in hand with improving supply of social housing. That is why I am particularly pleased that Andium is on site to deliver over 700 new homes by the end of next year.

4.5 Senator S.W. Pallett:

I am pleased that the Minister has mentioned he has responded to the Review of Access to Social Housing today, but I just wondered whether he has, or his Department has, a clear definition of what vulnerable is when considering an individual family for housing in the social sector. Does that also include people with mental health issues, for example?

Senator S.Y. Mézec:

It is a good question. I do not know if there is a specific written, concise, definition for what constitutes vulnerable. I think, in many instances, it may well be what appears to be vulnerable for a very diverse range of reasons that it could be. From experience, having spoken to people who have gone through the Gateway system, I know that there have been some very good cases of people's needs being taken care of in a very involved and sensitive way, often in difficult circumstances, because of the nature of their vulnerability. But I am sure that there will probably be room for improvement there and that is why one of the recommendations from that review was to look at an option for support for people with particular vulnerabilities. But it may well be the case that we need to define that a bit more concisely.

4.5.1 Senator S.W. Pallett:

A supplementary, if I could. Just in regards to making sure families, or individuals, are treated fairly and with appropriate care, does he believe they get the same level of care, both at Andium and with other social housing providers?

Senator S.Y. Mézec:

I cannot say with exact confidence, purely on the basis that I am a lot less involved with the Social Housing Trust than I am with Andium, but what I do know is that the Gateway itself is managed by Social Security and so what we do in-house will be consistent. But, as I said, I am confident that there is room for improvement in how that service operates. I think we have to do more transparency on how the system works but also, in the Government Plan, we have got funding put aside to setting up a housing option service, which I think would be a more proactive way of helping people now in a situation where people can often be left to do parts of the process that they may find quite difficult. So I am hoping we can improve on that next year, when we get that funding agreed.

4.6 Deputy G.J. Truscott:

The Government boldly led where others, hopefully, have followed and we adopted the living wage, one for our workers and our contractors. Has the Minister any evidence of other companies following suit in this initiative?

Senator S.Y. Mézec:

For a full list of those that have formally signed up, it would be Caritas Jersey that would provide that list, as they are the agency that is dealing with the Living Wage Foundation. I know that Jersey Telecom has signed up, which I think is a really good sign as a States-owned company employing lots of people. I could not give him an exact list, but I do know that, certainly in the early days, they struggled to get businesses to sign up to it. It was seen as a bit daunting, but I think that the practice that the Government has had to adopt, which I will say was adopted as a result of Deputy Southern's Proposition in the last term, will hopefully pave the way for that becoming commonplace. It should not be a radical concept that if you are working full time, you should not be on a poverty wage.

Deputy G.J. Truscott:

Yes, I agree. Personally, I think I am becoming in favour of the living wage going forward. I am just trying to think what the question was going to be, but it has slightly gone out of my mind, so I will sit down, but keep the good work up, Senator. Does he agree? There we go.

4.7 The Connétable of St. Brelade:

Does the Minister think that there should be any legislation changes to facilitate the delivery of key worker accommodation?

Senator S.Y. Mézec:

Could the Constable clarify what he means by the 'delivery of key worker accommodation'? Is that in terms of building it, or how the Government provides it?

The Connétable of St. Brelade:

Clearly, it is in the light of how Government might provide it.

Senator S.Y. Mézec:

I have got to be honest, I am not entirely sure that legislation may definitely be appropriate. It is the case that we are already providing key worker accommodation. It has happened in the past for various different means, but now we are using Andium as an agency for delivering it. It is the case that we have a key worker accommodation review that is ongoing to try and find what is the best pragmatic way of providing homes of different sorts, whether that is initial rental accommodation, whether it is ownership options in the future.

[16:45]

The one thing that we do need to do and does need to be agreed is a formal definition of what constitutes a key worker, because it is not automatically somebody who works for the Government. It can be somebody who works for an agency that provides statutory services, as well. So, whether that definition would be in-house, or formalised in legislation, I am not quite sure at this point, but it will be something we will have to consider.

4.8 Deputy K.G. Pamplin:

I would like to thank the Minister for his answer to my written question, that are all available online for those who dearly missed them being read out earlier today. Curiously, the potential future sites that required transfer from the Government to Andium Homes, the ambulance station, St. Saviour's Hospital, Warwick Farm, Le Bas Centre, the former police headquarters and the bridge raised some very curious questions. My question is, looking towards, where those areas are occupied by charities,

very close proximity, Les Bas Centre and the Bridge, how would the Minister go about reassuring those charities that they will be assured of places of operation going forward?

Senator S.Y. Mézec:

He is absolutely right and there are lots of ongoing discussions with those various organisations, both conversations that take place directly with Government, but also with Andium Homes, who are going out of their way to try to deliver new premises for these organisations to operate and 80 per cent, for example, have a good arrangement with Andium there. It is fair to say that some of these buildings, that charities are operating from now, are getting to a point where they will not be fit for purpose in the future, so it is not great to have charities that are doing such important work, supporting often vulnerable people in our community, operating from buildings that are not fit for purpose. I can absolutely assure him, though, that as part of discussions about when organisations have to be relocated, or whatever, that we are not leaving anybody out on this. I am not seeking to risk an agency's ability to deliver the service it does. We are doing more than that, some of these agencies will get new premises to operate from, because of the work that Andium is doing in incorporating that into their housing projects.

4.9 The Deputy of St. Martin:

The Minister has already referred to his response to the Objective Assessment of Housing Need published this afternoon. That report was written by Dr. Brown, who emphasises in it that the best way to meet housing need is to ensure that there is an appropriate housing supply. Given the information the Minister has just produced about a potential site, will he be speaking to the Minister for the Environment about identifying even more sites for potential social housing in the new Island Plan?

Senator S.Y. Mézec:

Let me make it clear that I am making myself a severe nuisance, not just to the Minister for the Environment, but also to the Minister for Infrastructure, as well, pushing for sites to become available. My ministerial colleagues know my position that I believe that when sites, particularly Government-owned sites, become freed up, unless there is a greater strategic need for a particular building to be based there, there should be an assumption that it goes to affordable, or social housing. The difficulty there is that there are ongoing pieces of work, like the hospital project, like the office projects that more information was released last week about, that mean we continue to have question marks above the use of these potential sites. I find that frustrating, but I am doing what I can to push to make sure that these sites get made available as early as possible, or at least an indication of when they will be available, so that our social housing providers can be ready to hit the ground running when they do become available.

5. Questions to Ministers without notice - The Chief Minister

The Bailiff:

That brings time available for questions to this Minister to an end. The Chief Minister is next to answer questions.

5.1 Deputy R.J. Ward:

Does the Chief Minister believe he could survive on the minimum wage?

Senator J.A.N. Le Fondré (The Chief Minister):

I think it depends on the circumstances one is living in, but, yes, I think I could.

5.1.1 Deputy R.J. Ward:

How many hours a week do you think you would have to work in order to do that?

The Bailiff:

Through the Chair please.

Deputy R.J. Ward:

Sorry, the Minister would believe he would have to work in order to do that?

Senator J.A.N. Le Fondré:

I have not done my maths, but I would have to certainly be doing a full working week.

Deputy R.J. Ward:

Just to help, 40 hours a week would you give you £332.

The Bailiff:

No, there is no opportunity for comment back, Deputy, this is question time only.

5.2 Deputy M. Tadier:

I thought the Chief Minister came under some unfair scrutiny this week from a *J.E.P. (Jersey Evening Post)* article, which criticised him for attending an A.P.F. (Assemblée Parlementaire de la Francophonie) conference in Jura in Switzerland with myself and a team representing the Assembly. Could he clarify that the relationships, which we are building with the Assemblée Parlementaire de la Francophonie are important and that his trip there, which freed other Ministers to go to a different conference, in a different part of Europe, were a good use of his time?

Senator J.A.N. Le Fondré:

I rather thank the Deputy for his question. Yes, I did rather think whoever wrote the editorial on that point was somewhat directionally challenged, because we have this issue called Brexit and that means we must not only look to the north – where, obviously, we had a 3-ministerial team attending the British-Irish Council, so that was the Deputy Chief Minister, the Minister for External Relations and the Minister for Health and Social Services - but then we also have to look to the south and to the east in terms of dealing with, at the very least, our French cousins and other European countries. What I certainly find is that the advice has always been you engage at the regional level in terms of our dealings with France and that leads you up to the national level. At all levels that I have dealt with so far, they are very appreciative of our engagement with the Francophonie and I looked to see if we can expand some of the other possibilities, not just with the A.P.F., as to where Jersey is represented in the future. So, yes, I do think that it was a very good use of time, because it always makes the point to our French cousins that we are serious about maintaining our French relationships.

5.3 Deputy G.P. Southern:

Can I quote from page 177 of the Government Plan: ‘The staged reinstatement of the States grant over the years 2020, 2021 and 2022, rather than immediately reinstating it at its full value, releases a total of £50 million to invest in the agreed priorities set out in the Government Plan while still ensuring the long-term sustainability of the fund.’ Could the Chief Minister tell us where in this quite substantial document is to be found that £50 million, where is it logged?

Senator J.A.N. Le Fondré:

The point is the release of the funds then basically contribute towards the growth expenditure that we are proposing in the Government Plan.

5.4 Deputy K.G. Pamplin:

I just wanted to thank the Chief Minister for his excellent answer to my written question about the Policy Board. Would the Chief Minister agree that it would be time to sit with us in Scrutiny to just look at the benefits that we can improve that does not hinder the Scrutiny process? There have been some excellent reviews going forward from mental health to migration policy, but there could be still some further synergy that does not impair the work of Scrutiny when it wants to do its reviews, if that makes sense. I am being quizzed by some eyebrows that it might not be.

Senator J.A.N. Le Fondré:

I am not too sure I quite understand the question, but I am very happy to sit down with the Deputy and whoever else he would like me to sit down with, to ensure that we have the balance right, if that answers his question.

Deputy K.G. Pamplin:

It does.

5.5 Deputy K.F. Morel:

Would the Chief Minister give a brief update on the ongoing modernisation and digital programme? I know that it is a very large programme, but would the Chief Minister be able to provide the Assembly with a brief update as to how well it is going and what the priorities are at the moment?

Senator J.A.N. Le Fondré:

It is a somewhat wide-ranging question there, so I am not too sure how to answer it. The modernisation carries on. The target operating models have to get to the point of the organisation has to be stabilised, so there are a couple that still need to be finalised. That will happen between the end of this year and the very first part of January/February next year. In terms of the efficiencies programmes, some of those efficiencies are already occurring. In terms of the H.R. (human resources) and the cultural, the change of culture, obviously Team Jersey is now going through the second phase of that piece of work, which is much more engagement with the staff to try to basically improve the culture of the organisation and we will see how that comes out.

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

Could the Chief Minister outline whether he and the Deputy of Grouville have confirmed membership of the Policy Development Board on the Island Identity? Bearing in mind that this is a development board on Island identity, has he and the Deputy ensured that the Board is diverse? There is a rumour going around that the Board is made up of very middle-class members and could you please provide a list of members of the said Board?

Senator J.A.N. Le Fondré:

If the Connétable looks at the answer to question 9 of 522, 4 pages in, she will see the exact membership.

5.7 Senator K.L. Moore:

When the efficiencies programme was published, there was £1.8 million that had yet to be identified. Has the Chief Minister now been able to reach agreement as to where the £1.8 million of efficiencies will be found?

Senator J.A.N. Le Fondré:

What we have said on the overall plan - and I do give credence to Ministers who have challenged, *et cetera* - is that if the individual efficiencies from that particular level were not supported, that alternatively step one was to find alternative arrangements within the Department, or step 2 was to reprofile the growth expenditure. My understanding, as to where we are at the moment, is that there is some further information still being required, but that it should be the Department, or certainly the

briefing note I have seen, says the relevant Department will find it is absolutely feasible to reprofile the growth, if it needs to. So, on that basis, the integrity of the £40 million still stands.

5.7.1 Senator K.L. Moore:

I hear what the Chief Minister is saying, but does the relevant Minister agree with that assumption that the Department can reprofile that growth?

Senator J.A.N. Le Fondré:

I believe that discussion is still going on, but I will say that is the advice that has been given to that Minister. What I was going to say is the position we have said, as Council of Ministers as a whole, was that we either support the efficiencies as proposed, we go for finding alternatives, or we look at the profiling of the growth expenditure. The growth expenditure, in that particular area, is reasonably significant and is, therefore, capable of being reprofiled. What I will also say is that, as a whole, I do expect overs and unders to take place during the course of the year; that is the nature of a plan and, therefore, I do stand by that plan.

5.8 Senator K.L. Moore:

Does the Council of Ministers have any intentions to borrow to achieve some of their significant programmes in the time period of the Government Plan?

Senator J.A.N. Le Fondré:

The funding that is required at this stage is clear and we have set that out in the Plan. If we are looking at the significant capital things, that will be a matter for the Assembly when it comes back and that is detailed in section 9 of the Plan, which talks about infrastructure funds, *et cetera*.

5.9 Deputy K.F. Morel:

On the eve of the Government Plan debate, is the Chief Minister confident that it will all go his way?

Senator J.A.N. Le Fondré:

There is an expression: it is never over until... but, at the end of the day, I welcome all the various comments, I welcome the challenge, let us see where we are at the end of the week. I am looking forward to it I think and there will, no doubt, be some things where the Assembly feel that we should go in a slightly different direction, but I believe, overall, that hopefully the Government Plan as a whole will move forward, whether there are individual changes on that; that is a matter for the Assembly in the next few days.

5.10 Deputy M. Tadier:

A less friendly ball this time. Does the Chief Minister think ... is it still a core policy of the Council of Ministers to create a more equal society and a society in which income inequality is reduced?

Senator J.A.N. Le Fondré:

I believe we set the point about income inequality into the Strategic Plan and as long as it is still in there it remains that same policy.

5.10.1 Deputy M. Tadier:

So, may I invite the Chief Minister then to perhaps reconsider his position on matters relating to long-term care charges and scrapping the cap on social security, which would clearly be a move which is progressive, rather than regressive, under the current proposals from his Government?

Senator J.A.N. Le Fondré:

I rather consider the Deputy to be conflating 2 different matters. The long-term care fund is about the sustainability of the fund and the other impact we have to consider is the economic impact on

businesses that generate the taxes that pay for all the services that all members of society enjoy. If we cause too much disruption to business as a consequence of that, then we will be in a far worse position and income inequality will be worse.

The Bailiff:

Any other questions for the Chief Minister? Very well, that concludes questions for the Chief Minister and that concludes the business scheduled for the Assembly for this afternoon. Accordingly, in accordance with the procedure that has been agreed up to now, we stand adjourned until 9.30 a.m. tomorrow morning.

ADJOURNMENT

[17:00]